

Mission permanente  
de l'État du Qatar  
auprès de l'Office  
des Nations-Unies à Genève



الوفد الدائم لدولة قطر  
لدى مكتب الأمم المتحدة  
جنيف



2017/0001527/5

تدائم لدولة قطر / جنيف

The Permanent Mission of the State of Qatar to the United Nations Office in Geneva presents its compliments to the Office of the High Commissioner for Human Rights(OHCHR), and with reference to the latter's note dated 1/11/2016, inviting the submission of information on the procedures and practices in respect of civil society involvement with regional and international organizations, pursuant to the Human Rights Council(HRC) resolution 32/31.

The Permanent Mission of the State of Qatar is pleased to attach herewith the above mentioned requested information as received from the competent authorities in the State of Qatar.

The Permanent Mission of the State of Qatar avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, the assurance of its highest considerations.

Geneva, 5<sup>th</sup> January 2017



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**This paper focuses on:**

- Role of the National Human Rights Committee of Qatar (NHRC) to interact with regional and international organizations.
- NHRC vision about the role of civil society in the State of Qatar.

**First: Cooperation with international and regional mechanisms for the protection and promotion of human rights:**

Based on the Paris principles, which is the legal reference for the establishment, mandate and role of national institutions for human rights (NHRIs), and pursuant to the provisions of Decree Law No. 17 for the year 2010 on the organization of NHRC, one of the functions of NHRIs is to communicate and cooperate with the United Nations, including High commissioner for Human Rights, Human Rights Council and its mechanisms, UN Human Rights treaty bodies and other international organizations, as well as cooperating and coordinating with regional groups.

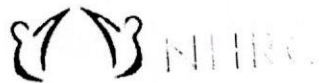
Accordingly, NHRC since its establishment works on cooperating with the following regional and international mechanisms:

- A- UN General Assembly
- B- Human Rights Council
- C- UN human rights treaty bodies
- D- Special Rapporteurs
- E- High Commissioner for Human Rights
- F- International Human Rights organizations
- G- League of Arab States and Arab Human Rights Charter

**A- United Nations General Assembly:**

- The NHRC participated within a delegation composed of NHRIs in a meeting with the President of the 66<sup>th</sup> session of the UN General Assembly in 2012, to request support of participation of NHRIs in meetings of the General Assembly as observers.





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- The NHRC participated in the UN side event to support a draft resolution on participation of NHRIs at the level of United Nations General Assembly in New York, 11 to 12 October 2015.

- Cooperation with the Qatar's Permanent Mission to the United Nations in New York, Asia Pacific Forum, Permanent Mission of Germany to the United Nations, International Service for Human Rights (ISHR), and Arab Network for National Human Rights Institutions, to support the draft resolution on the participation of NHRIs in New York at the level of the General Assembly in 2015.

- The NHRC organized an international conference on the "Protection of journalists in dangerous situations" in 2012, with the participation of six international and regional organizations concerned with the situation of journalists, including: International Federation of Journalists, Press Emblem Campaign (PEC), Federation of Journalists in Latin American and the Caribbean (FEPALC), Federation of African Journalists (FAJ), Federation of Arab Journalists and National Union of Journalists of the Philippines. The conference was followed by a workshop in which a unified proposal and an action plan were developed around the creation and development of international standards and mechanisms to protect journalists during times of internal disturbances and armed conflicts. Participants submitted their recommendations to the President of the 66<sup>th</sup> Session of the UN General Assembly; the most important recommendations focused on developing binding mechanisms on all states for the protection and safety of journalists, and appointment of a special rapporteur on the protection of journalists from the office of the High Commissioner for Human Rights.

### **B- Human Rights Council:**

- The NHRC participated since its establishment in many sessions of the Human Rights Council; most importantly, the Universal Periodic Review of the State of Qatar in 2010, in which representatives of NHRC has given a short oral statement on the most important human rights challenges in Qatar.

- The NHRC met with the President of the Human Rights Council on March 9<sup>th</sup>, 2015.



NHRC

Qatar

- The NHRC attended a panel discussion at the 28<sup>th</sup> session of the Human Rights Council, and presented a working paper on 'The role of NHRIs in promoting the realization of rights in poverty eradication, on March 25<sup>th</sup>, 2015.

### **C- Treaty mechanisms:**

The NHRC participated in the preparation of the government national reports submitted to human rights treaty bodies, through the development of its observations on the report and providing its opinion on its content, including:

- National Report on the Implementation of the Convention on the Rights of the Child
- National Report on the Implementation of the Convention on the Rights of Persons with Disabilities.
- National Report on the Implementation of the Convention to Eliminate All Forms of Discrimination Against Women
- National Report on the Implementation of the Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
- National Report on the prevention of racial discrimination

In 2012, The NHRC has submitted parallel reports (shadow reports) to The Committee on the Elimination of Racial Discrimination (CERD) and the Committee for the Prevention of Torture (CPT), it also has attended the discussion sessions for these committees, and gave oral statements. The final report of the Committee Against Racial Discrimination concerning the application of the State of Qatar to the Convention on the Prevention of Racial Discrimination made reference to the positive role of the NHRC and called the government to urge the State to consider the recommendations. In 2013, the NHRC has submitted a parallel report to the Committee on the Elimination of Discrimination against Women (CEDAW) and gave oral statements in the discussion session of the report of the state of Qatar in February 2014.





It is worth mentioning that the NHRC endeavored to attend meetings of the United Nations Commission on the Status of Women (CSW) in New York, in the scope of the plan of the international coordination committee and The Asia Pacific forum to strengthen the role of NHRIs to participate in the meetings of the Commission independently from the government.

#### **D- Special Rapporteurs:**

Since June 2010, the State of Qatar initiated to extend open invitations to special procedures mechanisms, whose tasks are undertaken by special rapporteurs.

The NHRC cooperates with the Special Rapporteurs and responds to all questionnaires about the human rights situation in Qatar, including:

- Special Rapporteur on the situation of human rights defenders
- Survey of the Special Rapporteur against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Survey of the Special Rapporteur on the right to peaceful assembly and association
- Survey of the Special Rapporteur on the independence of judges and lawyers

In October 2013, the NHRC met the UN Special Rapporteur on Migration, while in January 2014, the NHRC met with the Special Rapporteur on the independence of judges and lawyers, during which a number of issues were discussed.

#### **E- High Commissioner for Human Rights:**

The NHRC met with the High Commissioner, representative of the European Commission (EC), and representative of the United Nations Development Program in March 10<sup>th</sup>, 2015, in which a number of opportunities and challenges related to the status of rights were discussed.



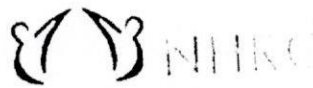
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NHRC Cooperation with the United Nations Center for Training and Documentation in the field of human rights in South-West Asia and the Arab region is considered to be one of the best practices for cooperation with OHCHR, where many projects and joint activities are implemented. One of the most important projects is developing a questionnaire that aims to measure "Trends in Qatar Society" with regard to women's rights, work and culture according to the Convention on the Elimination of Discrimination against Women. The NHRC also benefited from the services of the center as follows:

- Providing specialized training courses for the NHRC on Human Rights concepts with the aim to build human capacity and raise the efficiency of the technical staff.
- Providing Training to NHRC employees for 6 months.
- Providing advice and technical support in a number of human rights issues.
- The Center's experts participated in conferences, seminars, workshops and regional and international training courses organized by the NHRC.
- Most of the regional events organized by the center in Doha were attended by the NHRC, this contributed to further raising the capacity of the NHRC and developing staff experiences, most importantly:
  - \* The workshop hosted by the Centre to urge the actors in the GCC to implement the recommendations of the UPR;
  - \* the Workshop on Human Rights Education in Schools in the Gulf Region that calls for actions for the integration of human rights into the curriculum, according to the World Programme for Human Rights from 2010 to 2014 .

In the beginning of the year 2012, The NHRC has also signed a cooperation agreement with the UN High Commissioner for Refugees (UNHCR), represented by its regional office in Riyadh; the cooperation resulted in organizing training workshops, most recently in December 2013 on the promotion of the protection of refugees through the framework of international legal and regional human women.





NHRC

2012-2014

## **F- Cooperation with regional mechanisms: League of Arab states:**

At the level of cooperation with regional mechanisms for the protection and promotion of human rights, the NHRC has contributed to the preparation of the national report on the implementation of the rights and freedoms set forth in the Arab Charter on Human Rights, which was ratified by the state in 2008. It also submitted a parallel report to the Charter Committee and attended the discussion of the report independently of the government delegation in April 2013. In addition, It gave an oral statement on the challenges facing Qatar on the application of the rights and freedoms set forth in the Arab Charter on Human Rights.

### **NHRC has full membership in:**

- Global Alliance of National Human Rights Institutions (GANHRI)
- Asia Pacific Forum of National Institutions for Human Rights (APF)
- Arab Network of National Institutions for Human Rights (ANNHRI)

### **1- Global Alliance of National Human Rights Institutions (GANHRI)**

It was established in 1993 and governed by a statute of incorporation under Swiss law, it includes 100 NHRIs, with the aim to promote and strengthen NHRIs compliance with the Paris Principles, and provide leadership in the promotion and protection of human rights. It assess the applications for membership, review and determine the accreditation status of NHRIs. In addition, it provides basic information and advisory services to interact with international mechanisms to protect human rights.

The NHRC was accredited A status and was granted a full membership by GANHRI in 2010. The NHRC served as head of the Sub-committee of Accreditation during the period 2012 to 2014.

For more information: <http://nhri.ohchr.org>



NHRC

It is worth mentioning that GANHRI works with the High Commissioner for Human Rights through the national institutions and regional mechanisms section (NIRMS) which in turn supports the establishment of new national institutions, and follows-up on the implementation of its mandate to protect and promote human rights in important issues such as prevention of torture, monitoring places of detention, enforced disappearance, independence of the judiciary, protecting human rights defenders ...etc.; this section also provides basic support for NHRIs, especially in the preparation for the accreditation process and the related technical aspects.

For more information:

<http://www.ohchr.org/en/countries/nhri/pages/nhrmain.aspx>

In 2008, in the framework of the program on developing the capacity of NHRIs, the national institutions and regional mechanisms section (NIRMS) invited the NHRC to choose a candidate to participate in the "Fellowship programs" for 2009- 2010, and 2015- 2016, through which 2 NHRC employees worked for one year in NIRMS office and acquired knowledge and experience in the UN human rights system.

## **2- Asia Pacific Forum of National Human Rights Institutions (APF)**

It is a regional organization founded in 1996 in accordance with the provisions of Australian law, It includes about 21 NHRIs in the Asia Pacific region, and aims to strengthen, promote and support the establishment of more institutions, through providing several services, such as building capacity, providing training programs, and providing legal advice on cooperation with regional and international mechanisms for the protection of human rights.

The NHRC was elected to chair the Asia Pacific Forum during the period 2014-2015 .





www.nhrc.gov.qa

For more information: <http://www.asiapacificforum.net>

### **3-Arab Network For Human rights Institutions (ANHRI):**

It is a regional network, established in 2011 in accordance with the provisions of the law of Qatar. It includes about 14 NHRI in the Arab region including Morocco, Algeria, Libya, Tunisia, Mauritania, Egypt, Sudan, Jordan, Palestine, Iraq, Qatar, Oman, Bahrain and Djibouti .

It aims to protect, respect and effectively implement human rights in Arab countries through procedural channels for communication and coordination with NHRI, civil society organizations, and international and regional bodies which serve the same goals.

The NHRC signed several memoranda of understanding to strengthen the partnership with civil society organizations, and research centers concerned with human rights. This cooperation resulted in organizing dozens of activities and programs that reflected in the cooperation and exchange of information and experiences in the protection and promotion of human rights.

#### **A- civil society**

#### **B- Government bodies**

#### **C- NHRI**

#### **A- civil society:**

#### **-American Center for International Labor Solidarity:**

It is a civil society organization founded in 1997 in Washington, with the aim to help build a global labor movement by strengthening the economic and political power of workers around the world through effective, independent, and democratic unions. The Solidarity Center sponsors programs in nearly 60 countries through a network of 23 field offices.



राष्ट्रीय मानव अधिकार आयोग

The NHRC signed a memorandum of understanding with the Centre in 2009 for the purpose of conducting programs and activities on training and capacity building, including a series of seminars on training-of-trainers (ToT), through which activists from different communities residing in Qatar were trained with the aim to train others; this program achieved its goal through providing training to 80 persons from various labor-exporting countries and in turn they trained 2,000 workers residing in Qatar until 2013.

The American Center for International Labor Solidarity aims to build relationships with trade unions in the countries of origin of migrant workers. In 2010, representatives of NHRC visited India, Sri Lanka, the Philippines, Nepal, and met representatives of trade unions, NHRI and labor organizations to discuss problems related to employment in the State of Qatar, and discussed the necessary proposals to amend legislation and the related executive frameworks in those countries and Qatar.

In 2011, representatives of trade unions of Nepal, Sri Lanka and the Philippines visited Qatar. These experiences, visits and exchanging information and best practices are the first of its kind for the work of the NHRC.

#### **-Migrant Forum in Asia (MFA):**

It was conceived in 1990 as regional network of 290 associations and trade unions of migrant workers, with the aim to protect and promote the rights and welfare of migrant workers.

The NHRC signed a memorandum of understanding with the MFA in May 2012 for the purpose of improving conditions of workers in countries of origin and labor receiving countries.

This cooperation resulted in hosting several regional workshops on the rights of migrant workers in collaboration with The Asia Pacific (APL) and the Diplomatic Training Program (DTP), most recently in October 2013 .





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**- International coalition for the ratification of The 3<sup>rd</sup> Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OP3 CRC):**

This coalition aims to mobilize the efforts of government and non-governmental organizations in order to encourage States to ratify the Protocol, it includes many of the civil society and national institutions for human rights and government institutions, it is based in Geneva. the NHRC has joined The coalition in 2012.

**- Egyptian Center for Law Awareness:**

It is a regional non -governmental organization, established in accordance with the provisions of the Egyptian law.

Activities of the Centre include issuing books, pamphlets and periodicals in print and electronic forms, organizing training programs, conferences, seminars and workshops, conducting legal and legislative studies and researches, preparing worksheets, as well as establishing universities and academic science and research institutions, cooperating with government and non- governmental organizations inside and outside of Egypt, simplifying the language of the law and spreading the culture of the law in all the related professions and jobs, according to its specialization.

The NHRC signed a memorandum of understanding with the Centre in 2012 which resulted in organizing many activities.

**- Cooperation with Amnesty International and Human Rights Watch:**

The NHRC receives on a permanent basis requests from Amnesty International and Human Rights Watch, to help individuals or groups who suffer from problems related to access to their rights within the State of Qatar. The NHRC plays an important role in building bridges of communication between the government and these organizations in order to unify the views and develop human rights.



## **B- Cooperation with government bodies:**

- In 2011, the NHRC signed a memorandum of understanding with the Community Development Authority that was founded by a decree of the Ruler of Dubai in July 2008. The Authority is responsible for setting up and developing a framework for social development, and aims to achieve the goals outlined in the Dubai Strategic Plan 2015 (DSP). It includes a sector for Human Rights that is responsible for:

- \* Providing assistance and advice to support individuals and institutions in the field of human rights;
- \* Receiving human rights complaints and following-up with the concerned authorities.
- \* Ensuring that the current practices in the local community and operating institutions in Dubai are in line with the approved laws and standards of human rights.
- \* Monitoring the international reports on human rights in the UAE issued by various governmental and nongovernmental organizations.
- \* Analyzing and submitting recommendations.

- The NHRC signed in 2015 a memorandum of understanding with the Swiss Agency for Development and Cooperation, to provide training to inspectors from the Ministry of Labor on Human Rights and International Labor Organization's conventions.

- The NHRC conducts visits to governments, including, Oslo in Norway in 2015, to exchange information about human rights.

## **C- Cooperation with National Institutions:**

The NHRC signed a number of memoranda of understanding with similar institutions working in the field of human rights, including:

### **Mediator of the French Republic:**

It was established in 1973 in the field of mediation between leaderships and citizens. It is concerned with mediation process addressing social and economic rights.





It is called colloquially “the People’s Advocate”, and It is known in under the name “Office of the Ombudsman”.

The NHRC signed a Memorandum of Understanding with the “Mediator of the French Republic” in 2008 for cooperation and exchange of information and programs. The cooperation resulted in receiving Master’s Scholarship Program for employees in the field of Human Rights from the center of Lyon, France.

- National Council for Public Freedoms and Human Rights, Libya, 2012
- National Human Rights Commission, Mauritania, 2011
- National Society for Human Rights (NSHR), Saudi Arabia, 2009.
- National Advisory Committee on the Promotion and Protection of Human rights, Algeria, 2012
- Sudan’s National Commission for Human Rights (NCHR), 2013
- High Commissioner for Human Rights, Sri Lanka, 2012
- National Human Rights Commission, Nepal, 2015

These agreements resulted in organizing many programs and joint activities in the field of promotion and protection of human rights.

### **Second: Role of civil society in the State of Qatar:**

Effective civil society actors help States to fulfill their international obligations and commitments in the field of human rights, and the lack of agreed standards for civil society participation negatively affects equality, accountability and the rule of law, which in turn has a negative effect on human rights. Civil society empowers all segments of society, especially the most vulnerable groups including women, children, persons with disabilities, the elderly and workers to defend their rights.

Experience in different parts of the World has shown that countries with strong civil societies can avoid political, economic and social crises, and help provide safe transition for democratic transformation as well as the role of government or state.



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Civil society institutions include Human rights organizations, trade unions, charity organizations, and professional societies; The feature that links all these diverse civil society organizations together is the significant role they play in any democratic system, including commitment to membership conditions, responsibilities, and rights, accepting other people's opinions, participation in public activities, and expression of opinion, where the state is supposed to be supportive and encourages promulgation of associations and popular unions in accordance with the existing laws.

### **Civil society space in national legislation:**

#### **A- Right of association:**

Law No. 12 of 2004 on associations and institutions, which is amended in 2006, allows citizens to form private associations and institutions, as well as professional associations, and allows non-Qataris to join professional associations by not more than (20%) of the total membership. However, restrictions on the said laws should be reviewed including financial conditions, association's activities, and allowing appeal before the courts against any administrative decisions concerning requests to form associations, which is contrary to international standards. Besides the need to work to get rid of the bureaucratic procedures during registration and Proclamation in the Ministry of Social Affairs.

#### **B- Right to peaceful assembly:**

Some provisions of the law of public meetings and marches constitute a restriction of the exercise of this right, most importantly not permitting submission of complaints to the judiciary about refusal of permissions to hold meetings or marches, which is contrary to international standards.

In practice, Qatar has witnessed during the period 2011-2012, several meetings and marches by citizens and Arab communities and foreign national and international events without the intervention of the security services.

The NHRC has noted in its annual reports the importance of the revision of some provisions of Law 18 of 2004 on public meetings and marches due to the existence of some limitations in this regard.



### **C- Civil society institutions in Qatar:**

Civil society organizations operate in the State of Qatar under the umbrella of Qatar Social Work Foundation, which is a private foundation with public interest, based in Doha, enjoying legal personality and financially independent, subject to the provisions of Decree Law No. 21 of 2006 on private institutions for public benefit. The Foundation aims in general to developing civil society institutions, enhancing their role in the society, and developing strategies, policies and programs that contribute to upgrading of those institutions.

Statute of Qatar Social Work Foundation defines civil society as a set private centers and institutions of public interest, subject to the supervision and control of the Qatar Social Work Foundation, namely:

1. Qatar Foundation for protection and social rehabilitation
2. Family Counseling Center.
3. Qatar Orphan Foundation (Dhreima)
4. Qatar Foundation for Elderly People Care (IHISAN).
5. Shafallah Center for Children with Special Needs.
6. Childhood Cultural Center.
7. Social Development Center.

Finally, the NHRC recommends promoting more space for civil society and expansion in the establishment of professional associations and organizations established with the aim to providing care, protection and promotion of the rights of the most vulnerable groups.