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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2019]

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\* Issued as received, in the language(s) of submission only.

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## Written intervention on promoting a democratic and equitable order in Qatar

### Introduction

Maat Foundation for Peace, Development and Human Rights (Egypt) presents this report to illustrate the absence of democratic mechanisms in the State of Qatar, which are generally reflected in the arbitrary restrictions on freedom of opinion and expression, and are particularly reflected in the legal restrictions on the establishment and activities of associations, institutions and, in particular, civil society institutions, in contradiction with the principle of full and equal participation in decision-making mechanisms in accordance with Human Rights Council resolutions 36/4 and 39/4.

This coincides with organizations formally funded by the Government that have neither transparent nor independent, such as the National Human Rights Committee, which is not consistent with any of the Paris Principles; and is contrary to the articles of Human Rights Council's Resolution No. 6/18.<sup>1</sup> These organizations work to supporting Qatar's political interference in the internal affairs of States and support for terrorist groups, undermining the sovereignty and stability of these States. This totally contradicts the most basic principles of the national committees, which are supposed to fight against terrorism, leading to the marginalization of the effective role of institutions and, therefore, a decline in the indicators of democracy and justice in Qatari society.

### Restrictions on Association

Article (45) of the Qatari Constitution guarantees the right to freedom of association,<sup>2</sup> article (22) of the International Covenant on Civil and Political Rights, to which Qatar acceded in May 2018, also guarantees the freedom of association. However, Qatar continues to undermine the right to freedom of association, including the imposition of arbitrary, vague and unjustified requirements of civil society organizations and the granting of broad powers to dissolve civil society organizations. In addition, Qatar has not implemented any of the recommendations, it received in its Universal Periodic Review, on the amendment of the Law on Private Associations and Foundations to limit restrictions on the establishment of associations and foundations, including civil society organization.

Law No. (12) of 2004 on Private Associations and Foundations contains a range of restrictions on the right to freedom of association. Article 8 of the Law stipulates that the application for registration for the of any association, including civil society organizations, shall be approved by the Minister of Social Affairs. 1,000 QAR (about US\$275) shall be paid for the registration process. The law stipulates that registrars shall be Qatari citizens enjoying a good reputation and attitude, which are vague and unclear condition. Therefore, these restrictions undermine the participation of the non-Qatari citizens in the civil society.<sup>3</sup>

According to article 31 of the same Law,<sup>4</sup> associations have not the right to collect donations without an approve from the Minister of Social Affairs; and their activities shall be supervised by the Ministry to ensure their compliance with the law, placing further unnecessary restrictions on the cooperation between local and foreign civil society organization. Article 35 also provides for that the Minister of Social Affairs has the power to dissolve civil society organizations in case they are involved in "political activities", which is an undefined term by the law and is broadly interpreted, closing the civil society sphere through discouraging

<sup>1</sup> A / HRC/RES/18/6, Available at: <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/G11/166/24/PDF/G1116624.pdf?OpenElement>.

<sup>2</sup> دستور دولة قطر، للإطلاع على كافة نصوص الدستور، مُتاح على: <https://www.wipo.int/edocs/lexdocs/laws/ar/qa/qa009ar.pdf>.

<sup>3</sup> قانون رقم (12) لسنة 2004 بشأن الجمعيات والمؤسسات الخاصة، وللإطلاع على نصوص القانون كاملة، مُتاح على: <http://www.almeezan.qa/LawPage.aspx?id=3956&language=ar>.

<sup>4</sup> نفس المصدر السابق

activities that the State considers political, with serious consequences for dissidents, which limits the democratic process in Qatari society.

In addition, Qatar Labour Law No. 14 of 2004, provides for that the establishment of independent trade unions is prohibited, as well as it deprives the Bedoons, stateless persons whose number is approximately 1,500, in Qatar of citizenship rights, including legal work and, thus, the right to join or form trade unions. This undermines the democratic process and the principle of equitable remedy and participation in decision-making within state institutions. As a result of these, and other, restrictions, there are no independent human rights organizations in Qatar, but only civil society organizations working mainly on health care, housing and access to water. Therefore, no organizations involve in human rights space, including monitoring and accountability of the Government and violations of citizens' rights. The absence of such organizations makes the indicators of democracy and participation almost non-existent in Qatar.

### **Absence of transparency, Democracy and Justice Principles in Qatari Institutions**

The establishment of a democratic and just society requires civil society organizations that work independently of government so that their orientations are not politicized. Maat is deeply concerned about the challenges that Qatari civil society faces: obedience, submission to government or dissolution. Civil society in Qatar has not suffered the repressive restrictions, for long, only, but also it has been targeted and nationalized, considering that its funds are public and its activists are public officials. Hence, the civil society in Qatar is being transformed into parastatal organizations or government offices. The Qatari law gives security institutions the right to approve funding for NGOs, which means that security institutions, which are a major source of human rights violations, control the nature of the activity these organizations.<sup>5</sup>

Since the establishment of the National Human Rights Committee in 2002, whose members are mostly representatives of various ministries, it has failed to monitor the violations committed by the Qatari authorities against migrant workers, whose deaths have reached nearly 1,800 persons so far, or discrimination against Qatari women such as the denial of granting citizenship to their children. In contrast, the Committee is constantly working to improving the reputation of Qatar's Government, particularly at the international level, while independent foundations and organizations that are struggling for women's and children's human rights or human rights in general are not licensed.<sup>6</sup> Ensuring the establishment of independent institutions based on the principle of transparency and integrity is an important factor in the issue of democratic forms and practices.

Civil society organizations in Qatar are considered parastatal, as they are funded by the Government, and thus, they are not independent. They are used as leverage. For instance, a Qatari organization called the International Centre for Sport Security, a non-governmental organization based in Doha, claims fighting against corruption, but it is actually used as leverage against competitors, especially in sports.<sup>7</sup> The rest of the organizations focus mainly on health care and housing and ignore the human rights violations committed by the Qatari authorities.

The participation of civil society organizations and their partner institutions in the public space and human rights work is non existing. Which in one way or another has helped spread corruption both inside and outside the country through interference in the affairs of neighboring States, undermining the sovereignty of these States in particular and the democratic process in general; and it does not in any way ensure the promotion of a

<sup>5</sup> أية حسنى، "النظام القطري" يواصل قمعها للمعارضة، موقع العرب مباشر، بتاريخ 6 سبتمبر 2018، مُتاح على: <http://www.arabmubasher.com/49093>.

<sup>6</sup> Save the children, Overview of civil Society in the Arab World, Available at: [https://resourcecentre.savethechildren.net/node/1999/pdf/2000\\_0.pdf](https://resourcecentre.savethechildren.net/node/1999/pdf/2000_0.pdf).

<sup>7</sup> هايدى صبرى، موقع فرنسي: قطر تستخدم منظمات المجتمع المدني للتجسس، م منشور على موقع البيان، ويمكن قراءة المقال: <https://al-ain.com/article/french-releve-qatar-use-ong-espionage-rivals> كاملاً من خلال الرابط التالي.

democratic and just society. The persistent and systematic denial of civil and political fundamental rights and freedoms, as well as the criminalization of peaceful political opposition and the absence of all forms of free expression and the establishment of independent civil society organizations contribute significantly to undermining a democratic and just order in Qatar.

## **Recommendations**

Believing in the important role that civil society organizations play in raising people's awareness of their full rights and giving effect to its role as a human rights foundation seeks to promote human rights approaches and to utilize their mechanisms and tools to promote the pillars of democracy, Maat for Peace, Development and Human Rights recommends to:

- Conform the demotic legislation related to the establishment of associations and trade unions with international standards.
- Reconsider Law No. 12 of 2004 in order to abolish unjustified restrictions on the establishment of associations and foundations and their activities, in line with articles 21 and 22 of the International Covenant on Civil and Political Rights.
- Take all possible measures to promote a secure and democratic environment that ensures the full participation of State institutions in decision-making mechanisms, including ensuring their right to accountability and oversight.
- Work to remove unnecessary restrictions on NGOs' activities, including the ability of receiving domestic and international funding, in line with best practices outlined by the United Nations Special Rapporteur on the right to freedom of peaceful assembly and association.
- Ensure the effective and independent functioning of independent trade unions by abolishing prohibitions on the formation of independent trade unions and undue restrictions on the right to strike, including guaranteeing the right to freedom of expression and the claim of the rights.

Work to ensure that Qatari institutions operate in accordance with the Paris Principles, and abolish the requirement of obtaining security approval for the establishment of institutions and access to funds, and ensure their participation in public space and human rights work.

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