



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of Qatar*

I. Introduction

1. The Committee considered the initial report of Qatar (CRPD/C/QAT/1) at its 218th and 219th meetings, held on 26 and 27 August 2015, respectively, and adopted the following concluding observations at its 228th meeting, held on 2 September 2015.
2. The Committee welcomes the initial report of the State party, which was prepared in accordance with the Committee's reporting guidelines, and thanks the State party for the written replies (CRPD/C/QAT/Q/1/Add.1) to the list of issues prepared by the Committee.
3. The Committee appreciates the dialogue held with the State party's high-level delegation.

II. Positive aspects

4. The Committee commends the initial steps to put in place legislation, mechanisms and programmes to promote and protect the rights of persons with disabilities, including the National Development Strategy 2011-2016. It also welcomes the inclusion of questions on disability in the 2010 population census, as a first effort to understand the situation of persons with disabilities.

A. General principles and obligations (arts. 1-4)

5. The Committee notes that the State party has not ratified the Optional Protocol to the Convention. It also notes that the State party has not ratified other treaties of the international system of promotion and protection of human rights, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
6. **The Committee recommends that the State party ratify the Optional Protocol to the Convention as soon as possible and that it consider ratifying the international human rights treaties to which it is not yet a party, in particular the International**

* Adopted by the Committee at its fourteenth session (17 August-4 September 2015).



Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

7. The Committee is concerned that legislation on persons with disabilities was adopted prior to ratification of the Convention and does not reflect the human rights model of disability and that there is a heavy focus on creating specialized solutions that lead to segregation. It is also concerned that subsequent efforts to harmonize legislation on persons with disabilities with the Convention have not advanced to fruition.

8. The Committee recommends that the State party, in consultation with persons with disabilities and their representative organizations, adopt all measures necessary to ensure full compliance of legislation with the general principles and specific provisions in the Convention. In particular, the Committee recommends the adoption of measures in matters relating to non-discrimination and to the full transition to a human rights-based model of disability and that the State party engage in mainstreaming the rights of persons with disabilities and their access to services within existing systems for their inclusion in the community.

9. The Committee is concerned about the lack of consultation of persons with disabilities and of the difficulties for independent organizations of persons with disabilities and their families to engage in human rights advocacy for better implementation of the Convention. It is also concerned about the lack of diversity in the range of organizations with disabilities independent to the State party. The Committee is further concerned by the lack of participation by organizations of persons with disabilities throughout the process of its consideration of the implementation of the Convention in the State party, and that it did not receive any alternative reports from Qatari civil society, including organizations of persons with disabilities.

10. The Committee recommends that the State party adopt the measures necessary to ensure that organizations of persons with disabilities can register as associations, participate and be consulted and are enabled to contribute effectively to the implementation of the Convention in relation to law and policymaking, including a review of existing laws and their current requirements, the provision of financial and other support and the establishment of a formal mechanism recognized by law. Furthermore, the Committee recommends that the State party ensure that all foundations and civil society organizations, including organizations of persons with disabilities, comply with the principles and the provisions of the Convention, through the development of guidelines and standards for service provision. It also recommends that the State party ensure that organizations of persons with disabilities have the freedom to engage with the United Nations human rights mechanisms.

B. Specific rights (arts. 5-30)

Equality and non-discrimination (art. 5)

11. The Committee is concerned about the absence of a definition of reasonable accommodation in law and that the denial of such accommodation is not considered a form of discrimination. It is also concerned about the lack of specific legislation on equality and non-discrimination, including protection against multiple and intersectional discrimination.

12. The Committee recommends that the State party incorporate an explicit prohibition of disability-based discrimination in its national legislation. It also recommends that the State party incorporate a definition of reasonable accommodation into national law and apply it in accordance with the Convention, in particular through explicit recognition that denial of reasonable accommodation is

disability-based discrimination. The Committee also recommends that the State party provide training on the concept of reasonable accommodation and non-discrimination of persons with disabilities to public and private actors, in particular members of the legal profession, the judiciary, law enforcement officers, and persons with disabilities themselves. Furthermore, the Committee recommends the explicit incorporation in national law of protection against multiple and intersectional discrimination on the basis of gender, age, disability and migrant status, among other grounds, accompanied by higher sanctions for perpetrators and higher compensation and redress for victims.

Women with disabilities (art. 6)

13. The Committee is concerned about the multiple forms of discrimination that women and girls with disabilities experience in the State party. It is concerned about the overall lack of information on the social, economic and political situation of women and girls with disabilities, and on the limited participation of women with disabilities in making decisions affecting them in general. It is also concerned that measures to mainstream the rights and needs of women and girls with disabilities in strategies have not been implemented.

14. The Committee recommends that the State party conduct awareness-raising campaigns and education programmes at all levels, particularly targeted at the family level, in order to foster respect for the rights and dignity of women and girls with disabilities, and combat stereotypes, prejudices and misconceptions about women and girls with disabilities. It also recommends that the State party, in consultation with women and girls with disabilities, through their representative organizations, mainstream their rights across the women's rights agenda with a view to developing policies to promote their autonomy and full participation in society.

Children with disabilities (art. 7)

15. The Committee is concerned about the absence of a strategy to promote girls and boys with disabilities exercising freedoms and rights on an equal basis with other children. It is also concerned at the absence of data about girls and boys with disabilities and of systematic information on measures and support for starting independent life available to children with disabilities reaching adulthood. The Committee is also concerned at the absence of means for girls and boys to express their views on all matters that concern them.

16. The Committee recommends that the State party take all the steps necessary to promote the realization of the rights of the child for girls and boys with disabilities on an equal basis with others, and provide adequate support for girls and boys with disabilities to help them start an independent life when they reach adulthood. The Committee recommends that the State party ensure safeguards to protect the right of girls and boys with disabilities to be consulted in all matters that concern them and to ensure that they receive appropriate assistance in this regard.

Awareness-raising (art. 8)

17. The Committee is concerned that the State party's policy of "primary prevention of impairment" in place is contrary to the Convention and the rights of persons with disabilities. It is also concerned that the high investment in the prevention of impairment contributes to perpetuating a negative image of persons with disabilities. It is also concerned that persons with disabilities are perceived within the family, and society in general, as lacking the ability to live independently and to participate and be included in the community on an equal basis with others.

18. **The Committee recommends that the State party take measures to ensure that any policy for rehabilitation, treatment or prevention of disability does not undermine the dignity of persons with disabilities, and establish awareness-raising campaigns and training programmes that are in accordance with the principles of the Convention and based on the human rights model of disability in order to overcome entrenched gender and disability stereotypes in society.**

Accessibility (art. 9)

19. The Committee is concerned about the absence of specific legal and policy frameworks to ensure accessibility for persons with disabilities, on an equal basis with others, to all facilities and services open or provided to the public, including access to information, communications and transport.

20. **In the light of its general comment No. 2 (2014) on accessibility (art. 9), the Committee recommends that the State party adopt legislation for barrier-free public facilities and services. It also recommends a comprehensive accessibility plan with the allocation of sufficient resources, enforceable and effective sanctions for non-compliance, and a road map based on detailed data with a defined timeframe. The Committee also recommends that the State party promote universal design for all buildings and public services, information and social communication media, transport and services open to the public, and that it incorporate accessibility standards into public procurement criteria.**

Situations of risk and humanitarian emergencies (art. 11)

21. The Committee is concerned at the lack of a specific strategy, protocols and tools to prevent, protect, assist and involve persons with disabilities in situations of risk and humanitarian emergencies.

22. **The Committee recommends that the State party adopt and implement a comprehensive emergency and disaster risk reduction strategy and protocols fully inclusive of and accessible to persons with disabilities.**

Equal recognition before the law (art. 12)

23. The Committee is deeply concerned about substituted decision-making and guardianship regimes for persons with disabilities enshrined in, among others, article 305 of the Criminal Code, article 34 of the Guardianship (Assets of Minors) Act No. 40 of 2004, and article 127 of the Civil Code, which restrict the exercise of rights, including the right to vote, to marry, to have a family, to give and/or withdraw free and informed consent, to access justice and choose where and with whom to live.

24. **Recalling its general comment No. 1 (2014) on equal recognition before the law (art. 12), the Committee recommends that the State party carry out a review of its legislation with a view to repealing regimes of substituted decision-making and replacing them by supported decision-making regimes which uphold the autonomy, will and preferences of persons with disabilities.**

Access to justice (art. 13)

25. The Committee is concerned that judicial officials are unaware of the rights of persons with disabilities and that the justice sector has no programmes specifically designed to provide assistance to persons with disabilities. The Committee is also concerned at the lack of accessibility to the justice system, including legal aid and assistance, sign language interpreters in courtrooms and procedural accommodations.

26. **The Committee recommends that the State party ensure the training of court staff, judges, police and prison staff to uphold the rights of persons with disabilities, including the right to a fair trial and the obligation to provide reasonable accommodation. It also recommends that the State party implement measures to ensure physical, informational and communicational accessibility of all judicial facilities, such as the provision of professional sign language interpreters, Braille and other procedural accommodations.**

Liberty and security of the person (art. 14)

27. The Committee is concerned about the involuntary detention of persons in specialized institutions on the basis of their impairment and the deprivation of liberty based on disability, including intellectual and/or psychosocial disabilities. It is also concerned that persons with intellectual and/or psychosocial disabilities accused of an offence are declared unfit to stand trial and not given due process. It is also concerned that victims of crimes who are persons with intellectual and/or psychosocial disabilities may be temporarily placed in institutions while their case is being resolved.

28. **The Committee recommends that the State party repeal all legislation that authorizes institutionalization without the free and informed consent of the person, including in cases where consent is substituted by a third party, and repeal all laws that allow for the deprivation of liberty on the basis of disability. It also recommends that the State party ensure that persons with disabilities accused of an offence are entitled to the provision of procedural accommodations and a fair trial and due process guarantees on an equal basis with others, including the presumption of innocence.**

Freedom from torture, cruel, inhuman or degrading treatment or punishment (art. 15)

29. The Committee is concerned that corporal punishment remains lawful and at the lack of information on how this affects persons with disabilities in all settings, including in alternative care settings, at home, in schools and as a sentence for crime.

30. **The Committee recommends that the State party enact a prohibition of all corporal punishment and that it implement the recommendations of the Committee against Torture (see CAT/C/QAT/CO/2, paras. 12 and 19) insofar as they relate to persons with disabilities. It also requests that the State party provide information in this regard in its next periodic report.**

Freedom from exploitation, violence and abuse (art. 16)

31. The Committee is concerned about the lack of:

- (a) A specific law criminalizing domestic violence, which often goes unreported;
- (b) A disability perspective in policies for protection from violence, abuse and exploitation;
- (c) Data on the protection of persons with disabilities, especially women and girls, from exploitation, violence and abuse.

32. **The Committee reiterates the recommendations by the Committee on the Elimination of Discrimination against Women (see CEDAW/C/QAT/CO/1, para. 24) and recommends that the State party:**

- (a) **Establish a comprehensive domestic violence protection system, as envisaged in the National Development Strategy 2011-2016, and adopt specific**

legislation to criminalize all forms of violence against women and girls, mainstreaming the rights and needs of women and girls with disabilities therein, including through consulting with their representative organizations;

(b) **Develop policies for protection from violence, abuse and exploitation, mainstream the disability perspective within those policies and step up measures to protect persons with disabilities, especially women and girls, from exploitation, violence and abuse;**

(c) **Guarantee the provision of accessible information and victim support services that are sufficient in number and location and accessible, in particular for women and girls with disabilities;**

(d) **Collect data on violence against persons with disabilities, especially women and conduct research on the issue.**

Protecting the integrity of the person (art. 17)

33. The Committee is concerned about the lack of information indicating whether or not persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities, can be subjected to medical interventions, notably to involuntary or coerced sterilization against their will.

34. **The Committee recommends that the State party ensure that no medical treatment, in particular involuntary and coerced sterilization, is administered without the full and informed consent of the person concerned and requests that information in this regard is included in the next periodic report.**

Liberty of movement and nationality (art. 18)

35. The Committee is concerned at the conditions in deportation and detention centres and the lack of accessibility and reasonable accommodation in those centres for migrant workers with disabilities.

36. **The Committee strongly recommends that the State party improve conditions in detention and deportation centres and ensure that they are accessible to migrant workers with disabilities and that migrant workers with disabilities are provided reasonable accommodation.**

Living independently and being included in the community (art. 19)

37. The Committee is concerned about the absence of a strategy to promote the rights of persons with disabilities to live independently and be included in the community and the lack of systematic provision of information by the State party to persons with disabilities and their families on how to claim support services and assistance to which they are entitled.

38. **The Committee recommends that the State party adopt a strategy to promote the rights of persons with disabilities to live independently and be included in the community, and to systematically provide information to persons with disabilities and their families on how to claim support services and assistance that would enable them to live independently in accordance with their own choice and as part of the community.**

Freedom of expression and opinion, and access to information (art. 21)

39. The Committee is concerned about the State party's actions, without the full participation and consultation of persons with hearing impairments, to standardize sign language in the Arabic region.

40. **The Committee urges the State party to recognize and promote the use of Qatari Sign Language and to ensure the involvement of and consultation with the Qatari deaf community in the formulation, implementation and monitoring of all sign language policies, projects and activities of the State party at the national and regional levels.**

Respect for the home and the family (art. 23)

41. The Committee is concerned about discriminatory laws and policies that restrict the rights of persons with disabilities, in particularly women, in all matters relating to marriage, family, parenthood and relationships, on an equal basis with others.

42. **The Committee recommends that the State party repeal discriminatory provisions of family and other laws to ensure equal rights of all women and men with disabilities in matters related to marriage, family, parenthood and relationships.**

Education (art. 24)

43. The Committee is concerned that the State party has not taken sufficient steps to provide reasonable accommodation to all students with disabilities in mainstream schools, and about the absence of a strategy for quality, inclusive education. It is also concerned that only students with certain kinds of impairments attend mainstream education while others are enrolled at separate and segregated facilities or are awaiting placement and not in the education system. The Committee is also concerned by the high rates of illiteracy among older adults with disabilities and the lack of opportunities to access vocational training and tertiary education.

44. **The Committee recommends that the State party adopt the necessary legal and other measures to ensure the right of all children with disabilities to compulsory and free, quality and inclusive primary education. It also recommends that the State party reorient resources from segregated educational settings towards quality, inclusive education with the provision of reasonable accommodation and individual supports, accessible environments and curricula, for all students with disabilities in mainstream schools and mandatory in-service training of all teachers and all staff in education facilities on quality, inclusive education. It also recommends that the State party ensure that the Supreme Education Council is responsible for coordinating the availability of appropriate lifelong learning environments for persons with disabilities.**

Health (art. 25)

45. The Committee is concerned about the lack of training for health professionals on the human rights of persons with disabilities. It is also concerned about the lack of information on measures in place to ensure that health professionals act on the basis of individual, free and informed consent in all decision-making regarding the right to health for persons with disabilities and how the mandatory HIV/AIDS testing policies for pregnant women and migrant workers impact on this right. The Committee is concerned about the lack of accessible health-care services and information, including sexual and reproductive health services, and that the centralization of health services provided for persons with disabilities in the capital creates additional accessibility barriers for persons with disabilities living outside of the capital.

46. **The Committee recommends that the State party adopt measures to ensure that all health care and services provided to persons with disabilities, including all mental health care and services, is based on the free and informed consent of the individual concerned and that third party consent is explicitly prohibited, and recommends revising the policy of mandatory HIV/AIDS testing, which goes against free and informed consent. It also recommends that the State party develop a wide range of community-based health services and ensure their accessibility. The Committee also recommends that the State party raise awareness of the human rights model of disability among all health professionals, including through training on the right to free and informed consent.**

Habilitation and rehabilitation (art. 26)

47. The Committee is concerned that policies on habilitation and rehabilitation overemphasize health-related issues.

48. **The Committee recommends that the State party develop comprehensive cross-sectoral habilitation and rehabilitation services and programmes, based on participation and inclusion, particularly in the areas of health, employment, education and social services, available to persons with disabilities in or as close as possible to their own communities.**

Work and employment (art. 27)

49. The Committee is concerned by the lack of inclusive employment policies and the low employment rate of persons with disabilities in spite of a quota system, in particular regarding women, whose participation in employment may be conditional upon consent of a male guardian, in practice. It is also concerned about the lack of information on available placement services and continuing training opportunities.

50. **The Committee recommends that the State party repeal discriminatory practices on the basis of impairment and gender and adopt the policies and measures, including affirmative action, necessary to significantly increase the employment rate of persons with disabilities, especially women, in the open labour market in public and private sectors. The Committee also recommends that the State party adopt measures to develop placement services and continuing training, as well as self-employment and entrepreneurship opportunities.**

Participation in political and public life (art. 29)

51. The Committee is concerned that legislation on voter assistance provisions for persons with disabilities violates the secrecy of vote.

52. **The Committee recommends that the State party ensure, through legislative and other measures, the accessibility of ballots and election materials and polling stations and that, when voting, persons with disabilities are allowed assistance from a person of their own choice.**

Participation in cultural life (art. 30)

53. The Committee is concerned that the State party has not yet ratified the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, which allows access to published material to blind persons, persons with visual impairments or persons with print disabilities in having access to printed materials.

54. **The Committee recommends that the State party adopt all appropriate measures to ratify and implement the Marrakesh Treaty as soon as possible.**

Statistics and data collection (art. 31)

55. The Committee is concerned that the State party does not systematically collect disaggregated statistical data on persons with disabilities. It is also concerned by the lack of data collected on migrant workers with disabilities and who have acquired a disability.

56. **The Committee recommends that the State party systematically facilitate the collection, analysis and dissemination of disaggregated statistical data across all sectors on the demographics of persons with disabilities in order to enable it to formulate and implement policies to give effect to the Convention.**

International cooperation (art. 32)

57. The Committee is concerned that the rights of persons with disabilities are not systematically considered in international development and assistance efforts by the State party.

58. **The Committee recommends that the State party ensure that all international cooperation is fully inclusive of persons with disabilities, from the design of programmes and policies, to monitoring and evaluation, and that organizations of persons with disabilities are systematically consulted by the State party and international development actors.**

C. Special obligations

National implementation and monitoring (art. 33)

59. The Committee is concerned at the absence of high-level mechanisms to coordinate policy on the rights of persons with disabilities. The Committee is also concerned about the independence of the National Human Rights Commission, the insufficiency of resources to carry out its tasks in relation to the Convention, and the low level of engagement with organizations of persons with disabilities.

60. **The Committee recommends that the State party consider establishing a high-level framework authority at the ministerial level to coordinate matters relating to the implementation of the Convention across all sectors and between different levels of government. The Committee also recommends that the State party provide the appropriate human and financial resources to the National Human Rights Commission and to ensure its continued adherence to the principles relating to the status of national institutions for the promotion and protection of human rights. It also recommends that the State party ensure that organizations of persons with disabilities participate with this authority.**

D. Follow-up and dissemination

61. The Committee requests that the State party, within 12 months and in accordance with article 35 (2) of the Convention, provide information on the measures taken to implement the Committee's recommendations as set forth in paragraph 30 and 60 above.

62. The Committee requests the State party to implement the recommendations of the Committee as contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of

the Government and parliament, officials in relevant ministries, local authorities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.

63. The Committee strongly encourages the State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.

64. The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and representative organizations of persons with disabilities, as well as to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, and to make them available on the government website on human rights.

E. Next report

65. The Committee requests the State party to submit its combined second, third and fourth periodic reports by no later than 13 June 2022 and to include therein information on the implementation of the present concluding observations. The Committee invites the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report/combined reports of a State party.
