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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.

[21 August 2019]

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



Arbitrary detention in Qatar

Preface

Maat for Peace, Development and Human Rights (Egypt) submits this intervention to clarify the State of Qatar's position that contradicts with provisions of international conventions on human rights, especially its national legislations. The Qatari national legislations permit the arbitrary deprivation of liberty which is against the right to complete freedom that guaranteed by articles 7, 13, 14, 18, 19, 20 and 21 of the Universal Declaration of Human Rights. Similarly, in the case of States parties to the International Covenant on Civil and Political Rights, articles 12, 18, 19, 21, 22, 25, 26 and 27 of the International Covenant on Civil and Political Rights, to which Qatar is a party as of May 2018.

This coincides with the Qatari authorities' detention of two Egyptian people without any charges recently. In addition to 1,261 persons detained in the penal and correctional institutions in Qatar. A comprehensive and detailed Information on the number of committed violations against detainees. No information is available on the number of inspection visits conducted by the Public Prosecution and Penal Institutions, as well.

Qatari legislation allowing arbitrary deprivation of liberty

Article 68 of the Qatari Constitution states that the Convention has the force of law, therefore Maat for Peace, Development and Human Rights is deeply concerned about the explicit violations of the provisions of international conventions and treaties contained in Qatari legislations. As, these legislations allow for arbitrary detention or arrest under Qatari domestic laws. Article (2) of the Protection of society law¹ states that "The duration of the provisional detention shall be two weeks, extendable for additional similar period or periods to a maximum of six months. The duration may be extended for an extra period not exceeding six months with the consent of the Prime Minister. The period of provisional detention shall be doubled if the offence relates to state security." Also, Under the Law on the Military Intelligence Service, military personnel may be held in custody for up to four weeks, and any other individual may be detained for one week before being brought before a prosecutor.²

Moreover, the amended Qatari Anti-Terrorism Law of 2017,³ in Article (18), allows a person to be held in pre-trial detention for a period not exceeding six months upon the decision of the Attorney General. The Qatari authorities have also the right to detain individuals in the prisons of national Security agency for indefinite periods based on the Protection of society law and the Anti-Terrorism Law. It should be noted that the Qatari government has limited the detention period to two months for all detainees in the detention and deportation centers, except for those facing additional criminal financial charges, which is not short period as well. Authorities postponed deportation in cases of which detainees have to settle the late payment of dues before they are allowed to leave the country. The National Human Rights Committee in Qatar said it had only received one complaint from a Nigerian national who alleged that he had been beaten in detention last year. This case had been denied by the concerned authority.⁴

¹ القانون رقم (17) لسنة 2002، بشأن حماية المجتمع، للإطلاع على القانون كاملاً، مُتاح على <http://www.almeezan.qa/LawPage.aspx?id=116&language=ar>.

² Available at: https://www.upr-info.org/sites/default/files/document/qatar/session_33_-_may_2019/js5_upr33_qat_e_main.pdf.

³ القانون رقم (3) لسنة 2004، بشأن مكافحة الإرهاب، للإطلاع على القانون كاملاً، مُتاح على <http://www.almeezan.qa/LawArticles.aspx?LawArticleID=9676&LawId=294&language=ar>.

⁴ Available at: <https://cutt.us/cskua>.

Arbitrary detention cases in Qatar

According to National Human Rights Committee in Qatar, Qatar has 1,261 individuals detained in the penal and correctional institutions in Qatar. A comprehensive and detailed Information on the number of committed violations against detainees. No information is available on the number of inspection visits conducted by the Public Prosecution and Penal Institutions, as well.

Recently, the Qatari authorities arrested Walid Abdel Aziz and Ali Mohamed Salem, two Egyptians living in Qatar, without charges or even informing their families of any details about the circumstances or reasons of their detention. Their families have been prevented from communicating with them.⁵ Ali Salem is one of the founders of Al-Jazeera. He disappeared for eight months after the Qatari authorities knew about his intention to leave Doha permanently and return to Egypt. So, in light of the obligations imposed by international law on the state parties to international human rights conventions, Maat for Peace, Development and Human Rights calls for disclosing the facts of detention and allowing the detainees' families to communicate with them.

Qatari activist, Latifa Al-Masifri, was arbitrarily detained again after she published about injustice and persecution that affected Qatari society and the deteriorating economic conditions in Doha, and the spread of poverty. She also asked for returning the nationality of her daughter which was dropped by the Qatari authorities, in violation of article 8 of the Convention on the Rights of the Child, which states the right of children to enjoy their nationality.⁶ Latifa was detained in 2018 and released before being re-arrested again by administrative decision.

Recommendations

As Maat for Peace, Development and Human Rights, believes in the important role played by civil society organizations in raising awareness among peoples of their full rights, and as performing its role as a human rights association seeks to promote the human rights approach and use its mechanisms to strengthen the pillars of democracy in the Middle East and the world, the Association recommends that for the Qatari government:

- The necessity of being the national legislations related to individuals' freedom complying with the provisions of international treaties to which Qatar is a party, and in line with international standards.
- Amend the protection of society law and Anti-Terrorism law, including the modification and renewal of prison terms, so as to ensure their conformity with international legislation and regulations.
- Work to establish an independent national mechanism to monitor cases of arbitrary arrest and detention.
- Ensure that all cases of arbitrary detention and enforced disappearance against citizens in Qatar are brought to an end.
- The need for the immediate release of Egyptians who forcibly detained in Qatar.
- The immediate release of the activist Latifa al - Masifri, who is forcibly detained in Qatar.

⁵ رشا عمار، بعد اعتقال مصريين.. البرلمان يتحرك دوليا ضد انتهاكات قطر، م منشور على موقع العين، متاح على <https://al-ain.com/article/egypt-qatar-terrorim>

⁶ تنظيم الحمدين يعتقل الناشطة لطيفة المسيفري لنشرها فضائحه، البوابة نيوز، 24 فبراير 2019 <https://www.albawabnews.com/3498182>