



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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REFERENCE: Follow-up/CAT

9 October 2019

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the United Nations Committee against Torture, I refer to the examination of the third periodic report of Qatar (CAT/C/QAT/3) by this Committee, at its 63rd session, held from 23 April to 18 May 2018. At the end of that session, the Committee's concluding observations (CAT/C/QAT/CO/3) were transmitted to your Permanent Mission. In paragraph 49 of those concluding observations, the Committee requested, pursuant to its rules of procedure, that the State party provide, within one year, by 18 May 2019, further information regarding areas of particular concern identified by the Committee in paragraphs 14, 24 and 38. It also invited the State party to provide information about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations included in its concluding observations (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 (see, doc. CAT/C/55/3).

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.

Accept, Excellency, the assurances of my highest consideration.

Abdelwahab Hani

Rapporteur for Follow-up to 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/3)

QATAR

(...)

C. Principal subjects of concern and recommendations

(...)

Fundamental legal safeguards

(...)

14. The Committee reiterates the recommendation contained in its previous concluding observations (see CAT/C/QAT/CO/2, para. 10) that the State party should take effective measures to ensure that all detainees are afforded, in law and in practice, all fundamental safeguards from the very outset of their deprivation of liberty, in conformity with international standards, including: the right to have immediate access to an independent medical doctor, regardless of any medical examination that may be conducted at the request of the authorities; and the right to be brought promptly before a judge. The State party should also make the necessary amendments to its Code of Criminal Procedure to abolish the provision under which detainees may be held in police custody for an eight-day period or longer, depending on the offence and introduce in its place a maximum period in line with international standards.

(...)

Prompt, thorough and impartial investigations

(...)

24. The Committee urges the State party to:

(a) Ensure that all complaints of torture or ill-treatment are promptly investigated in an impartial manner by an independent body, that there is no institutional or hierarchical relationship between the body's investigators and the suspected perpetrators of such acts, and that the suspected perpetrators are duly tried and, if found guilty, punished in a manner that is commensurate with the gravity of their acts;

(b) Ensure that the authorities launch investigations whenever there are reasonable grounds to believe that an act of torture or ill-treatment has been committed;

(c) Ensure that, in cases of alleged torture and/or ill-treatment, suspected perpetrators are suspended from duty immediately for the duration of the investigation, particularly when there is a risk that they might otherwise be in a position to repeat the alleged act, commit reprisals against the alleged victim or obstruct the investigation;

(d) Compile disaggregated statistical information relevant to the monitoring of the Convention, including data on complaints, investigations, prosecutions and convictions in cases of torture and ill-treatment.

(...)

Asylum and non-refoulement

(...)

38. The State party should:

(a) Ensure that no one may be expelled, returned or extradited to another State in which there are substantial grounds to believe that he or she would run a personal and foreseeable risk of being subjected to torture;

(b) Guarantee that all persons on the territory or under the jurisdiction of the State party have effective access to the procedure for determining refugee status;

(c) Ensure that procedural safeguards against refoulement are in place and that effective remedies are available with respect to refoulement claims in removal proceedings, including review by an independent judicial body concerning rejections, in particular on appeal;

(d) Consider ratifying the Convention relating to the Status of Refugees, the Protocol relating to the Status of Refugees, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

(...)

Follow-up procedure

49. The Committee requests the State party to provide, by 18 May 2019, information on follow-up to the Committee's recommendations on fundamental legal safeguards; prompt, thorough and impartial investigations; and asylum and non-refoulement (see paras. 14, 24 and 38 above). In that context, the State party is invited to inform the Committee about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations in the concluding observations.

(...)