



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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REFERENCE: cc/jmnf/jli/follow-up/CAT

25 November 2013

Dear Mr. Al-Hammadi,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the United Nations Committee against Torture, I refer to the examination of the second periodic report of Qatar (CAT/C/QAT/2) by this Committee, at its 49th session, held from 29 October to 23 November 2012. At the end of that session, the Committee's concluding observations (CAT/C/QAT/CO/2) were transmitted to your Permanent Mission. In paragraph 28 of those concluding observations, the Committee requested, pursuant to its rules of procedure, that the State party provide, within one year, by 23 November 2013, further information regarding areas of particular concern identified by the Committee in paragraphs 10, 14 and 19 (see extracts annexed).

The Committee has adopted a follow-up procedure to pursue issues that are serious, that can be accomplished by the State party in a one year period, and that are protective.

The information sought by the Committee has not been provided yet, although more than one year has elapsed from the transmittal of the Committee's concluding observations. Accordingly, I would be grateful for clarification as to the current status of your Government's responses on the matters, and as to when the information requested will be forthcoming. A Word electronic version of the reply should be sent to the Secretariat of the Committee against Torture (cat@ohchr.org). Upon receipt of this information, the Committee will be able to assess whether further action is needed.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Qatar on the implementation of the Convention. In this context, the Committee seeks to receive your response to this enquiry.

Accept the assurances of my highest consideration

Felice D. Gaer

Rapporteur for Follow-up on Concluding Observations
Committee against Torture

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**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Concluding observations of the Committee against Torture
(Extracts for follow-up of CAT/C/QAT/CO/2)

QATAR

(...)

C. Principal subjects of concern and recommendations

(...)

Fundamental legal safeguards

10. While noting that article 39 of the Constitution and articles 40, 112 and 113 of the Code of Criminal Procedure provide some legal safeguards to detainees, the Committee is concerned that these provisions are not always respected in practice, in particular for non-citizens, and do not cover all fundamental safeguards required by the Convention, in particular the right to have an independent medical examination upon deprivation of liberty. The Committee also expresses its concern at the lack of information on detention registers as well as the lack of monitoring of the implementation of safeguards, in particular given that the State party stated that it had documented no cases in which the authorities had failed to properly register detainees during the reporting period. While noting the provisions in the Code of Criminal Procedure requiring persons to be charged or released within 48 hours, the Committee remains concerned that detention without charge may be extended by the Attorney General for 16 days. Of further concern are reports on persons detained without charge or trial, inter alia, the case of Mohamed Farouk al Mahdi, undertaken by the Working Group on Arbitrary Detention (A/HRC/WGAD/2010/25) (arts. 2 and 16).

The State party should promptly take effective measures to ensure that all detainees, including non-citizens, are afforded, in practice, all fundamental legal safeguards from the very outset of detention, including the rights to promptly receive independent legal assistance and a medical examination by an independent doctor, contact relatives, and appear before a judge within a time limit in accordance with international standards. The State party should also take steps to ensure effective monitoring of the adherence of all personnel to the laws governing safeguards, and discipline or prosecute those who fail to provide them to persons deprived of their liberty as required by law. The State party should ensure that all detainees, including minors, are included on a central register. The State party is encouraged to introduce systematic video and audio monitoring and recording of all interrogations, in all

places where torture and ill-treatment are likely to occur, and provide the necessary resources to that end.

(...)

Complaints and prompt, thorough and impartial investigations

14. The Committee reiterates its concerns about the absence of data on individual complaints of torture or ill-treatment, or the results of investigations or prosecutions related to the provisions of the Convention. The Committee notes with concern the information provided by the State party that it has not recorded any complaint on torture or ill-treatment, which contradicts a number of reports of ill-treatment of detainees submitted by several sources, including the Qatari National Human Rights Committee (NHRC) (arts. 12, 13 and 16).

The State party should ensure that information about the possibility and procedure for filing a complaint against the police is made available and widely publicized, including by being prominently displayed in all detention facilities. The State party should ensure that all allegations of torture and ill-treatment are investigated promptly and thoroughly by independent bodies, with no institutional or hierarchical connection between the investigators and the alleged perpetrators among the police. As indicated in paragraph 7 of the present concluding observations, the State party should provide, in its next periodic report, statistical data, disaggregated by crimes, nationality, age and gender, on complaints relating to torture and ill-treatment and any related investigations, prosecutions, penal and disciplinary sanctions.

(...)

Violence against women, including domestic violence

19. The Committee notes with encouragement various measures begun by the State party, including the Qatar Foundation for the Protection of Women and Children, such as the launch of a hotline and the provision of shelters and legal assistance to some victims. However, the Committee expresses concern over the persistence of violence against women, including domestic violence and sexual violence against domestic workers and, as indicated in paragraph 7 of the present concluding observations, the lack of statistical information on the overall complaints of domestic violence reported and investigations, convictions and punishments meted out (arts. 2, 12, 14 and 16).

The State party should strengthen its efforts to prevent violence against women, including domestic and sexual violence, inter alia, by:

- (a) Establishing effective measures to guarantee victims' right to complain in relation to violations of the Convention and their inalienable rights promptly and without torture or ill-treatment or intimidation as a consequence of her or his complaint. The State party should work with appropriate non-governmental or**

international bodies, including foreign embassies, to that end and inform the Committee of its efforts to assess the accessibility and effectiveness of such system;

- (b) Ensuring accountability of all perpetrators of such acts by undertaking prompt, impartial and effective investigations into complaints, prosecuting perpetrators of such violence and punishing them with appropriate penalties; and
- (c) Ensuring that all victims of violence against women are provided with adequate redress and reparation, including compensation and the means for as full rehabilitation as possible.

(...)

28. The Committee requests the State party to provide, by 23 November 2014, follow-up information in response to the Committee's recommendations related to (a) ensuring or strengthening legal safeguards for persons detained, (b) conducting, prompt, impartial and effective investigations, (c) prosecuting suspects and sanctioning perpetrators of torture or ill-treatment, and (d) violence against women, as contained in paragraphs 10, 14 and 19 of the present concluding observations.
