

**A Shadow Report On the implementation of the UN
Convention on the Elimination of All Forms of
Discrimination against Women (CEDAW)**

**The National Human Rights Committee
the State of Qatar**

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Introduction

The National Human Rights Committee (NHRC) of Qatar submits this report parallel to the first report of the State submitted for the period from 2009 to 2013 in response to the list of related issues in the initial report of the State of Qatar submitted to the Committee on the Elimination of all Forms of Discrimination against Women (CEDAW/C/QAT/1).

This report includes the following topics:

Topic 1:

Legislative development on the implementation of the Convention and its applications during the period covered in the report.

Topic 2:

Remarks of the NHRC on the stated related list of issues in the initial report of the State of Qatar

Topic 3:

Remarks of the NHRC on the practices relating to the Convention.

Methodology

This report was developed after reviewing a number of important sources, including the first and initial government reports submitted to the Committee on the Elimination of All Forms of Discrimination against Women and the periodic reports to the Committee, along with reviewing the national legislation, laws and regulations and practices.

Topic 1: Legislative development on the implementation of the Convention and its applications during the period covered in the report:

Article 18 of the Qatari Constitution provides that: "The Qatari society shall be based on justice, kindness, freedom, equality and morals.", while Article 21 stipulates that "The family shall be the foundation of the society. Its pillars shall be religion, morals and love for the nation. The law shall organize means of protecting the family, supporting its principles, bolstering its ties, preserving ideals of matrimony, childhood and the elderly.", Article 34 stipulates that "All citizens are equal in general rights and duties." and Article 35 states that "All people are equal before the law. There shall be no discrimination on account of sex, origin, language, or religion."

As an implementation of the remarks of the Committee on the Elimination of all Forms of Discrimination against Women, Law No. 15 for the year 2011 was issued on combating trafficking in human beings to cope with cases of trafficking in human beings, including women, as well as cases of exploitation of the prostitution of others.

A committee was formed to draft a law to counter domestic violence; the Committee concluded its work and submitted its report to the Council of Ministers; the general Secretariat of the Council of Ministers prepared a draft law to amend the law of proceedings before the family courts, in order to facilitate access to justice for women; the draft law ensures smoother procedures in lawsuits claiming alimony filed by married or divorced women.

It should be emphasized that the legal system of the state of Qatar as a whole does not include discrimination against women, for example, As for cases of discrimination between men and women in salaries and job grades, law No. 8 of 2009 on human resources management, which regulates employment, does not differentiate between men and women in salaries for the same job, and gives women the right to obtain allowances and benefits granted to married male employees while her husband shall be eligible for the allowance payable to the “single”, if the benefits entitled to her is greater than those prescribed for her husband.

As for what has been referred to by the Committee on the Elimination of All Forms of Discrimination against Women, in its observations on the initial report of the committee that the national legislation does not provide a suitable climate for the establishment of women's associations in the state; Law No. 12 of 2004 does not include conditions for the formation of women's associations different from those required for the formation of any other association; while the comments of the NHRC on the law contained in its published annual reports focused on the mechanism of forming associations in general, not women's associations in particular.

It should also be noted that HH Sheikha Mozah bint Nasser, wife of HH the Father Amir has established eight private institutions of public interest (civil society organizations), one of them is concerned with dealing with the problems of women in particular which is "Qatar foundation for child and woman protection", in addition to other institutions concerned with woman protection as one of its target groups. Law No. 21 of 2006 on private institutions of public interest did not affect the establishment of this institution or disrupt its work.

It is worth mentioning that the Qatari legislative system includes some forms of discrimination that are considered to be positive for working mothers as an application of Articles 4 and 5 of the Convention, including provisions of the law of human resources management that grants a leave for female employee in order to care for her children with disabilities. The labor law takes into account religious rulings and societal traditions, all the provisions of the employment law grants Muslim female Employees a leave with full pay for 4 months and 10 days from the date of the death of the husband (the idda prescribed period in Islamic law upon the death of a spouse); national laws also grant female employee traveling on an official mission or for training courses the right to take one of her family members and bear his/her cost of living.

Despite the above mentioned positives, there are still some drawbacks, which the NHRC calls to be avoided in its reports, including the need for the child care leave (maternity leave) to be mandatory.

Topic 2: Remarks of the NHRC on the stated related list of issues in the initial report of the State of Qatar:

The list of related issues mentioned in the initial report of the State of Qatar included a set of points which the NHRC consider requiring commenting on, as an official independent body with its own vision on these issues; the most important observations of the Committee in this regard are as follows:

1 – Concerning the reservations of the State: despite the fact that the State of Qatar replaced the system of general reservations with the system of reservation on some of the articles, the NHRC is still trying to urge the State of Qatar to remove the reservations that are stated as based on the violation to Islamic law which some jurisprudential opinions guarantee that they do not violate Islamic law or values.

The NHRC in cooperation with the Supreme Council for Family Affairs in Qatar, in the framework of the memorandum of understanding for the dissemination of the Convention on the Elimination of All Forms of Discrimination against Women, organized a seminar entitled "Convention on the Elimination of All Forms of Discrimination against Women under Islamic law" in which one of the most important recommendations calls for the formation of a committee composed of Shariah contemporary scholars to review the convention, determine the articles that contradict the provisions of Islamic law, and remove the reservations on articles that do not represent violations of the provisions of Islamic Sharia.

2 – Concerning the formation of the NHRC, it is composed of nine members representing the civil society, two of them are female members and four representatives representing government bodies concerned with human rights, one of them is a female member.

3 - In the context of women's awareness of their rights, the Supreme Council for Family Affairs, as the government entity concerned with the advancement of women in Qatar, has signed a cooperation agreement with the NHRC for the dissemination of the Convention on the Elimination of All Forms of Discrimination against Women, through seminars, workshops or training courses for women; the NHRC also shall organize training sessions and lectures for high school and University students on defining women's rights in particular and human rights in general.

4 – Concerning participation in political and public life and decision-making, the recent cabinet reshuffle in June 2013 has included appointment of a female Minister of Information and Communication Technology; Qatar University is chaired by a female, many of the bodies and authorities are chaired by females, including the post of Secretary General of the NHRC, which is the head of the administrative aide to the members of the Committee. Females in Qatar enjoy the same political rights as males, both in the nomination for the municipal council or voting in those elections.

5 - With regard to granting Qatari women married to non-Qatari men citizenship for their children, this problem still persists; the NHRC calls in its annual reports on finding solutions, taking into account that the application of the provisions of Law No. 38 of 2005 on the citizenship does not entail cases of statelessness; the Qatari legal system including law No. 21 of 1989 on regulating marriage to foreigners prevents marriage of citizens, whether male or females, to stateless persons; law No. 38 aforementioned grants Qatari nationality to illegitimate children born on the territory of Qatar.

6 - Regarding what comes to technical education and the lack of technical or vocational schools for females, both sexes suffer from this problem in the State of Qatar, not just females.

7 – As for the issue of sponsorship and transferring the sponsorship, the NHRC still calls in all its reports on amending the system to ensure greater rights for the expatriates.

8 - As for the low use of contraceptives, the Convention grants women the right to decide freely and responsibly on the number and spacing of their children; the state is merely responsible for providing contraceptives to those who want, noting that the state does not organize campaigns calling for family planning due to the lack of the number of citizens, and its desire to increase citizen population.

9 - As for the equality before the law and in civil affairs; there are no special proceedings on travel of females different from those taken on the travel of males.

Topic 3: Remarks of the NHRC on the practices relating to the Convention

1 – The NHRC received during the period covered by the report, a number of complaints and legal consultations relating to women's rights, both of which are linked to the Convention or to other human rights conventions, as follows:

Year	2009	2010	2011	2012	2013
Number	7	6	26	71	279

The NHRC notes that the reason for the high number of complaints in recent years due to the increase in the number of foreign labor, which implies the increase in the number of non-Qatari women; the awareness of their rights helps many of them to come to the NHRC to know whether there are violations of their rights, and then requesting help in case the violations are proved.

Most of the complaints submitted to the NHRC are related to the financial rights of female workers in the private sector, including non-payment of salaries or tickets, requesting transfer of sponsorship, ill-treatment of non-Qatari husbands to their wives residing with him, requesting social assistance, and finally exposures to harassment by employers or their agents, in addition to a single complaint from a woman about being tortured in a police station.

2 - In 2010, the NHRC spotted some detained females who were beaten in the deportation center; they informed the competent authorities which investigated the incidents, and punishing those who were responsible for these violations.

3 - In the framework of the role of NHRC in spreading the culture of human rights in the State of Qatar, The NHRC has organized during the period covered by the report, three lectures in schools for high school girls, to define their rights in general and women's rights in particular; the following events were organized by the NHRC with respect to the definition of the Convention and its application in practical life:

1. A Seminar on the rights of persons with disabilities in building families between the Convention and the fact.
2. A Seminar on Convention on the Rights with disabilities, "the integration of the rights of persons with disabilities in development in Qatar"
3. A workshop on "Enhancing the protection of female refugees through the legal international and regional framework of women's rights"
4. A training workshop on "commanding and controlling decision-making"

The NHRC notes that monitoring women's rights in general in the State of Qatar, indicates that there is no systematic treatment based on discrimination, especially by government bodies, noting that there are some individual cases that includes such discrimination.

The NHRC requests repeatedly regulating a law on the protection of the rights of the "domestic workers" as they are the most vulnerable category of workers and most of them are women. Although a draft laws was prepared to regulate the work of this group in which the NHRC has participated, the NHRC believes that there is a delay in the issuance of this law.

In conclusion, the State of Qatar is commitment to provisions of the Convention in general, taking into account non-discrimination between women and men in all aspects of daily life. However, there are some individual practices in violation of the provisions of Convention on the Elimination of All Forms of Discrimination against Women that need to be handled.