

QATAR 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Qatar is a constitutional monarchy in which Emir Sheikh Tamim bin Hamad al-Thani exercises full executive power. In June the former emir Sheikh Hamad bin Khalifa al-Thani abdicated to his son, Sheikh Tamim. The 2005 constitution provides for hereditary rule by males in the emir's branch of the al-Thani family, which has ruled since 1868. The most recent national elections were in 2011 for the Central Municipal Council, an advisory and consultative body; observers considered them free and fair. Authorities maintained effective control over security forces. Security forces did not commit human rights violations.

The principal human rights problems were the inability of citizens to change their government peacefully, restriction of fundamental civil liberties, and pervasive denial of noncitizen workers' rights. The monarch-appointed government prohibited organized political parties and restricted civil liberties, including freedoms of speech, press, and assembly and access to a fair trial for persons held under the Protection of Society Law and Combating Terrorism Law.

Other continuing human rights concerns included restrictions on the freedoms of religion and movement, as foreign laborers could not freely travel abroad. Trafficking in persons, primarily in the domestic worker and labor sectors, was a problem. Legal, institutional, and cultural discrimination against women limited their participation in society. The noncitizen "Bidoon" (stateless persons) who resided in the country with unresolved legal status experienced social discrimination.

The government took limited steps to prosecute those who committed abuses.

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 law prohibit torture and other inhuman or degrading treatment and punishment; there were limited reports of abuse carried out by government officials. There were also reports that authorities kept some detainees in solitary confinement while in prison.

The government interprets sharia as allowing corporal punishment for certain criminal offenses, including court-ordered flogging in cases of alcohol consumption and extramarital sex by Muslims. On appeal, courts typically reduced this sentence to imprisonment or fine. In April authorities reportedly sentenced a barber to 40 lashes and fined him 500 riyals (\$137) for consuming alcohol. It was unclear if authorities carried out the sentence. The state-sponsored National Human Rights Committee (NHRC) reported that they found no evidence that authorities carried out floggings.

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards, and the government permitted some visitation rights by the NHRC, Amnesty International (AI), and Human Rights Watch (HRW).

Physical Conditions: Prisons and detention centers generally provided clean sanitation facilities, potable water, and access to adequate medical care. In 2012 there were approximately 600 to 700 prisoners at the Central Prison, the principal facility for convicted criminals, and 500 detainees awaiting trial in detention centers throughout the country. The NHRC reported that the Deportation Detention Center (DDC) held an estimated 1,100 male and 300 female detainees. Separate facilities existed for men and women, pretrial detainees, convicted prisoners, and juveniles and adults. The Ministry of Social Affairs has authority over juvenile detainees. It held an average of five or six juveniles at any given time, separately and under the supervision of a government social worker. Conditions for female prisoners were the same as those for men.

Authorities imprisoned women convicted for pregnancy out of wedlock; their children stayed with them. Rights groups reported satisfactory conditions for women and their children in both the Central Prison and DDC. In some instances

the Qatar Foundation for Combating Human Trafficking housed detained women and their children at the Foundation's shelter in lieu of the DDC.

According to past reports of detainees at the state security prison and visits by the NHRC chairman, prisoners held under the Protecting Society and Terrorism laws did not face significantly different conditions from those of the general prison population. Press characterized the legal process for some foreign detainees as opaque and fraught with complications stemming from language barriers.

Administration: Observers considered recordkeeping accurate. Prisoners and detainees generally had access to visitors, although prison officials at the state security prison limited access to family and legal counsel. Authorities allowed prisoners and detainees to submit complaints to judicial and administrative authorities without censorship and to request investigation of credible allegations of inhumane treatment. Authorities stated that they investigated allegations but did not make the results public. In certain cases authorities used community service and probation for nonviolent offenders in lieu of prison sentences. By law ombudsmen cannot serve on behalf of prisoners and detainees.

Independent Monitoring: The government permitted monitoring visits by independent human rights observers and international bodies in accordance with their standard modalities to all facilities except the state security prison. The last reported visits by international human rights organizations to a detention center were by AI and the UN Special Rapporteur on the Rights of Migrants in November. The government occasionally provided foreign diplomats access to state security prisoners at separate locations. Representatives from the NHRC conducted regular visits to all facilities.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, and the government generally observed these prohibitions. There were isolated reports, however, that authorities arbitrarily arrested and detained individuals. Authorities may detain individuals in the state security prison for indefinite periods under the Protection of Society Law and the Combating Terrorism Law. The government limited detention to two months, however, for all DDC detainees except those facing additional financial criminal charges. The processing speed for deportations, however, ranged from two days to 10 months. There were also reports that authorities delayed deportations up to 10 months in cases where detainees had to resolve financial delinquencies before being allowed to depart the country.

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the police under the Ministry of Interior and state security forces, and the government employed effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity of the security forces.

Arrest Procedures and Treatment of Detainees

Criminal law requires that persons be apprehended openly with warrants based on sufficient evidence and issued by a duly authorized official, be charged within 24 hours, and be brought before a court without undue delay, although the law empowers the judge investigating the case to extend the total detention period to six months before the case goes to court. The state security service can arrest and detain suspects for up to 30 days without referring them to the public prosecutor.

The Protection of Society Law and Combating Terrorism Law provide procedures that permit detention without charge for as long as 15 days, renewable for up to six months. The law permits an additional six months' detention without charge with approval of the prime minister, who can extend the detention indefinitely in cases of threats to national security. The Protection of Society Law and Combating Terrorism Law empower the minister of interior to detain persons suspected of crimes related to national security, honor, or impudence. Decisions under this law are subject to appeal to the prime minister only. A provision of this law permits the prime minister to adjudicate complaints involving such detentions. The law permits a second six-month period of detention with approval from the criminal court, which can extend a detention indefinitely with review every six months.

In most cases a judge may order a suspect released, remanded to custody to await trial, held in pretrial detention pending investigation, or released on bail. Although suspects are entitled to bail (except in cases of violent crimes), it was used infrequently. Authorities were more likely to grant citizens bail than noncitizens. Noncitizens charged with minor crimes may be released to their citizen sponsor, although they cannot leave the country until the case is resolved. There was no information available at year's end on the number of these unresolved cases.

Nepali teacher Dorje Gurung was arrested on April 24 under allegations of "insulting Islam" on April 16. Authorities released him on May 12 after the public prosecutor decided not to press charges.

By law in nonsecurity cases, the accused is entitled to legal representation throughout the process and prompt access to family members. There are provisions for state-funded legal counsel for indigent prisoners in criminal cases, and authorities generally honored this requirement. Authorities generally did not afford suspects detained under the Protection of Society Law and the Combating Terrorism Law access to counsel and delayed access to family members. The NHRC reported it had evidence that authorities did not refer some individuals arrested under the Protection of Society Law to the public prosecutor.

All suspects except those detained under the Protection of Society Law or the Combating Terrorism Law must be presented before the Public Prosecutor within 24 hours of arrest. If the Public Prosecutor finds sufficient evidence for further investigation, authorities can detain a suspect for up to 15 days with the approval of a judge, renewable for similar periods not to exceed 45 days, before charges must be filed in the courts. Judges may also extend pretrial detention for one month, renewable for one-month periods not to exceed half of the maximum punishment for the accused crime.

There were no reports of individuals held under house arrest.

Arbitrary Arrest: The law prohibits arbitrary arrest and detention and, with few exceptions, the government observed these prohibitions. There were reports of individuals detained without formal charges by security agencies on allegations of terrorist financing as stipulated by the law.

Pretrial Detention: With few exceptions nearly all suspected criminals go to trial within a month of arrest.

Amnesty: During Ramadan and on National Day, the emir granted amnesty to 69 prisoners, including 10 citizens and 59 noncitizens. *The Peninsula* newspaper reported on August 20 that the emir pardoned at least 36 convicted prisoners, including some individuals convicted of sexual abuse, assault, and rape.

e. Denial of Fair Public Trial

Although the constitution provides for an independent judiciary, the emir, based on recommended selections from the Supreme Judicial Council, appoints all judges, who hold their positions at his discretion. Approximately 55 percent of the judges were foreign nationals dependent on residency permits. Foreign detainees had

access to the legal system, although some complained of opaque legal procedures and complications mostly stemming from language barriers.

Trial Procedures

The law provides for the right to a fair trial for all residents, and the judiciary generally enforced this right, except for suspects held under the Protection of Society Law and Combating Terrorism Law.

The law provides defendants the presumption of innocence, and authorities generally inform defendants promptly of the charges brought against them, except for suspects held under the Protection of Society Law and Combating Terrorism Law. An October press report, however, indicated that in some cases authorities did not adequately inform foreign detainees of charges pending against them, did not always provide access to legal counsel, and did not always offer interpreters who spoke the detainee's language. Judges give verdicts, and trials are open to the public, but the presiding judge can close the courtroom to the public if the case is deemed sensitive.

In February the appeals court commuted the life sentence of Mohammed al-Ajami, prosecuted in 2012 for reciting poetry deemed critical of the ruling family and other governments in the region, to 15 years. In October the Supreme Court upheld the ruling, exhausting legal recourse options in a trial that AI claimed had been marred by irregularities, including reports that al-Ajami's lawyer was prevented from attending one trial hearing and claimed that the prosecution presented edited testimony.

Defendants are entitled to choose their legal representation or accept it at public expense throughout the pretrial and trial process. In matters involving family law, Shia and Sunni judges may apply their interpretations of sharia for their religious groups.

Defense attorneys have access to government-held evidence relevant to their cases once the government files the case in court. Defendants have the right to confront and question witnesses against them and to present witnesses and evidence on their own behalf. Defendants have the opportunity to give a statement at the end of their trial. Defendants have the right to appeal a decision within 15 days, and use of the appellate process was common.

The Court of Cassation requires a fee to initiate the appeals process. In some cases courts waived fees if an appellant demonstrated financial hardship.

Political Prisoners and Detainees

In rare cases authorities arrested or detained individuals for political activity. In February on appeal, authorities commuted Mohammed al-Ajami's sentence to 15 years from life in prison on charges of "inciting to overthrow the regime." In October the Supreme Court upheld the 15-year sentence.

Civil Judicial Procedures and Remedies

There are civil remedies available for those seeking damages for, or cessation of, human rights violations, but there were no cases reported during the year. The law specifies circumstances that necessitate a judge's removal from a case for conflict of interest, and authorities generally observed these laws.

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. Police and security forces, however, reportedly monitored telephone calls and e-mails. The government prohibits membership in political organizations.

Citizens must obtain government permission to marry foreigners, which was generally not granted for females. Male citizens may apply for residency permits and citizenship for their foreign wives, but female citizens can apply only for residency for their foreign husbands and children, not citizenship.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and press in accordance with the law, but the government limited these rights. Authorities commuted poet Mohammed al-Ajami's sentence for "incitement to overthrow the regime" to 15 years on appeal. Self-censorship for cultural norms and fear of prosecution remains the primary obstacle to free speech and press.

Freedom of Speech: Citizens individually discussed sensitive political and religious issues in private and on social media, but not in public forums or as part of political associations, which were not allowed. The law prohibits residents from criticizing the emir or the heir apparent. Members of the much larger foreign population censored themselves publicly on sensitive topics.

Press Freedoms: The law provides for restrictive procedures on the establishment of newspapers, closure, and confiscation of assets of a publication. It also criminalizes libel and slander, including injury to dignity. The government-funded Doha Center for Media Freedom published a report in April asserting that the law “notably restricted” the press corps and that newspapers and radio and television stations were “strongly aligned” with the government. In May a local professor published an opinion piece in the *New York Times* newspaper highlighting the restrictions inherent in the press law.

Members of the ruling family or proprietors who enjoyed close ties to government officials owned all print media. Both private and state-owned television and radio reflected government views. The government owned the Doha-based al-Jazeera satellite television network, which carried regional, international, and theme-based programming. Although al-Jazeera management and the government maintained that the channel was free of government influence, the government funded it, and some media reported that the government influenced the content.

Censorship or Content Restrictions: Journalists and publishers continued to self-censor due to political and economic pressures when reporting on government policies or material deemed hostile to Islam, the ruling family, and relations with neighboring states. The Qatar Media Corporation, the Ministry of Culture, and customs officials censored material. There were no specific reports of political censorship of foreign broadcast news media or foreign programs. The government reviewed and censored foreign newspapers, magazines, films, and books for objectionable sexual, religious, and political content. In September an independent news blog reported that authorities banned an Indian comedy, “Grand Masti,” for vulgar dialogue and obscene content. In March the newspaper *Doha News* conducted interviews with journalists who complained about the lack access to government officials, a problematic legal framework for journalists and reporters, and advertisers’ undue influence over editorial decisions.

Libel Laws/National Security: Laws restricted the publication of information that could incite the overthrow of the regime, abuse the regime, or harm supreme state interests; slander the emir or heir apparent; report official secret agreements;

ridicule or express contempt for one of the Abrahamic faiths; prejudice heads of state or disturb relations; harm the national currency or the economic situation; violate the dignity of persons, the proceedings of investigations, and prosecutions in relation to family status; or defame the state or endanger its safety.

Internet Freedom

The government-owned internet service provider Ooredoo restricted the expression of views via the internet and censored the internet for political, religious, and pornographic content through a proxy server, which monitored and blocked websites, e-mail, and chat rooms. A user who believed authorities had censored a site mistakenly could submit the website address to have the site reviewed for suitability; there were no reports that any websites were unblocked based on this procedure. Ooredoo is responsible for monitoring and censoring objectionable content on the internet.

Academic Freedom and Cultural Events

The constitution provides for freedom of expression and scientific research. Instructors at Qatar University noted that they often exercised self-censorship. Instructors at foreign-based universities operating in the country, however, reported they enjoyed academic freedom. There were no reported government restrictions on cultural events, although some groups organizing cultural events reported they exercised self-censorship. Authorities censored films for political, religious, and sexual content and for vulgar and obscene language. In September students circulated a petition warning Qatar University students to stay away from certain books in the online library with “inappropriate” content. Qatar University’s vice president posted a statement on the university website announcing that the administration had deleted the questionable books from the online library and would begin censoring the materials available there, including books containing sexual content.

Authorities permitted Ali Khalifa al-Kuwari to publish a book entitled *The People Want Reform...In Qatar, Too*. The book highlighted impediments and obstacles to reform, including a lack of transparency and freedom of expression, key issues areas for reform including political and economic imbalances, and how to initiate reforms in the country.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for, but the law strictly regulates, freedom of assembly. Organizers for a public meeting must meet a number of restrictions and conditions to acquire a permit. For example, the director general of public security at the Ministry of Interior must give permission for a meeting, subject to appeal to the minister of interior, who has the final decision. There was no information available on the number of permits requested or granted during the year.

Freedom of Association

The constitution provides for the right to form groups, defined by the law as professional associations and private institutions, but the government significantly limited this right. There were no reports of attempts to organize politically. There were no organized political parties, and authorities prohibited politically oriented associations. Twenty-seven professional and private organizations existed. The government prohibits professional associations and private institutions from engaging in political matters or affiliating internationally and they must obtain approval from the Ministry of Labor and Social Affairs, which can deny their establishment if it deems them a threat to the public interest.

Administrative obstacles, including the slow pace of procedures required to form professional associations and private institutions and strict conditions on their establishment, management, and function restricted their recognition. The minister of labor and social affairs must approve applications, and the number of noncitizens cannot exceed 20 percent of the total membership without approval by the ministerial cabinet. Nine organizations applied to form a professional society during the year.

Professional societies must pay 50,000 riyals (\$13,735) in licensing fees, 10,000 riyals (\$2,747) in annual fees and, since 2010, must have 10 million riyals (\$2.75 million) in capital funds. Private institutions must also have 10 million riyals (\$2.75 million) in capital funds, but the Council of Ministers can waive this requirement. Registrations expire after three years; subsequently, an association must reregister.

Informal organizations, such as community support groups and activity clubs, operated without registration, but they may not engage in activities deemed political.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation, but the government did not fully respect these rights. The Office of the UN High Commissioner for Refugees generally did not ask the government to assist internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

In-country Movement: The only restrictions on in-country movement for citizens concerned sensitive military, oil, and industrial installations. Although there was less emphasis on setting and enforcing “family-only times” at entertainment areas in Doha, several local malls and souqs (markets) continued to restrict access to certain areas to foreign workers on weekends. Police also limited foreign workers’ access to National Day celebrations on the main thoroughfare along Doha’s waterfront.

Foreign Travel: The government prevented the travel of its citizens only when they were involved in court cases in progress. The government’s sponsorship system severely restricted foreign travel for noncitizens, which principally affected foreign workers. All noncitizens require an exit permit from their employer to leave the country. Although the law provides an administrative procedure for obtaining an exit permit without an employer’s approval, the process was burdensome. Foreign embassies and foreign citizen community leaders reported that the process was ineffective, and they continued to receive requests to mediate disputes concerning exit permits between foreign workers and their sponsors. The law prohibits the practice of employers withholding workers’ passports, but foreign citizen community leaders and officials from labor-exporting countries confirmed it remained a common problem with insufficient enforcement. Courts could order travel bans for individuals in cases involving delinquent payments. In April Bahraini activist Mohamed al-Buflasa reported on his Twitter account that authorities prevented him from entering the country without explanation.

Protection of Refugees

Access to Asylum: The country is not a signatory to the 1951 Refugee Convention or its 1967 Protocol. The law does not explicitly provide for the granting of asylum or refugee status, but occasionally the government accepted such individuals as “guests” on a temporary basis. The government legally classified the small number of persons granted residence on humanitarian grounds as visitors.

Refoulement: The constitution prohibits the extradition of political refugees. The government generally provided protection against the expulsion or forcible return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

Stateless Persons

Citizenship derives solely from the father, and women cannot transmit citizenship to their noncitizen spouse or children. A woman must obtain permission from authorities before marrying a foreign national but does not lose citizenship upon marriage.

According to the NHRC, in 2012 there were approximately 300 to 400 stateless Bidoon residents in the country. They suffered some social discrimination, but not legal discrimination. The Bidoon were able to register for public services such as education and health care.

The law allows long-term residents to apply for citizenship after living in the country for 25 consecutive years, but the government rarely approved citizenship applications. The government provides a legal means for long-term residents to acquire citizenship; however, restrictions and uneven application of the law prevented stateless persons from acquiring citizenship.

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

The constitution provides for hereditary rule by the emir’s branch of the al-Thani family and does not provide citizens the right to change their government peacefully through elections. In June the former emir Sheikh Hamad bin Khalifa al-Thani abdicated power to his son, Sheikh Tamim bin Hamad al-Thani. Before transferring authority Sheikh Hamad issued a decree extending the term of the appointed Advisory (“Shura”) Council by three years, reversing his 2011 call for elections to be held in the latter half of the year. The government did not permit

political parties or opposition groups. The emir exercises full executive powers, including appointment of cabinet members. The Shura Council, whose members the emir appointed, plays an advisory role only. The constitutional provisions for electing two-thirds of the body and initiation of legislation by the Shura Council remained unimplemented. The influence of family and tribal traditions was strong.

Elections and Political Participation

Recent Elections: In 2011 citizens elected the 29 members of the fourth Central Municipal Council to four-year terms. The council advises the minister of municipality and urban affairs on local public services. Foreign diplomatic missions noted no apparent irregularities or fraud in the elections, although voter turnout was lower than authorities expected. There were an estimated 100,000 to 120,000 eligible voters and 32,662 registered voters. Of the voters who registered, 13,606 (41.6 percent) went to the polls.

Voting is open to all citizens who are at least 18 years old, including those who have been naturalized for at least 15 years.

Political Parties: The government did not permit the organization of political parties, and there were no attempts to form them during the year.

Participation of Women and Minorities: Although traditional attitudes and societal roles continued to limit women's participation in politics, women served in public office as minister of communications and information technology, chair of the Qatar Foundation, vice president of the Supreme Council for Family Affairs (SCFA) with ministerial rank, head of the General Authority for Museums, ambassador to Croatia, and president of Qatar University. One woman served on the Central Municipal Council, and there were two female judges on the Court of First Instance.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were no reported cases of government corruption during the year.

Corruption: The State Audit Bureau and the National Committee for Accountability and Transparency have been responsible for combating corruption since its establishment in 2007. In 2011 authorities opened a second authority, the

Administrative Control and Transparency Authority, headed by a former deputy prime minister. Its mandate includes probing the misuse of public funds and investigating complaints against government officials. There was no publicly available information on the authority's investigations. The agency may also have access to banking details in cases that allege money laundering. Also in 2011 authorities opened a quasi-governmental body, the Doha Rule of Law and Anti-Corruption Center, providing training to promote a culture of anticorruption.

In November local press reported that the courts convicted 14 individuals – 11 from the Ministry of Municipality and Urban Affairs – on corruption charges. Each defendant received five years' imprisonment, were collectively ordered to repay nine million riyal (\$2.47 million), and the 11 government employees were fired. The media did not report the nationalities of the defendants.

Whistleblower Protection: There are no legal provisions for whistleblower protection; however, the State Audit Bureau reported that it maintained the confidentiality of whistleblowers.

Financial Disclosure: There are no legal requirements for public officials to disclose their income and assets.

Public Access to Information: The law does not provide for public access to government information beyond the requirement that the government publish laws in the official gazette. Information on the government, such as the budget, expenditures, or draft laws, was generally not available.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

In July the government decreed the reorganization of several quasi-governmental organizations under a single entity, the Qatar Foundation for Social Work (QFSW), which was ultimately responsible to the legally designated founder, the emir's mother Sheikha Moza bint Nasser al-Misnid. The QFSW subsumed the Qatar Foundation for Combating Human Trafficking (QFCHT) and the Qatar Foundation for Protecting Women and Children (QFPWC), two quasigovernmental bodies with charters related to human rights. By year's end the government had not fully implemented the decree. The NHRC remained a government-funded, quasi-independent human rights body outside the sphere of the QFSW. These organizations cooperated with the government, rarely criticized it (with the exception of the NHRC), and did not engage in political activity.

UN and Other International Bodies: No international nongovernmental organization (NGO) that focused on human rights or humanitarian issues was registered in the country. The government fully cooperated with and sanctioned visits by HRW in February and September, and AI in March and November to assess migrant worker conditions. Since 2009 the UN's Office of the High Commissioner for Human Rights has operated in Doha through its Human Rights Training and Documentation Center for Southwest Asia and the Arab Region and has received government funding. The center has no mandate to monitor human rights violations in the country. In November the UN special rapporteur on the human rights of migrants visited the country to assess the human rights situation of migrants and their conditions under detention.

Government Human Rights Bodies: The government-funded NHRC investigated local human rights conditions. The NHRC reported that it handled 1,434 petitions for assistance during the year, 109 of which were from citizens and 1,325 from noncitizens. The NHRC typically handled petitions by liaising with government institutions to ensure a timely resolution to disputes. During the year the NHRC published a report on the status of human rights in 2011 that was widely covered in local media and available online.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on gender, race, language, religion, but not disability, sexual orientation, or social status. Local custom, however, outweighed government enforcement of nondiscrimination laws, and legal, cultural, and institutional discrimination existed against women, noncitizens, and foreign workers.

Women

Rape and Domestic Violence: The law criminalizes rape, but not spousal rape. The penalty for rape is life imprisonment, regardless of the age or gender of the victim. If the perpetrator is a relative, teacher, guardian, or caregiver of the victim, the penalty is death. The government enforced the law against rape, but victims generally feared social stigma and underreported the crime. In September independent media reported that a Filipino national was gang-raped by five expatriate men. The Ministry of Interior reportedly arrested the five men and processed legal action. During the year the government convicted two individuals for rape, and another seven persons awaited trial.

There is no specific law criminalizing domestic violence. According to the NHRC, authorities may prosecute domestic violence as “general” violence under the criminal law. According to the quasi-governmental QFPWC, domestic violence against women continued to be a problem. There were neither arrests nor convictions for family domestic violence among citizens publicized in the press, although there were reports of cases involving noncitizens. The police maintained a women-only division that was able to receive in-person complaints freely but had limited access to homes. During the year 536 cases of domestic abuse against women were reported to the foundation. No data on sexual abuse was available from foreign embassies. In the past police treated domestic violence as a social issue rather than a criminal matter.

Resources for women survivors of violence were limited. The SCFA operated a shelter under the supervision of the QFPWC to accommodate abused women and children. During the year the shelter accommodated 28 women and 33 children. The shelter provided a variety of services, including financial assistance, legal aid, and psychological counseling. The QFPWC also opened an office in the attorney general’s office to improve case coordination with the public prosecutor.

Sexual Harassment: Sexual harassment is illegal and carries penalties of imprisonment or fines. In some cases sponsors sexually harassed and mistreated foreign domestic servants. Most domestic servants did not press charges for fear of losing their jobs. The QFPWC reported 28 cases of sexual harassment, 17 of which were referred to the court, one that resulted in conviction of the perpetrators, and 15 that were pending before the courts. When the domestic employees brought harassment to the attention of authorities, the employees were occasionally deported, and the government did not file charges against the employer.

Reproductive Rights: There were no reports of government interference in the right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. Individuals had the information and means to do so free from discrimination or coercion. There was no government support for access to means of contraception, but contraceptives were freely available without a prescription at major retailers. Approximately 32 percent of women between the ages of 15 and 49 used modern contraceptive methods. Licensed medical professionals attended mothers at birth, and maternal care was readily available. Men and women had equal access to treatment for sexually transmitted diseases.

Discrimination: The constitution asserts equality between citizens in rights and responsibilities, but social and legal discrimination against women persisted. For example, the housing law, which governed the government housing system, was not applied fairly and discriminated against women married to noncitizen men and against divorced women. The law requires five years of residency from the date of divorce before female citizens may obtain their housing entitlement. Women married to noncitizens or to Bidoons must reside in the country with their husbands for five consecutive years before applying for the housing benefit. Under the Nationality Law, female citizens faced legal discrimination in obtaining and transmitting citizenship to their noncitizen husbands and their children.

Traditions of sharia also significantly disadvantage women in family, property, and inheritance law and in the judicial system generally. For example, a non-Muslim wife does not have the automatic right to inherit from her Muslim husband. She receives an inheritance only if her husband wills her a portion of his estate, and even then is eligible to receive only one-third of the total estate. The proportion that women inherit depends upon their relationship to the deceased; 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. Women who are granted guardianship over their children by law receive their financial rights and associated right of residence.

Women may attend court proceedings and represent themselves, but a male relative generally represented them. In cases involving financial transactions, the testimony of two women equals that of one man.

A non-Muslim woman is not required to convert to Islam upon marriage to a Muslim, but many did so. The government documents children born to a Muslim father as Muslims. Men may prevent adult female family members from leaving the country, but only by seeking and securing a court order. There were no reports that the government prevented women over the age of 18 from traveling abroad.

According to the Qatar Chamber of Commerce and Industry, in 2012 women constituted approximately 13 percent of business owners, mainly operating design companies, fashion establishments, training centers, and beauty centers. Women constituted 36 percent of the overall workforce but only 7 percent of senior officials and managers. Women served in the workforce as university professors, public school teachers, medical professionals, and police. Illiteracy among citizen women largely has been eliminated, and women made up 83 percent of higher education students. Women typically received equal pay for equal work, but often

lacked access to decision-making positions. Married couples only received one benefits package for education and housing – the most generous – and men typically had more generous packages because of their positions.

There is no specialized government office devoted to women's equality.

Children

Birth registration: Children derive citizenship from the father. The government generally registered all births immediately.

Education: Education is free and compulsory for all citizens through the age of 18 or nine years of education, whichever comes first. Education is compulsory for noncitizen children, but they pay a nominal fee.

Child Abuse: There were limited cases of reported child abuse, family violence, and sexual abuse. The QFPWC reported that during the year it received 482 cases involving abuse of children.

Forced and Early Marriage: By law the minimum age for marriage is 18 for boys and 16 for girls. The law does not permit marriage of persons below these ages except in conformity with religious and cultural norms. These norms include the need to obtain consent from the legal guardian to ensure that both prospective partners consent to the union and apply for permission from a competent court.

Sexual Exploitation of Children: There is no specific law establishing a minimum age for consensual sex. By law sex is prohibited outside of marriage. In the criminal law, the penalty for sexual relations with a person younger than 16 is life imprisonment. If the individual is the relative, guardian, caretaker, or servant of the victim, the penalty is death; there were no reports this sentence was ever implemented. There is no specific law prohibiting child pornography as all pornography is prohibited, but the antitrafficking law passed in 2011 specifically criminalizes the commercial sexual exploitation of children.

The QFPWC conducted awareness campaigns on the rights of the child and maintained a special hotline in Arabic and English that allowed both citizen and noncitizen children to call with questions and concerns ranging from school, health, and psychological problems to sexual harassment. The hotline operated in conjunction with the family abuse hotline; the QFPWC reported it received 5,631

calls in 2012, of which 3,874 were from individuals and 1,757 were from institutions such as hospitals.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

The country does not have an indigenous Jewish community. On occasion some of the country's privately owned Arabic-language newspapers carried cartoons with offensive caricatures of Jews and Jewish symbols. These occurred primarily in the daily newspapers *al-Watan*, *al-Sharq*, *al-Arab*, and *al-Raya* and drew no government response.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law prohibits discrimination against – and requires the allocation of resources for – persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and other state services or other areas. There was no underlying pattern of abuse at education facilities, mental health facilities, or prisons. The government is charged with acting on complaints from individuals and the NHRC and enforcing compliance. The law requires that 2 percent of jobs in government agencies and public institutions be reserved for persons with disabilities, and most government entities appeared to carry out this law. Private sector businesses employing a minimum of 25 persons are also required to hire persons with disabilities as 2 percent of their staff. Employers who violate these employment provisions are subject to fines of up to 20,000 riyals (\$5,500). There were no reports of violations during the year.

Private and independent schools generally provided most of the required services for students with disabilities, but government schools did not. Few public buildings met the required standards of accessibility for persons with disabilities, and new buildings generally did not comply with standards. The SCFA is responsible for ensuring compliance with the rights and provisions mandated under the law, but compliance was not effectively enforced.

The right of persons with disabilities to vote and participate in civic affairs was not restricted, and there were designated schools for students with disabilities.

National/Racial/Ethnic Minorities

Legal and social discrimination against noncitizen workers was a problem. The government discriminated against noncitizens in employment, education, housing, and health services. Noncitizens were required to pay for electricity, water, and some secondary and higher education (services provided without charge to citizens). Noncitizens were eligible for medical coverage at a nominal fee. Noncitizens generally could not own property, but the law provides for property ownership in three designated areas. Cultural, linguistic, and religious differences and divergent economic status accentuated social discrimination between citizens and migrant workers. Bidoons also experienced social discrimination.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Lesbian, gay, bisexual, and transgender (LGBT) persons faced discrimination under the law and in practice. The law prohibits same-sex sexual conduct between men but does not explicitly prohibit same-sex relations between women. Under the law a man convicted of having sexual relations with a boy younger than 16 is subjected to a sentence of life in prison. A man convicted of having same-sex sexual relations with a man 16 or older is subject to a sentence of seven years in prison. The number of such cases before the courts during the year was unknown.

There were no public reports of violence against LGBT persons. LGBT individuals largely hid their sexual preferences in public due to an underlying pattern of discrimination toward LGBT persons based on cultural and religious values prevalent in the society. There were no government efforts to address potential discrimination nor are there antidiscrimination laws.

Due to social and religious conventions, there were no LGBT organizations nor were there gay pride marches or gay rights advocacy events. Information was not available on official or private discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation and gender identity. Victims of such discrimination, however, were unlikely to come forth and complain because of the potential for further harassment or discrimination.

Other Societal Violence or Discrimination

There was discrimination against HIV-infected patients. Foreigners with HIV/AIDS, whose conditions were diagnosed during their medical examinations upon arrival in the country, were deported. The government quarantined HIV-positive citizens and provided with treatment.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law does not adequately protect the right of workers to form and join independent unions, conduct legal strikes, and bargain collectively, a situation that made the exercise of these rights difficult. The law provides workers in private sector enterprises that have 100 citizen workers who are 18 and older a limited right to organize, strike, and bargain collectively. The law does not prohibit antiunion discrimination or provide for reinstatement of workers fired for union activity.

The law excludes government employees, noncitizens, and domestic workers, including persons working as drivers, nurses, cooks, gardeners, casual workers, workers employed at sea, and most workers employed in agriculture and grazing, from the right to join worker committees or the national union, effectively banning these workers from organizing, bargaining collectively, or striking.

For those few workers covered by the law protecting the right to collective bargaining, the government circumscribed the right to bargain collectively through its control over the rules and procedures of the bargaining and agreement processes. The labor code allows for only one trade union, the General Union of Workers of Qatar (General Union), which was composed of general committees for workers in various trades or industries. Trade or industry committees were composed of worker committees at the individual firm level.

Civil servants and domestic workers do not have the right to strike; the law also prohibits strikes at public utilities and health or security service facilities, which include the gas, petroleum, and transportation sectors. Although the law recognizes the right to strike for some workers, restrictive conditions made the likelihood of a legal strike extremely remote. The law requires approval for a strike by three-fourths of the General Committee of the workers in the trade or the

industry and potential strikers also must exhaust a lengthy dispute resolution procedure before a lawful strike can be called. The Complaint Department of the Ministry of Labor and Social Affairs in coordination with the Ministry of Interior must pre-authorize all strikes, including approval of the time and place.

In organizations with more than 30 workers, the law permits the establishment of “joint committees” with an equal number of worker and management representatives to deal with a limited number of workplace issues. Foreign workers may be members of joint labor-management committees. The law offers a means to file collective disputes. If not settled internally between the employees and employer, the Ministry of Labor and Social Affairs can mediate a solution to such disputes.

The law requires Ministry of Labor and Social Affairs approval for worker organizations to affiliate with groups outside the country.

The government did not respect freedom of association and the right to collective bargaining. The General Union was not a functioning entity. Employees could not freely practice collective bargaining, and there were no workers under collective bargaining contracts. While rare, when labor unrest occurred, mostly involving the country’s overwhelmingly foreign workforce, the government reportedly responded by dispatching large numbers of police to the work sites or labor camps involved; the strikes generally ended peacefully after these shows of force. In most cases the government summarily deported the workers’ leaders and organizers. In September an independent blog reported that 120 bus drivers went on strike over complaints of low wages. The drivers reportedly went back to work five days later.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. International media and human rights organizations alleged numerous abuses against foreign workers, including forced or compulsory labor, withheld wages, unsafe working conditions, poor living accommodations, employers who routinely confiscated worker passports, and a sponsorship system that gave employers inordinate control of workers.

The government made efforts to prevent and eliminate forced labor, although the existence of the restrictive sponsorship system left some migrant workers vulnerable to exploitation. The government arrested and prosecuted individuals for

labor law violations; two cases each of forced labor and bonded labor were before courts at year's end. The Ministry of Labor and Social Affairs, Ministry of Interior, QFCHT, and NHRC conducted training sessions for migrant laborers to educate them on their rights in the country. The Ministry of Labor and Social Affairs, QFCHT, and NHRC printed and distributed pamphlets that included pertinent articles of the labor and sponsorship laws in multiple languages to educate migrant workers on their rights. In May the government formed an interagency committee to study "visa selling," a practice that has contributed to potential forced labor conditions.

There were continuing indications of forced labor, especially in the construction and domestic labor sectors, which disproportionately affected migrant workers. Exorbitant recruitment fees incurred abroad entrapped many workers in long-term debt, making them more vulnerable to exploitation for forced labor under the restrictive sponsorship system. Some foreign workers who voluntarily entered the country to work had their passports and pay withheld, were refused exit permits, and worked under conditions to which they had not agreed. In January the International Trade Union Confederation and Building and Wood Workers' International lodged a joint-case with the International Labor Organization alleging forced labor conditions in Qatar.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum age for employment at 16 and stipulates that minors between the ages of 16 and 18 can work with parental or guardian permission. Minors may not work more than six hours a day or more than 36 hours a week. Employers must provide the Ministry of Labor and Social Affairs with the names and occupations of their minor employees and obtain permission from the Ministry of Education to hire a minor. The ministry may prohibit the employment of minors in jobs judged dangerous to their health, safety, or morals. The government generally enforced relevant laws effectively, and child labor rarely occurred.

d. Acceptable Conditions of Work

There is no minimum wage. The law requires equal pay for equal work in the private sector. The labor law provides for a 48-hour workweek with a 24-hour rest period and paid annual leave days. Employees who work more than 48 hours per

week or 36 hours per week during the month of Ramadan, are entitled to an overtime pay supplement of at least a 25 percent. The law requires premium pay for overtime and prohibits excessive compulsory overtime. The government set occupational health and safety standards. The labor law and provisions for acceptable conditions of work do not apply to workers in the public sector, agriculture, or to domestic workers.

Responsibility for laws related to acceptable conditions of work fell primarily to the Ministry of Labor and Social Affairs as well as the Ministry of Energy and Industry and the Ministry of Health. The government did not effectively enforce standards in all sectors; working conditions for citizens were generally adequate, as government agencies and the major private sector companies employing them generally followed relevant laws. Enforcement problems were in part due to insufficient training and lack of personnel. There were approximately 200 inspectors in the Ministry of Labor and Social Affairs. Fear of penalties such as blacklisting, which allows the ministry to suspend specific operations, appeared to have had some effect as a deterrent to some labor law violations.

The government took limited action to prevent violations and improve working conditions and claimed it resolved 93 percent of the 8,683 complaints filed by workers during the year. The Ministry of Labor and Social Affairs resolved 8,071 cases and referred 570 cases to the labor courts for judgment. During the first half of the year, the labor courts heard 8,101 cases, of which 813 received final verdicts, 920 received preliminary verdicts, 5,236 were still under review, 1,111 were dismissed, and 21 were linked to existing cases. The courts ordered that companies provide both financial compensation and airline tickets to their country of origin for plaintiffs in 49 cases, financial compensation only in six cases, and airline tickets only in five cases. The labor courts referred limited number of labor complaints to the criminal courts, but statistics were not publicly available.

The Labor Inspection Department conducted monthly and random inspections of foreign worker camps. When the camps were found to be below minimum standards, the operators received a warning, and authorities ordered them to remedy the violations within one month. For example, inspectors reportedly checked companies' payrolls and health and safety practices, returning after one month to ensure any recommended changes were enacted. If they did not remedy the violations, the Ministry of Labor and Social Affairs blacklisted the company and on occasion referred the matter to the public prosecutor for action. Blacklisting is an administrative hold on a company or individual that freezes government services such as processing new visa applications from the firms.

Firms must pay a 3,000 riyal (\$824) fine to be removed from the list--even if the dispute is resolved--and the ministry reserves the right to keep companies on the list after the fine is paid as a punitive measure. The ministry reportedly backlisted 1,092 firms during the year.

During the year inspectors conducted 46,624 observations of work and labor housing sites. Inspectors found 90 percent of companies were compliant with the administrative aspects of the law, such as timely payment of salaries and work regulations, while 70 percent were found to be compliant with safety standards. The Ministry of Labor and Social Affairs issued 7,337 warning notices, 5,245 for health and safety reasons, and 2,092 for administrative reasons. There were 377 companies issued reports of violations, 231 for health and safety reasons, and 146 for administrative reasons. Violators faced penalties of up to 6,000 riyal (\$1,648) and 30 days' imprisonment in the most serious cases, but labor observers reported that most safety and health violations were handled through administrative fines or blacklisting. The ministry maintained an office in Doha's industrial area, where most unskilled foreign workers resided, to receive complaints about worker safety or nonpayment of wages.

Violations of wage, overtime, and safety and health standards were relatively common, especially in sectors employing foreign workers, in which working conditions were often poor. Employers often ignored working hour restrictions and other laws with respect to domestic workers and unskilled laborers, the majority of whom were foreigners. A November 2012 survey by Qatar University's Social and Economic Survey Research Institute found that 90 percent of unskilled laborers worked on average six days per week and 9.3 hours per day, or an average of 55.8 hours per week. Reports from news outlets and human rights organizations, however, alleged that employers did not pay many workers for their overtime or annual leave. Many unskilled foreign laborers were housed in cramped, dirty, and hazardous conditions, often without running water, electricity, or adequate food. In September international media alleged some abusive working conditions, including work-related deaths of young foreign workers, especially in the construction sector.

Domestic workers often faced unacceptable working conditions. Many such workers frequently worked seven days a week and more than 12 hours a day with few or no holidays, no overtime pay, and no effective means to redress grievances.

The consensus among international NGOs was that foreign workers faced legal obstacles and lengthy legal processes that prevented them from seeking redress for

violations and exploitative conditions. Noncitizen community leaders also highlighted migrant workers' continued hesitation to report their plight for fear of reprisals. The sponsorship law was widely considered the root of these violations. Under the country's sponsorship system, most employees cannot leave the country without permission and are prevented from switching jobs without a "no objection letter" from their employer. Employees leaving the country without such a letter are barred from reemployment in the country for two years.