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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.

[4 February 2023]

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



Anti-Terrorism Laws and Restrictions On Civil Society In Qatar

First: Anti-Money Laundering and Terrorist Financing Law

On September 11, 2019, the Emir of Qatar ratified Law No. 20 of 2019 on combating money laundering and terrorist financing (1). Although preventing terrorism financing requires adopting national legislation to combat money laundering and terrorism financing – one of Qatar’s legal obligations under the International Convention for the Suppression of the Financing of Terrorism that it ratified on July 28, 2008(2) - this Law and its amendments impose restrictions on non-profit organizations in Qatar. The Law also sets impossible conditions for granting these organizations a license to practice the profession from inside Qatar, as Article 40 prohibits organizations from carrying out their activities inside the country without obtaining a license or prior registration from the regulatory authorities. It also requires legal proof of identification for all shareholders, members of the board of directors, and beneficiaries, when considering applications for license, registration, or renewal of license and registration (3). Moreover, Article 40 does not provide for a mechanism to challenge the arbitrariness of the supervisory authority in case the licenses necessary for the establishment of the association are denied. This hinders these organizations from accessing justice, which undermines the rule of law in the state, widens the trust gap between civil society and the rest of government institutions (4), and makes the state unable to respect its obligations related to international human rights standards. Qatar ratified the International Covenant on Civil and Political Rights, which secures the granting of an effective remedy for all individuals. Yet, the lack of a clear mechanism for appealing against the decisions of the supervisory authority, under this article, violates this obligation.

Second: Law of Private Associations and Institutions:

On October 7, 2020, the Emir of Qatar ratified Decree-Law No. 21 of 2020 related to the private associations and foundations establishment (5). In its responses to the list of issues related to its first periodic report submitted to the Human Rights Committee, Qatar affirmed its respect for community organizations and their consideration of them as part of the human rights system (6). However, this law imposed a set of arbitrary measures on these associations' establishment. Maat for Peace, Development and Human Rights Association reviewed the latest annual report of the National Human Rights Committee (a quasi-governmental entity), and it stated that the laws regulating the right to form associations place arbitrary restrictions that shrink the space granted to civil society. These restrictions include the broad powers of the administrative body, the Ministry of Social Affairs and Labor, which has the right to refuse to establish the association or private foundation even if these associations fulfill all requirements of establishment (7). Article 7 grants the Minister of Administrative Development, Labor, and Social Affairs the authority to approve the granting of licenses and publicize the association after submitting it to the Prime Minister. However, independent reports confirmed that the minister might delay this approval or reject the association's documents (8).

The law also prohibits a member of the association from engaging in political activities without specifying what these activities are. However, independent reports claimed that these activities consist of criticizing government policies or demanding the change of one of its members, which are legitimate rights and cannot be a reason for stopping or cancelling the association’s activity (9). The minister also has the right to temporarily suspend the association’s board of directors for a period exceeding a year on the pretext of “public interest” without specifying what the term “public interest” is, which may be widely interpreted by the administrative body (10).

Article 42 of Decree-Law No. 21 of 2020 provides for the dissolution of an association by the Minister of Social Affairs and Labor if it works on political issues. This requires the association to exercise self-censorship and not deal with situations that may be interpreted as political issues. For example, civil society organizations in Qatar ignored the exclusion of the

Al-Murrah tribe from the legislative elections according to the election laws, especially Law No. 6 of 2021. It granted the right to vote only to Qatari citizens and those whose grandfather was Qatari and born in Qatar, excluding all Qatari citizens who obtained citizenship addressing; this issue is the core of civil and political rights, especially the second paragraph of Article 25 of the International Covenant on Civil and Political Rights, which Qatar has ratified. Among other arbitrary conditions imposed by the law on associations during the exercise of their activities, it is stipulated in Article 53 of the need to inform the administrative body of participation in any external activities, seminars, or training courses about ten days in advance. It is an arbitrary condition, as the time between receiving the invitation to participate and the date of the activities is less than the period specified by the law; it is estimated at ten days (11).

These restrictions are reflected in the total number of NGOs and private institutions in Qatar (12), estimated in January 2023 at 37 private association, a very small number compared to the number of associations in other countries within the geographical scope of Qatar. This also contradicts the promises made by Qatar in its National Vision 2030 and in its voluntary reports related to the implementation of sustainable development goals, which affirm that it views civil society as a primary partner in achieving development.

Third: Arbitrary Practices Against The National Campaign For Travel-Banned Citizens

On July 12, 2022, a group of bloggers, social activists, and ordinary individuals in Qatar founded a national campaign in support of those forbidden to travel from inside Qatar. It is a rare initiative, especially since it launched in Qatar. In their first session, the campaign members elected writer Mohammed bin Abdul Rahman bin Mubarak Al Thani as director of the campaign, Abdullah bin Ahmed Bu Matar Al Muhannadi as its general coordinator, Saud bin Khalifa bin Ahmed Al Thani as coordinator for international relations, and finally Issa bin Mardi Jahim Al-Shammari, media coordinator for the campaign (13). Maat for Peace, Development and Human Rights Association has been informed of the specific objectives of the Campaign, which are cancelling the travel ban issued against the campaign members, treating them as non-guilty citizens, and ensuring adequate compensation for them and their families. They were subjected to practices against basic human rights standards, including not receiving health care or obtaining decent work, and they were threatened with withdrawing their nationality and passports.

However, on July 21, 2022, the State Security Apparatus in Qatar detained three campaign members who called for the lifting of the arbitrary travel ban issued against them by the State Security Apparatus. The citizens are Sheikh Saud bin Khalifa Al Thani, Issa bin Mardi Al-Shammari, And Abdullah bin Ahmed Bu Matar Al-Muhannadi. Then, after more than 15 days, they arrested the writer, Mohamed Abdel-Rahman. Arbitrary practices included preventing them from communicating with a lawyer or being informed of the charges against them immediately after their detention. However, they were soon released before the start of the World Cup on November 20, 2022. However, they remained banned from traveling, speaking on social media, or media appearances and were prevented from completing their campaign activities, which is inconsistent with Article 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Recommendations:

- Reconsider amending Article 40 of the Anti-Money Laundering and Terrorist Financing Law to allow organizations that did not obtain work permits to appeal before the courts.
- Harmonization of Law No. 21 of 2020 regarding private associations and institutions with international treaties ratified by Qatar, especially the International Covenant on Civil and Political Rights.

- Cancelling the authority of the administrative authority represented in dissolving associations and setting arbitrary conditions for associations to obtain the necessary licenses to establish an association.
- Allowing members of the national campaign for those banned from traveling to exercise freedom of opinion and expression and complete the campaign's activities.
- Member states should pressure Qatar to lift the arbitrary travel ban on those banned from traveling.

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- (1) Law No. (20) of 2019 on the Promulgation of Anti-Money Laundering. <https://bit.ly/3Dg8gFC>
- (2) International Convention for the Suppression of the Financing of Terrorism, <https://bit.ly/3wt1uZd>
- (3) Ibid, Article 40, <https://bit.ly/3Dg8gFC>
- (4) Ref.: OL QAT 1/2022, <https://bit.ly/3HtUd1A>
- (5) Decree-Law No. (21) of 2020 on Private Associations and Foundations, <https://bit.ly/3JhNBF6>
- (6) Reply to List of Issues, Para 13, <https://bit.ly/3j3z44X>
- (7) Annual reports, The National Human Rights Committee, <https://bit.ly/3JchCpG>
- (8) Political Participation Index, Qatar, <https://gulfhouse.org/GCCPPI/GH-GCCPPI-2022-EN.pdf>
- (9) Qatar, a report on the charitable work law, page 18, <https://www.icnl.org/wp-content/uploads/Qatar-Philanthropy-Law-Report-Arabic.pdf>
- (10) Decree-Law No. (21) of 2020 regarding private associations and institutions, <https://bit.ly/3iYGp65>
- (11) Ibid, Article 53,
- (12) <https://www.almeezan.qa/CompaniesList.aspx?ComType=2&pageNumber=2&language=ar>
- (13) <https://www.gc4hr.org/news/view/3075>