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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 2022]

* Issued as received, in the language of submission only.



Arbitrary Detention of Sheikh Saud Al Thani

First: Arbitrary detention of Sheikh Saud Al Thani:

On July 21, 2022, the Qatar State Security arrested Sheikh Saud bin Khalifa Al Thani. He is a 27-year-old member of the ruling family in Qatar, the coordinator of international relations in the national campaign for the travel ban in Qatar (1), and a former employee of the Qatari Ministry of Interior. The decision to arrest Sheikh Saud came after his peaceful demand to cancel the arbitrary travel ban against him, and after his tweets on social media appealing the Emir of Qatar to cancel the travel ban issued against him (2). Maat has reviewed reports confirming that the Qatar State Security was tracking and monitoring Sheikh Saud's peaceful activities prior to the arrest. The arbitrary detention of Sheikh Saud explicitly contradicts Article 9 of the Universal Declaration of Human Rights, which states that "no person may be arbitrarily arrested, detained or exiled". Maat has also reviewed reports showing that Sheikh Saud did not was not allowed to hire a lawyer, which contradicts the basic principles of the United Nations, and was prevented from communicating with his family, who only knew his place of detention from the various media (3), in clear contradiction of the United Nations Body of Principles for the Protection of All Persons under any form of detention or imprisonment (4). Sheikh Saud is also still in solitary confinement, and if he remains in solitary confinement for more than 28 days, this will be considered a violation of Rules 44 and 45 of the United Nations Standard Rules for the Treatment of Prisoners "the Nelson Mandela Rules", which are the rules that Qatar has committed to generalize within all Qatari prisons (5).

Second: Sheikh Saud Al Thani is prevented from traveling:

On July 18, 2022, three days before his detention, Sheikh Saud bin Khalifa appealed to the Emir of Qatar to intervene and address the injustice against him and allow him to freely leave Qatar, Sheikh Saud expressed this in a video posted on Twitter. These appeals have been repeated at different times since the last executive decision issued against him by the Qatar State Security on May 2, 2019 (6). In his appeal to the Emir of Qatar, Sheikh Saud Al Thani stated that he demanded all state institutions, including the Ministry of Interior, Qatar State Security, the Public Prosecution, the Supreme Judicial Council, and finally the Amiri Diwan, to clarify the reasons for his travel ban, and presented to all previous agencies all judicial rulings and documents that legally grant him the right to freedom of movement and to leave Qatar at any time. However, he remained banned from traveling without explaining the reasons for this ban (7).

It is worth noting that it is not the first time that Sheikh Saud has been subjected to such an arbitrary procedure. The National Command Center of the Qatari Ministry of Interior issued an order banning him from traveling on April 18, 2016, when he was 21 years old, and he resorted to the Qatari judiciary in an attempt to comply before all available national remedies (8). On April 1, 2019, Sheikh Saud filed a lawsuit before the Court of First Instance to challenge the decision to ban him from travel issued by the Ministry of Interior. On May 8, 2019, the Qatari administrative judiciary ruled that the appeal was accepted due to the possibility of the administration's abuse of its right in the absence of reasons motivating the travel ban. Instead of allowing him to travel, the Qatar State Security imposed another separate travel ban on him on May 2, 2019, and this ban came in accordance with Article 7 of the law establishing the State Security Service. This decision was considered legitimate by the judiciary, given that it was issued by the competent authorities and related to state security. Given the court decisions or the records of the Ministry of Interior, Maat did not find any explanation for the issuance of the ban decision, whether issued by the Ministry of Interior or the State Security Service (9). In all cases, the travel ban issued against Sheikh Saud Al Thani contradicts the obligations of Qatar under Article 13 of the Universal Declaration of Human Rights and Article 12 of the International Covenant on Civil and Political Rights ratified by Qatar, which are the two articles that allow freedom of movement and grant any citizen the right to leave his country and return back.

Third: Art. 7 of the State Security Service Law as a pretext for arbitrary detention:

The Qatari government uses Article VII of the Law Establishing the State Security Service (Law No. 5 of 2003) (10). as a pretext to imprison Qatari human rights defenders and bloggers on social media for extended periods of time without guarantees of judicial protection. Qatar made administrative reservations to Sheikh Saud Al Thani before he was arbitrarily detained on July 21, 2022, under this article. Despite the amendment to Article 7 under Law No. (10) of 2008, the powers of the State Security Service branched out and ended any control over the work of the State Security Service. The subordination of the State Security Service to the Emir of Qatar entails an incursion by the executive authority into the legislative authority entrusted with monitoring the executive bodies.

The article, after the amendment, stipulates that: “Except for the provisions of the Code of Criminal Procedure, the period of detention of a person charged with committing an act related to crimes within the jurisdiction of the State Security Service shall be at most thirty days before being referred to the Public Prosecution, and the Head of the State Security Service, if necessary, may prevent him from leaving the country for a period not exceeding thirty days, which may be extended upon an order from the Public Prosecutor for a period of six months, renewable for a similar period or periods. Maat shares the Human Rights Committee’s view in its concluding observations adopted in March 2022 that Article 7 grants the State Security Service broad powers, including the detention of detainees for extended periods without resorting to a competent judicial authority (11).

This article contradicts Qatar’s willingness to cooperate with international human rights mechanisms, as Qatar prevented the Working Group on Arbitrary Detention, during its visit in 2019, from visiting prisons of the State Security Service. Qatar did not respond to the Working Group’s invitation to conduct a follow-up visit in 2022 (12). Maat urges the Working Group to reconfirm the request for another visit to Qatar during the interactive dialogue with the group in the 52nd session, and Maat reiterates that under the aforementioned article, all citizens in Qatar are subjected to continuous danger, which portends an inappropriate environment and a bleak atmosphere of intimidation and makes them a target for unjustified arbitrary practices. Maat confirms that the voluntary contributions that Qatar provides to the United Nations annually should not neglect international mechanisms for the accountability of the Qatari government regarding the abusive practices against those banned from traveling, including Sheikh Saud Al Thani (13).

Maat, therefore, recommends the Human Rights Council of the following:

- Putting pressure on the Qatari government in order to release Sheikh Saud Al Thani immediately and without restriction or condition;
- Putting pressure on the Qatari government in order to cancel the travel ban imposed against Sheikh Saud Al Thani, as well as the rest of the members of the national campaign for those who are denied travel;
- Urging the Qatari government to ensure that arbitrary detainees are brought up before a competent judicial authority;
- Urging the Qatari government to amend laws that contain vaguely-worded and terms that are used to restrict basic freedoms, especially Law No. 5 of 2003 amended for the establishment of the State Security Agency.

1. <https://www.gc4hr.org/news/view/3074>

2. <https://twitter.com/ALTHANIQS/status/1548962588570124291>

3. <https://bit.ly/3Q8AQ02>

4. Ibid

5. ibid
6. <https://twitter.com/ALTHANIQS/status/1548962588570124291>
7. Ibid
8. <https://bit.ly/3QscVIJ>
9. ibid
10. <https://www.almeezan.qa/LawView.aspx?opt&LawID=3985&language=ar>
11. QATAR: CONCLUDING OBSERVATIONS, Para 10, <https://bit.ly/3SB7Y2c>
12. Report of the Working Group on Arbitrary Detention on its visit to Qatar, para 2, <https://bit.ly/3vMBx7d>
13. <https://bit.ly/3P2LTGB>