

**Shadow Report**

**National Human Rights Committee of Qatar**

**In conjunction with submitting the country's preliminary national report in  
implementation of the provisions of the International Covenant on Economic,  
Social and Cultural Rights**

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### **First: Methodology of the Report:**

This report has been prepared by the National Human Rights Committee (NHRC) in accordance with its terms of reference and tasks in cooperation with international human rights mechanisms. It has also been prepared in cooperation with the offices of the Foreign Communities Coordinators in the State of Qatar, a group of local volunteers and human rights defenders.

The report of NHRC deals with the relevant articles of the International Covenant on Economic, Social and Cultural Rights and identifies how the State implements the provisions of these articles. It also sets forth the challenges facing full compliance, makes recommendations within the paragraphs, and submits final general recommendations for the development and promotion of economic, social and cultural rights.

### **Second - Executive Summary:**

Citizens in the State of Qatar enjoy the right to health and education free of charge, and special merits such as free distribution of residential land, easy loans, in addition to tax exemption.

The State of Qatar is one of the highest countries in the world in terms of average per capita income, as the latest government survey conducted in 2018 showed that the unemployment rate for the Qataris is less than 1%, and the World Bank Group ranked the State of Qatar among the highest-income countries for the fiscal year 2019.

The issue of food security is a priority, as the "Committee for the Implementation of Food Security Policies in the Governmental and Private Sectors" monitors plans for local production, import, diversification of food sources and high-quality storage in various circumstances.

The Ministry of Commerce and Industry allocates ration coupons for Qatari families to use to obtain subsidized goods through approved distribution and sales centers according to specific controls and conditions. Charitable societies also provide food aid to needy families, including residents and workers.

Non-citizens obtain economic rights through a contractual employment relationship and associated rights.

Important developments in terms of achieving greater equality include the abolition of the sponsorship (Kafala) system, the establishment of a minimum wage, the issuance of a law for domestic workers, a wage protection system, and a workers' insurance fund.

The State of Qatar has made progress with the right to work through the cooperation program with the International Labor Organization, where the Organization has provided expertise and advice, all kinds of technical support, and opened a wide dialogue with government officials about the necessary changes to be consistent with labor standards, especially with regard to labor inspection policy and health regulations and occupational safety. In the same context, the Labor Law allowed the formation of so-called “joint committees” for each establishment in which thirty or more workers work, including representatives of the employer and workers, without requiring the presence of Qatari workers. In this regard, Resolution No. 21/2019 was issued, regulating the conditions and procedures for electing workers’ representatives in the joint committees, and allowing all workers, whether they hold a direct employment contract with the company or with a third party, to elect their own representatives and run for the position of workers’ representative.

After the aforementioned decision was issued, five joint elections were organized among the committees from July to September, and nearly 30 workers' representatives were elected to represent 3,000 workers.

The report further indicated that the State of Qatar should reconsider the articles regulating the establishment of trade unions and which regulate the strike, and study the possibility of amending them in line with Article 8 of the Covenant, and with the standards of the International Labor Organization.

On the level of challenges, the National Human Rights Committee receives complaints about the right to work, especially the category of construction workers who work under harsh environmental conditions and do not receive their dues regularly, in addition to the poor housing and living conditions and overcrowding in a number of companies, especially small contracting companies for construction.

The service sector workers also witness violations of their rights on weekends and rest times. The National Human Rights Committee received 1,613 complaints classified as violations of economic and social rights for the year 2019.

As for the year 2020, during the (Covid 19 crisis), 911 complaints were received by the Committee during the quarantine period from March 11, 2020 to June 7, 2020, and it worked to settle them in cooperation with the competent authorities.

As for women’s rights, the percentage of Qatari women’s presence in public jobs and the private sector increased, as the percentage of women appointed to government agencies for the year 2019 reached (69.3%), and in the private sector (56.6%). Qatari women are also present in many non-traditional professions and

jobs, including pilots of civil aircraft, command in police and military corps, and others. Training opportunities for capacity development are equal, but the proportion of women in supervisory positions is less.

On the other hand, the Family Law includes provisions on marriage, divorce, alimony and custody. The marriage of a boy before eighteen years of age, and a girl before the age of sixteen, is not documented, except after the approval of the guardian and ensuring the consent of both parties to the contract, and with the permission of the competent magistrate.

Among the cultural challenges is the issue of forced marriage, as some families put pressure on girls to marry according to the family's choice. There is no comprehensive system for protection against domestic violence.

In the field of compulsory education, the State of Qatar has achieved equal ratios for females and males, and the State also provides Qatar centers for professional development and technical education for both sexes, as it opened the first secondary technical school for girls in the country in the year 2020.

The challenges lie in educating non-Qatari children from low-income families who do not have a seat in (government-supported) schools, and this problem appears to be most acute for children with disabilities and children with learning difficulties.

The National Human Rights Committee has received complaints from parents of persons with disabilities that there are procedural or administrative difficulties related to the right to education, access and movement.

As for higher education, Qatar University provides university and higher education free of charge to Qatari citizens and provides them with external scholarship opportunities. Most Qatari nationals also receive scholarships to study at the Qatar Foundation for Science and Community Development "Qatar Foundation" and at Hamad Bin Khalifa University. There are also some private universities within the country.

Among the positive developments related to cultural rights are the issuance of the Arabic Language Protection Law, the State of Qatar's accession to the Arab Convention for the Protection of Copyright, the Convention for the Protection of the World Cultural and Natural Heritage, and the Convention for the Protection and Promotion of the Diversity of Cultural Expressions issued by UNESCO.

The State of Qatar provides social security for the most vulnerable groups, where citizens of persons with disabilities receive 4,000 riyals, and 3,000 riyals for those of unknown fathers or parents who are under 17 years old. Also, 6,000 riyals are given to needy families, including divorced women, widows, families of prisoners, the elderly, and the unemployed, in addition to one thousand riyals for each child. The establishment of the Workers' Fund is also an important step to provide aid and protection to workers who did not receive their salaries and entitlements after their companies stopped paying for a variety of reasons, including corporate insolvency or bankruptcy. In the field of the right to health, the State of Qatar provides the best level of health care, as the average life expectancy at birth is 77/88 years. <sup>[1]</sup>

The health sector has made great efforts and achieved success in dealing with the challenges posed by the Corona Virus (Covid-19) pandemic, since its outbreak. Such efforts had the greatest impact in mitigating the effects of the pandemic through a number of appropriate measures that were taken in accordance with the Law on Prevention of Communicable Diseases and the issuance of mandatory laws to wear masks, and download an electronic application “Ehteraz”.

The State's general budget for the fiscal year 2020 allocated approximately 22.6 billion riyals for the health sector, representing about 11% of the total public expenditures. Among the challenges facing the health sector are developing the concept and services of mental health, and improving aspects of environmental and industrial health.

The report concluded with the recommendations of the National Human Rights Committee, the most important of which is a study of ratification of International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, a study of accession to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, a study of ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, and a study of ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

It also recommended the issuance of a law on the rights of persons with disabilities and a law on the rights of the child, the amendment of all legislation in line with the provisions of the Convention on the Rights of the Child, and consider the observations of the National Human Rights Committee on the mental health law.

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<sup>1</sup> Global Health Observatory/ 2015

The recommendations included the necessity of developing a comprehensive legislation or system to protect against domestic violence, and continue to implement legal reforms related to work.

### **Third: The situation of economic, social and cultural rights in the State of Qatar**

This section includes the relevant provisions of the International Covenant on Economic, Social and Cultural Rights, where the National Human Rights Committee presents its vision on the extent of the application of these articles within national legislation and procedural practices reinforced by some data. The Committee is also indicating the challenges facing full compliance with the provisions contained in the Covenant, and is making proposals for the development and promotion of rights.

#### **Article 2 of the Covenant:**

- 1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.**
- 2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.**

In implementation of paragraph (1) and ensuring the progressive enjoyment of the rights recognized in the Covenant, the Cabinet issued a decision to form a committee to harmonize national legislation with the two Covenants, and issued Decision No 26 of 2019 to establish a national committee for women, children, older persons and persons with disabilities.

We find an application of paragraph (2) in the text of Article 34 of the Constitution: "Citizens are equal in rights and duties." Article 35 of the Constitution states: "Before the law, all persons are equal and shall not be discriminated by sex, race, language, or religion."

Citizens obtain economic advantages such as exemption from taxes, receiving residential land and soft loans, while non-citizens obtain economic rights through a contractual labor relationship, and the rights associated therewith.

Among the important developments achieved by the State of Qatar in terms of achieving greater equality is the issuance of a decree Law 19/2020 amending some provisions of the law regulating the entry, exit and residence of expatriates, which abolished the sponsorship (Kafala) system, in addition to issuing Law 17/2020 setting the minimum wage for workers and domestic workers.

**The National Human Rights Committee recommends removing discriminatory provisions from national legislation that affect the achievement of equality between citizens in obtaining economic and social rights, starting from the Nationality Law to housing and family laws.**

**Article 3 of the Covenant:**

**The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.**

We find an application of Article 3 of the Covenant in the Labor Law 14/2004, which affirms the right of women to work and equal pay when doing the same work.

The percentage of Qatari women in public and private sector jobs has increased, as the percentage of women appointed to government agencies for the year 2019 reached (69.3%), and in the private sector (56.6%). Qatari women are also present in many non-traditional professions and jobs, including piloting civil aircraft, police and military corps, and others. Training opportunities for capacity building and development are equal, but the proportion of women in supervisory positions is less.

Law 2/2007 on the housing system constitutes a guarantee of the right to housing for citizens, but it contains discrimination as the ministerial decree 17/2007 stipulates that a Qatari woman may apply for housing usufruct, but after elapse of five years from the date of divorce, and that she has children.

We also find an application of Article 3 of the Covenant in Law 25/2001 regarding compulsory education, where the State of Qatar has achieved equal ratios for females and males.

The law states that *“Education shall be mandatory and free for all children from the beginning of the Primary stage of education to the end of the Secondary stage of education or when the child receiving such education becomes 18 years of age whichever is the sooner, and the Council shall provide for all educational requirements,”* and *“The Legal Guardian of any child who refrains from enrolling such child in mandatory education without an acceptable excuse shall be liable to a*

*fine of a minimum of Five Thousand Riyals (QAR 5,000) and a maximum of Ten Thousand Riyals (QAR 10,000). In the event of repeat violations of this legal obligation the punishment will be doubled in its minimum and maximum limits.”* The State provides equal opportunities for males and females to enroll in primary and secondary education.

The State of Qatar has succeeded in implementing the law of compulsory and free education, and provided school seats for all children of primary school age in all regions of the country. However, some challenges have arisen regarding the right to education for non-Qatari children from low-income families who do not have a seat in schools (supported by the government). This problem appears to be most acute for children with disabilities and children with learning difficulties.

Since 2018, the National Human Rights Committee has received 19 complaints from the category of people with disabilities that there are procedural or administrative difficulties related to the right of access and movement, and, to date, it has not found a solution with the competent authority regarding them.

**The National Human Rights Committee recommends working to eliminate discrimination against persons with disabilities in education and related services; work to eliminate cultural stereotypes that limit women's participation in cultural and sports life; and take measures to encourage women to participate.**

**Article 6 of the Covenant:**

- 1- The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.**
- 2- The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.”**

Qatar Centers for Career Development and Technical Education are available for both sexes, as it opened the first secondary technical school for girls in the country at the beginning of the academic year 2020-2021. Admitted to these centers are the Qatari students, the children of Qatari women, and the children of residents from the Gulf Cooperation Council, in addition to no more than 20% of the total number of children of residents who were born in Qatar.

**Article 7 of the Covenant:**

**The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:**

- (a) Remuneration which provides all workers, as a minimum, with:
  - (i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;**
  - (ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;****
- (b) Safe and healthy working conditions;**
- (c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;**
- (d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.**

We find an application of Paragraph 1 in the Labor Law 14/2004, which defines the wage and defines the controls for its performance, and stipulates equal pay for women when doing the same work. There is also the decision of the Minister of Labor and Social Affairs 4/2015 regarding the controls of the wage protection system for workers subject to the Labor Law, where 81,734 establishments have been registered in the wage protection system, and the number of workers whose salaries were transferred to their bank accounts reached 1,405,431 for the year 2019.

We note here that the number of commercial, industrial and agricultural businesses in the State of Qatar is 82,495, classified into several sectors, including industrial, banking, tourism, transportation, services, contracting, agriculture, trade and investment.

Again, we find the application of paragraph 2 in several laws, including Law 17/2020 regarding setting the minimum wage for workers and home employees, which sets an income of 1,000 riyals per month, and in the event that adequate housing or food is not provided to the worker or employee, the minimum housing allowance is 500 Qatari riyals, and the minimum food allowance is 300 riyals.

Also, applications can be found in the Labor Law 14/2004, which laid down all work regulations, such as the maximum working hours, and regulated the right to

vacations, rest times, and weekly and official holidays, in addition to provisions for housing, and protection of minors and women. In addition to this, there are executive ministerial decisions that included provisions for occupational health and safety and provisions for compensation for work injuries and death.

The State of Qatar has made progress with the right to work through the cooperation program with the International Labor Organization, where the Organization provided expertise and advice, and all kinds of technical support, and initiated a remarkable dialogue with government officials about the necessary changes to be consistent with standards in the Organization. All concerned parties participated in the dialogue and provided experiences and expertise around the world to benefit from.

Through the cooperation program with the International Labor Organization, a comprehensive assessment of the labor inspection system was conducted - for the first time, which led to the development and adoption of a national labor inspection policy in April 2019, and the establishment of a strategic unit last December.

The ILO report indicated a major shift towards evidence-based inspections with a focus on data collection and analysis, strategic planning, action, coordinated guidance and training for all labor inspectors, awareness-raising activities, transparency and accountability. This policy is provided to all labor inspectors and published on the portal of the Labor Inspection Department.<sup>[2]</sup>

This confirms that the State of Qatar is following the right steps towards developing occupational health and safety for all its workers, including developing and improving its approach to disseminating data on accidents and deaths.

The competent authorities receive labor complaints and find solutions or refer them to the competent judicial authorities. In 2019, the Ministry of Labor examined the cases of (17,222) workers who filed complaints against the institutions in which they work, and after studying these complaints, (46%) of them were settled, while (23%) were shelved, (2%) were referred to the judiciary, and (29%) were referred to the Labor Dispute Settlement Committees. The reasons for labor complaints varied, but mainly included: late wages by (78%), travel tickets by (68%), gratuity of end of service by (67%), the leave allowance by (65%), then the rest of the reasons at a lower rate.<sup>[3]</sup> The Ministry conducted (43366) inspection visits, including (19,328) to labor inspection, targeting (14983) facilities; (22736) visits to inspecting occupational safety and health, targeting (6,388) facilities; (1302) wage protection visits targeting (1165) facilities, with achievement of (1339) field survey operations.

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<sup>2</sup> The ILO annual progress report on the technical cooperation program agreed between the organization and the government of Qatar/ WCMS\_723203/lang--en/index.htm

<sup>3</sup> Internal achievements of the State 2018-2019 / General Secretariat of the Council of Ministers

Inspection visits to workers' accommodation have also been intensified to ensure the application of standards, requirements and specifications for suitable accommodation for workers. Inspection visits to workers' accommodation have reached (2516).<sup>[4]</sup>

In the year 2020, during the (Covid 19) crisis, the Ministry of Labor announced that it had received (11,419) calls (complaints) through the hotline service, (2,269) SMS messages, (654) through the “Amerni” application, and (481) complaints via e-mail, totaling (14,823) complaints, from the date of March 13 to April 18, 2020.<sup>[5]</sup>

In the same context, Law 15/2017 regarding domestic workers included provisions to protect this category, such as stipulating the minimum and maximum age for both sexes, and the maximum working hours set at ten hours per day, interspersed with periods of rest and eating, which is in violation of international standards for working hours.

The law also provided for a weekly rest of not less than twenty-four consecutive hours, in addition to an annual paid leave for a period of three weeks that may be divided and to choose the date and place of benefit from it, as well as an end-of-service gratuity for each year. But it is not clear if the law meets ILO standards with regard to sick leave and setting working hours.

Although the Ministry of Labor has opened a department to receive complaints from domestic workers, the law still needs more mechanisms and procedures to implement its provisions. The following is a statistic of the number of complaints related to the category of domestic workers seen before the Employment Department at the Ministry of Administrative Development, Labor and Social Affairs for the year 2019:

<b>Complaints submitted by the domestic workers category during 2019</b>		
Ser.	Type of complaint	Number of claimants
1	Wages in arrears	301
2	Air tickets	85
3	In lieu of leave	11
4	End-of-service gratuity	120
5	Other claims	102
1	Number of settled complaints	194

4 Internal achievements of the state 2018-2019 / General Secretariat of the Council of Ministers

5 <https://www.al-watan.com/news->

2	Number of complaints referred to the Worker's Dispute Settlement Committee	0
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The National Human Rights Committee receives complaints about the right to work, especially the from the category of construction workers who work under harsh environmental conditions and do not receive their dues regularly, in addition the poor accommodation, living conditions and overcrowding in a number of companies, especially small contracting companies for construction.

The service sector workers as well witness violations of their rights on weekends and rest times.

The National Human Rights Committee received 1,613 complaints classified as violations of economic and social rights for the year 2019.

As for the year 2020, during the (Covid 19 crisis), 911 complaints were received by the Committee during the quarantine period from March 11, 2020 to June 7, 2020, including 6 complaints by workers from the industrial zone, who reported that they had a shortage of food, due to not receiving their salaries. Each complaint represented a number of workers, ranging between 20-130 workers of Nepalese, Bangladeshi, Sri Lankan, and nationalities of several African countries. The Committee also received dozens of calls from workers in commercial centers, shops, sports clubs, and others, who reported that the employers had completely stopped paying their wages. The callers were of Arab, Filipino, Indian and other nationalities.

For more information, see the report of the National Human Rights Committee on COVID-19 (attached).

**The National Human Rights Committee recommends continuing to work for more implementation of laws and decisions that would protect migrant workers, and to continue the existing cooperation with the office of the International Labor Organization to confront the challenges referred to.**

**Article 8 of the Covenant:**

- 1. The States Parties to the present Covenant undertake to ensure:**
  - (a) The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in**

- the interests of national security or public order or for the protection of the rights and freedoms of others;**
- (b) The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations;**
  - (c) The right to strike, provided that it is exercised in conformity with the laws of the particular country.**
- 2. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces or of the police or of the administration of the State.**
  - 3. Nothing in this article shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or apply the law in such a manner as would prejudice, the guarantees provided for in that Convention.**

Article 116 of the Qatari Labor Law 14/2004 grants citizens the right to form labor associations or trade unions, with restrictions that prevent the possibility of exercising the right to union organization unless the facility is employing at least 100 Qatari workers. This law also allowed the formation of so-called “joint committees” for each establishment in which thirty or more workers work, including representatives of the employer and workers, without requiring the presence of Qatari workers. Resolution No. 21/2019 was issued on April 21, 2019 regarding regulating the conditions and procedures for electing workers’ representatives in the joint committees, allowing all workers, whether they hold an employment contract directly with the company or with a third party, to elect their own representatives and run for the position of workers’ representative.

After the aforementioned decision was issued, five joint elections were organized between the committees from July to September, and nearly 30 workers' representatives were elected to represent 3,000 workers.

Article 60 of the Labor Law included the right to strike and to stop work. However, the legislator burdened the right to strike with restrictions and controls that took it out of its content, so that it is practically impossible to meet the necessary conditions for the strike. The law stipulated that, workers may go on strike if an amicable settlement between them and the employer is not possible, but in accordance with the following controls:

- 1- Approval of three quarters of the General Committee for Profession and Industry Workers. *(This committee does not exist on the ground.)*
- 2- Giving the employer a period of no less than two weeks before commencing the strike, along with the approval of the Ministry of Labor on this after coordination with the Ministry of Interior regarding the time and place of the strike.
- 3- Not to prejudice state funds and property, as well as security and safety of individuals.
- 4- It is not permissible to strike in vital facilities, namely oil and gas and related industries, electricity and water, ports, airports, transportation, and hospitals.
- 5- Not to resort to a strike unless a solution between the workers and the employer is not possible by conciliation or arbitration in accordance with the provisions of the work.

**The National Human Rights Committee recommends reviewing the articles regulating the establishment of trade unions and regulating strikes, and look into the extent to which they can be amended in line with Article 8 of the Covenant and with the standards of the International Labor Organization.**

**Article 9 of the Covenant:**

**The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.**

We find the application of Article 9 of the Covenant in Law No. 38/1995 regarding social security, as the law guarantees that priority-care groups shall receive specific pensions, including a request for a housemaid allowance.

Persons with disabilities receive 4,000 riyals, and an unknown father or parents, under the age of 17, receives 3,000 riyals.

6,000 thousand riyals are given to needy families, including divorced women, widows, families of prisoners, the elderly, and the unemployed, in addition to one thousand riyals for each child.

We also find another application of Article 9 of the Covenant in Law No. 17/2018 establishing the Workers' Support and Insurance Fund, as the establishment of this Fund is an important step to provide aid and protection to workers who did not receive their salaries and entitlements after their companies stopped paying for a variety of reasons, including corporate insolvency or bankruptcy.

It was stated in the annual progress report of the International Labor Organization on the technical cooperation program agreed between the Organization and the government of the State of Qatar that the fund managers were appointed, and an operating budget was allocated for it. The government submitted the initial budget and would subsequently deal with non-compliant employers in order to replenish the fund, with the goal being to have the fund fully operational by December 2019.<sup>[6]</sup>

**Article 10 of the Covenant:**

**The States Parties to the present Covenant recognize that:**

- 1. The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children. Marriage must be entered into with the free consent of the intending spouses.**
- 2. Special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period working mothers should be accorded paid leave or leave with adequate social security benefits.**
- 3. Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law.**

**States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.”**

We find an application of Paragraph 1 in the text of Article 21 of the Constitution: *“The family is the basis of society. A Qatari family is founded on religion, ethics and patriotism.”*

We also find an application within Law 22 of 2006 promulgating the Family Law, which includes provisions on marriage, divorce, alimony and custody.

According to Article 13 of the Family Law, marriage is contracted with the consent of both parties through offer and acceptance.

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<sup>6</sup> ILO Report/ WCMS\_723203/lang--en/index.htm

Article 17 of the same law stipulates that the marriage of a boy before the age of eighteen years, and a girl before the age of sixteen, shall not be documented, except after the consent of the guardian and ensuring the consent of both parties to the contract, and with the permission of the competent magistrate.

We find an application of paragraph 2 within a number of national legislation that guarantees the right of working women to leave before and after childbirth. Article 96 of the Labor Law 14/2004 stipulates that *“A female Worker who has spent a whole year in service with the Employer shall be entitled to maternity leave with full Remuneration for a period of fifty days. The receipt of the delivery leave shall not prejudice the female Worker from entitlement to any other leave.”*

Article 97 of the same law stipulates that *“The nursing female Worker shall be entitled to one hour daily for nursing for a period of one year, which shall start after the end of the maternity leave.”* Also, Article 98 stipulates that *“The Employer may not terminate the Employment Contract of a female Worker by reason of her marriage or receiving the leave, and may not notify her of the termination of her service Employment Contract during this leave.”*

We also find the same content of protection for working women in Law No. 15 of 2016 issuing human resources, and Cabinet Resolution No. 32 of 2016 issuing the executive regulations for the Human Resources Law.

We further find an implementation of Paragraph 3 in the text of Article 86 of Labor Law 14/2004 that *“A Juvenile who has not attained the age of sixteen may not be employed in Work of whatever nature and shall not be permitted to enter into any of place of Work.”*

Article 87 of the law stipulates that *“A Juvenile may not be employed without the consent of his father or guardian and the issuance of a special permission from the Department, and juveniles shall not be appointed in Work in which the nature and circumstance of the performance may harm their health or safety or morals.”* In addition, an Emiri Decree 17/2015 was issued to establish the Naufar Center and specify its competencies to provide care, voluntary stay, treatment and programs for addiction patients in accordance with the policies approved by the Ministry of Health.

**The National Human Rights Committee recommends reviewing the family law to raise the age of marriage for both sexes to 18 years of majority, in accordance with the Convention on the Rights of the Child ratified by Qatar.**

**It also recommends the development of a law to protect against domestic violence.**

### **Article 11 of the Covenant:**

- 1- The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.**
- 2- The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:**
  - (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;**
  - (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need."**

The State of Qatar is one of the highest countries in the world in terms of average income per capita. The latest government survey in the country, conducted in 2018, showed that the unemployment rate for Qataris is 0.2%, and the World Bank Group renewed the classification of the State of Qatar among the highest-income countries for the fiscal year 2019.<sup>[7]</sup>

The issue of food security is a priority in the State of Qatar, where the "Committee for the Implementation of Food Security Policies in the Governmental and Private Sectors" monitors plans for local production, import, diversification of food sources and high-quality storage in various circumstances.

We find an application of Article 11 of the Covenant in the issuance of Law 5/2017 regulating dealing in subsidized goods, Law 8/1990 regulating human food control, Law 8/2008 regarding consumer protection, Law 24/2005 regarding agricultural quarantine and the National Food Security Strategy 2019 -2023

The State of Qatar, represented by the Ministry of Commerce and Industry, allocates ration coupons for Qatari families to use to obtain subsidized goods through approved distribution and sales centers according to specific controls and

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<sup>7</sup> Labor Force Survey by sample 2018 - Planning and Statistics Authority

conditions. Charitable societies also provide food aid to needy families, including residents and workers. For example, there was a great role in this respect for Qatar Charity, the Red Crescent Society and other Qatari charitable and humanitarian organizations.

During the beginning of the (Covid 19 crisis)<sup>[8]</sup>, the official authorities announced the entry of nearly 1,000 vehicles per day to the closed part within the labor industrial zone to transport foodstuffs and vegetables, and 2,500 food bags and health bags were distributed daily. The food bag included rice, lentils, oil, sugar, tea, milk and Pasta" and others, and the health bag included sterilizers, soap, and masks.

**Article 12 of the Covenant:**

- 1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.**
- 2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:**
  - (a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;**
  - (b) The improvement of all aspects of environmental and industrial hygiene;**
  - (c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;**
  - (d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.**

We find an implementation of paragraph 1 by looking at the National Health Strategy 2018-2022 whose aim is to provide the best level of health care. The strategy is based on seven priorities: healthy children and adolescents, women for a healthy pregnancy, healthy and safe workers, followed by mental health, improving the health of people with chronic diseases, promoting the health of people with disabilities and the health of the elderly. This is reiterated in Law No. 13/2002 regulating the Ministry of Public Health, and Law 16/2016 on mental health.

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<sup>8</sup> Supreme Committee for Crisis Management

Among the challenges facing mental health is the lack of provisions that would establish an independent supervisory board or committee, whose task would be to monitor decisions of compulsory admission to treatment, receive grievances and resolve them, and ensure that situations do not arise in which patients are exploited by their families, using the authority granted to them by law.

We find the implementation of Paragraph 2 by issuing Law No. 3 of 2016 regulating the registration of births and deaths, where 5 newborns die before reaching 28 days of age for every 1,000 live births.

- 5.8 infant mortality rate for those who die before reaching the age of one year per 1000 live births.
- 6.8 out of 1,000 newborns is the mortality rate in Qatar for those who die before reaching the age of five years if subjected to current age-related death rates.
- 9.00 is the maternal mortality ratio, which is the number of women who die during pregnancy or delivery per 100,000 live births
- The average life expectancy at birth is 77/88 years.<sup>[9]</sup>

As for improving all aspects of environmental and industrial health, Labor Law 14/2004 contains regulations for places of residence and work.

The State of Qatar is cooperating with the International Labor Organization in a program conducted - for the first time - for a comprehensive assessment of the labor inspection system, with the aim of developing occupational health and safety for all workers, including developing and improving the method for disseminating data on accidents and deaths.

Among the applications are also Law 17 of 1990 regarding the prevention of infectious diseases, the issuance of mandatory laws to wear masks, and the download of an electronic application “Ehteraz”, under penalty of up to 3 years imprisonment and 200,000 riyals for violators.

The health sector has made great efforts and achieved success in dealing with the challenges posed by the Corona Virus (Covid-19) pandemic, since its outbreak, which had the greatest impact in mitigating the effects of the pandemic through a number of appropriate measures that were taken. Hospital capacity has been increased, a number of hospitals and health centers have been allocated to treat Corona patients, and a number of field hospitals have been built in parallel with

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<sup>9</sup> Global Health Observatory/ 2015

providing them with medical, nursing and administrative staff. This is in addition to providing health care for regular patients.

The Ministry of Public Health directed that tests to detect infection with the Corona virus (Covid-19) be carried out in Hamad Medical Corporation and hospitals approved by the Center for Communicable Diseases, and that all health care services related to (Covid-19) be provided free of charge to all residents, regardless of the validity of their residency cards,<sup>[10]</sup> to say nothing of the awareness campaigns to curb the pandemic and the distribution of flyers in all languages of the workers in the visual, print and audio media. This is in addition to hot calling services in nine languages through the Ministry of Health.<sup>[11]</sup>

The State's general budget for the fiscal year 2020 allocated approximately 22.6 billion riyals, with the health sector allocations representing about 11% of the total public expenditures.

**The National Human Rights Committee recommends reconsidering the mental health law according to its observations, in addition to the necessity of constructing modern buildings for the mentally ill category that include all relevant international standards.**

**Article 13 of the Covenant:**

- 1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.**
- 2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:**
  - (a) Primary education shall be compulsory and available free to all;**
  - (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;**

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<sup>10</sup> Letter of the Ministry of Health addressed to the National Human Rights Committee No.: /510/2020

<sup>11</sup> Activating the electronic virtual consultation service via phone or video for patients who need advice and medical advice and for guidance to conduct tests.

- (c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;
  - (d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;
  - (e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.
3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.
  4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

We also find an application of Article 3 of the Covenant in Law 25/2001 regarding compulsory education, where read *“Education shall be mandatory and free for all children from the beginning of the Primary stage of education to the end of the Secondary stage of education or when the child receiving such education becomes 18 years of age whichever is the sooner.”* In Article 11 of the same law we read: *“The Legal Guardian of any child who refrains from enrolling such child in mandatory education without an acceptable excuse shall be liable to a fine of a minimum of Five Thousand Riyals (QAR 5,000) and a maximum of Ten Thousand Riyals (QAR 10,000). In the event of repeat violations, the punishment will be doubled.”*

Article 9 of Law No. 25 of 2001 regarding compulsory education stipulates that *“At his own expense, the Legal Guardian of a child may enroll the child in a school or institution at the same educational level of schools providing mandatory education provided that the Ministry is notified of the name of the school or institution at least one week before the beginning of the school year.”*

Article 10 of the aforementioned law stipulates that *“In the event that a child reaches the legal age for the cessation of the mandatory stages of education*

*without having successfully completed such stages of education, the child shall be granted a certificate stating the educational level attained and the Ministry shall enroll him or her in an appropriate educational establishment at the appropriate level.”*

In the State of Qatar, there are 10 evening centers for adult education for women and men at the state level, accommodating four thousand male and female students for nominal fees.

The Committee monitored the announcement of the Department of School Affairs at the Ministry of Education and Higher Education<sup>[12]</sup> that the registration for adult education students was to be opened in the home system in day schools for the academic year 2018-2019 for all nationalities, who do not meet the conditions of compulsory education, and students who were removed from day education due to (marriage cases - repeated failure or work).

A school in Law No. 9/2017 means every governmental educational facility for the stages of education below university established by the state, and the Ministry of Education undertakes its organization, management and supervision. Article No. 4 of the same law stipulates that education in schools is a right for all citizens, and it is guaranteed and nurtured by the state. The conditions and admission of non-Qatari students in these schools are determined by a decision of the Council of Ministers, based on a proposal by the Minister. However, this regulation has not been issued to date, and non-Qatari people face difficulties in entering public schools, especially students with disabilities.

Article No. 11 of the aforementioned law stipulates that those operating independent schools on the date of enforcement of this law should settle all their financial and administrative situations, within six months from the date of enforcement of this law.

This means that the independent schools - which were operated in accordance with Law 11/2006 - fell within the framework of government education, where the Ministry of Education has the right to set curricula, appoint employees and manage the entire educational and educational process thereof.

Among the challenges monitored by the National Human Rights Committee are complaints about discrimination regarding the entitlements of workers in the education sector.

As for higher education, Qatar University provides university and higher education free of charge to Qatari citizens. It also provides them with external scholarship

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<sup>12</sup> Website of the Ministry of Education and Higher Education/ August 15, 2018

opportunities. Most Qatari nationals receive scholarships to study at the Qatar Foundation for Science and Community Development "Qatar Foundation" and at Hamad Bin Khalifa University. There are also some private universities within the country.

Qatar University ranked 32<sup>nd</sup> globally in the "Times" classification of higher education, and the number of students affiliated with Qatar University reached 22,000 for the year 2018-2019, in faculties of arts, sciences, administration and economics, education, engineering, health sciences, law, medicine, pharmacy, and Sharia and Islamic Studies.

These colleges offer (45) undergraduate programs, 40 postgraduate programs, 8 doctoral programs, 27 master's programs and 4 for the diploma, and the university has a leading research building and 14 research centers.<sup>[13]</sup>

As for ensuring that the freedom of individuals and bodies to establish and manage educational institutions is not prejudiced, provided that the principles stipulated in paragraph 1 of this article are always adhered to and subject to the education provided by these institutions being committed to the minimum standards that the state may impose, Law 23/2015 was issued to organize private schools. The Ministry of Education grants licenses to private schools and kindergartens based on conditions issued within the Minister of Education Decision No. 40/2017 of the executive regulations of the aforementioned law.

#### **Article 15 of the Covenant:**

- 1. The States Parties to the present Covenant recognize the right of everyone:
  - (a) To take part in cultural life;**
  - (b) To enjoy the benefits of scientific progress and its applications;**
  - (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.****
- 2- The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.**
- 3- The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.**

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<sup>13</sup> The Ministry of Education and Higher Education - The internal achievements of the State 2016-2017 / General Secretariat of the Council of Ministers

**4- The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.**

Among the positive developments related to cultural rights are the issuance of Law 7/2019 on the protection of the Arabic language, the State of Qatar's accession to the Arab Convention for the Protection of Copyright, the Convention for the Protection of the World Cultural and Natural Heritage, and the Convention for the Protection and Promotion of the Diversity of Cultural Expressions issued by UNESCO.

Law No. 8/1979 on Publications and Publishing still regulates cultural and scientific activities, including restrictions on freedom of opinion and expression.

In June 2020, the Shura Council approved a new draft law regulating the press, publications, publishing, media activities and the arts. The draft law includes provisions related to electronic publishing and circulation, and the establishment of cinemas and theaters.

One of the challenges in the aforementioned draft law is to maintain administrative control over artistic and cultural activities, without enabling the judiciary to appeal against administrative decisions.

**The National Human Rights Committee recommends reviewing the Media Activities Law before it is issued, in order to bring it into line with international standards.**

**It also recommends working to eliminate stereotypes that limit women's participation in cultural life.**

**Fourth - Recommendations of the National Human Rights Committee:**

1. Study the ratification of the International Convention for the Protection of All Migrant Workers and Members of Their Families.
2. Study accession to the Optional Protocol to the Covenant on Economic, Social and Cultural Rights.
3. Study the ratification of the Optional Protocol to Eliminate Discrimination against Women.
4. Study the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities.
5. Work to remove stereotypes that hinder women's participation in cultural life.

6. Issue a law on the rights of persons with disabilities.
7. Issue a law on the rights of the child, and amend all legislation in line with the provisions of the Convention on the Rights of the Child.
8. Consider the observations of the National Human Rights Committee regarding the Mental Health Law.
9. Develop legislation or a comprehensive system for protection against domestic violence.
10. Continue to implement legal reforms related to work, such as the wage protection system, and the application of legislation related to changing work, minimum wages, freedom of movement, and others.