

Right to freedom of peaceful Assembly:

Q1. Please a) describe positive legislative/institutional measures taken to facilitate the exercise of the right to freedom of peaceful assembly in your country; and b) provide one or more recent examples where the right to freedom of peaceful assembly in your country has been adequately enjoyed and the reasons for citing this example(s).

- **1a)** Qatar law no 18 for the year 2004 on public meetings and demonstration, and as stated in the Article no-44 of the Qatari Constitution 2004 explains the point saying that the “Right of the citizens to assemble is guaranteed in accordance with the provisions of the law”.
- **b.** For example- Recently in Qatar 2011, thousands of to support the Syrian Revolution against the Syrian regime, that peaceful assembly becomes a repetitive event with the revolutionary wave currently in motion in the Arab world.

Q 2. Please a) describe positive legislative/institutional measures taken to protect peaceful protesters, including against *agents provocateurs* and/or counter-demonstrators; and b) provide one or more examples where peaceful protesters were effectively protected

- **2 a)** As an un institutional measures; police forces deploy to protect the demonstrators; and to ensure the absence of any weapon in the peaceful assembly as stated in article no. 7 at the law no. 18 for 2004 on public meetings and Demonstrators.
- **b.** For example- When the Egyptian protestors gathered in front of the Egyptian Embassy, then the police in charge took effective procedures to maintain the solidarity of the rally.

Q 3. Please describe measures taken to ensure that any restrictions on the free exercise of the right to freedom of peaceful assembly are in accordance with your obligations under international human rights law (proportionality test and due process guarantees). Please explain the legal status of spontaneous assemblies.

- 3) The State of Qatar did not sign the Covenant on Civil and Political Rights, however the National Human Rights Committee of Qatar has referred to the restrictions at law no.18 /2004 on public meetings and demonstration stipulated the conduct of the demonstration; Organizers of the meeting or the peaceful Assembly must obtain a license from the Director General of Public Security, through submitting a written request, seven days before the date fixed for the meeting, the application shall be considered rejected by the General of public security if not approved before the deadline by three days.

Organizers of the public meetings and demonstration can grievance against the decision to the Ministry of the Interior during twenty four hours, and the minister must respond to the complaint within twenty-four hours, if the minister did not respond to the complaints, then it shall be considered as a rejection, that decision according to the law will be final.

On the other hand NHRC has observed spontaneous assemblies by labors in Qatar who were protesting against their individual company for their delayed salaries. There were no restrictions from the Ministry of Interior to prevent protesting. The police men were in charge of only surrounding the protest and it was a peaceful one.

Q 4. Please a) describe positive legislative/institutional measures taken to ensure accountability for i) arbitrary restrictions to hold assemblies; ii) arbitrary or excessive use of force by law enforcement officials against peaceful demonstrators; and iii) violence by *agents provocateurs* and/or counter-demonstrators; and b) provide one or more examples for each of these situations where such measures have been implemented.

- 4i) There is an Article no- 36 in the Qatar Constitution 2004 saying that personal freedom shall be guaranteed and no person shall be subjected to torture and any other inhuman or degrading treatment under the provisions of the law. In addition to the guarantees of the arrest and investigation provided for, in Law No.23 of 2004, conforming to international standards in this regard.

- ii. According to law no 18 for 2004, the police forces are not allowed to take any action against violence unless they get the permission from the Ministry of Interior and the permission granted is for the lowest level of violence which should be used only if necessary.
- iii. NHRC did not observe in Qatar any peaceful assembly which turned into violence and no such incidents has been registered so far.

Q 5. In this context, please describe positive legislative/institutional measures taken to build and strengthen the human rights capacity of administrative and law enforcement officials in your country.

- 5) The establishment of the National Human Rights Committee (NHRC) in the year 2002 to promote and protect human rights. And the establishment of the Supreme Constitutional Court which has the authority to examine the Constitutionality of the laws. Also the establishment of the Human Rights Department in the Ministry of Interior, and the human rights office in the Ministry of Foreign Affairs.

Q 6. Please describe one or more recent examples where the right to freedom of peaceful assembly may have not been respected and the reasons for citing this example(s). In particular, please describe challenges faced in the implementation of laws, policies or programs for the promotion and protection of the right to freedom of peaceful assembly in your country. Please provide details of any lessons learnt in that regard. Briefly evaluate, in both law and practice, the enjoyment of the right to freedom of peaceful assembly in your country, including by women, individuals facing discrimination or violence because of their sexual orientation and gender identity, as well as persons with disabilities, espousing minority or dissenting views or beliefs, and belonging to other groups at risk.

- 6) The National Human Rights Committee (NHRC) did not receive any complaints implying any violation of this right. This highlights the existence of good communication regarding this right.
The NHRC's Recommended to reiterate the necessity of reconsidering some provisions of law no. 18 passed in 2004 on Public Meetings and

Demonstration because the said provisions put some constraints on this right. This would include the reconsidering amendments of articles 3,4,5,6,11,12,13,15,17,18 and 19 of the said law.

On the other hand we have given an example in the recent period in Qatar for two demonstrations: against the Syrian regime in the Syrian community who live and work in Qatar and the Egyptians. Since, the state of Qatar has been attracting the workers from all over the world, all communities of Egyptian, Libyan, Syrian and Yemeni are demonstrating in Qatar using the Right to Freedom of Peaceful Assembly according to the Law no 18/ 2004.

It is worth to mention, that Qatar is a rich country of oil and gas with small population of Qatari citizens who enjoy the highest income in the world according to Human Development Report for 2011.

Right to freedom of Association:

Q 7. Please a) describe positive legislative/institutional measures taken to facilitate the exercise of the right to freedom of association by national and international organizations (e.g. are associations free to decide on their objectives, activities and board composition?); and b) provide one or more recent examples where the right to freedom of association has been adequately enjoyed in your country and the reasons for citing this example(s).

- 7) The right to freedom of association is mentioned in the article no-45 of the Qatari Constitution of 2004 saying that “the right of citizens to establish association is guaranteed in accordance with the conditions and circumstances set forth in the law.”

The law pertaining to the freedom of association is law no-12 for 2004 to establish Association and Private Institution.

Q 8. Please detail the procedures to be followed to establish an association in your country, including the legal grounds upon which an application for registration can be rejected, where applicable. Please a) describe positive legislative/institutional measures taken to ensure a non-discriminatory,

expeditious, easily accessible and inexpensive registration process; and b) provide one or more examples where such measures have been implemented. Are there effective remedies in case the registration is denied or delayed? Please indicate, if available, how many people have pursued these remedies, and the result thereof. Please specify the legal status of unregistered or *de facto* associations.

- **8)** The founders shall submit a request to the Ministry of Social Affairs, and within thirty days of the application, the ministry shall reply . In case of rejection, the decision should be causing. then the founders within thirty days of notification of the rejection decision, has the right to appeal to the Minister, who has to appeal to the cabinet within thirty days following, and the decision of the cabinet shall be final .
 - a. The amendment of Act No.12 of 2004 of Associations and private institutions aimed for more harmony with the international standards, it has allowed non-Qataris to create private institutions after the approval of the council of ministers.

The National Human Rights Committee in Qatar has recommended the reduction of restrictions in the law of associations attached to the right of association, and called for measures to facilitate and reduce the amount of money to establish a private institution which is 10,000,000 QR.

The **NHRC** through cooperation with the Ministry of Social Affairs received statistics on the number of applications concerning the establishment of new private associations and institutions namely the number of (8) applications; of which (2) were approved ;The sons of Sultan Mohammed Al Jaber Foundation, and Faisal Foundation Without Borders charity. (2) were rejected (the Indian institution for Charity , and the association of technology and communications). and (4) are still underway; The Sheikh Faisal Bin Fahad Al Thani Charity, and association of classic cars, Doha Foundation charity, and the Society of patients Althelathime. In 2011 four new requests were submitted, all charitable and for medical purposes. Three were approved and one has been rejected.

Q 9. Please explain the procedure available to suspend or dissolve an association in your country. Are there effective remedies in case an association suspended or dissolved? Please indicate, if available, how many people have pursued these remedies and the result thereof.

- 9) The associations may be dissolved by a decision of 2/3 of the members, and the Ministry of Social Affairs can resolve the association in cases of breaching the provisions of Law No.12 of 2004, the association can grievance against this decision to the Minister of Social Affairs within thirty days, the grievance will be risen to the Council of Ministers, and there decision shall be final.

Q. 10 Please specify positive measures taken to ensure that any restrictions on the free exercise of the right to freedom of association are in accordance with your obligations under international human rights law (proportionality test and due process guarantees).

- 10) The State of Qatar has not signed the Covenant on political and civil liberties. However, The nature of the constraint remains a common feature in the law no. 12 for 2004 to establish Association and Private Institution, it allows only to work on humanitarian, social, cultural or scientific activities, and not of its objectives to work in political matters, the law formed the private institution to carry out the on public utility or private, and not be engage in political matters.
The decision to reject the registration and declaration of Association and Private Institution by the Minister concerned can be appealed to the Council of Ministers and the decision shall be final.

Q.11 Please indicate under which conditions associations can receive domestic and foreign funds or resources in your country. Are there any specific limitations (including in practice) on receiving funds or resources?

- 11) Association can receive domestic funds by collecting donations for a limited period after having permission from the Ministry of Social Affairs , and can receive funds from outside the country after the approval of the Minister. And the Association must send copy of the transmission and receipt vouchers to the Ministry of Social Affairs, explaining name, title and address of the party that has funded the association.

Q. 12 Please a) describe positive specific legislative/institutional measures taken to promote and ensure the participation of associations in the decision-

making process in your country; and b) provide one or more recent examples where such measures have been implemented.

- 12) There is no such legislation to ensure the participation of association in the decision making process in our country.

Q. 13 In this context, please a) describe positive specific legislative/institutional measures taken to build and strengthen the human rights capacity of administrative officials in charge of implementing the law in your country; and b) provide one or more recent examples where such measures have been implemented.

- 13) The establishment of The National Human Rights Committee (NHRC) in the year 2002 to promote and protect human right. And the establishment of the Supreme Constitutional Court which has the authority to examine the Constitutionality of the laws. Also the establishment of the Human Rights Department in the Ministry of Interior, and the human rights office in the Ministry of Foreign Affairs. Many workshops, seminars, conferences are tackling the Right to Association and it basically works on educating the officials in the Administrative Department.

Q. 14 Please describe one or more recent examples where the right to freedom of association may have not been respected and the reasons for citing this example(s). In particular, please describe challenges faced in the implementation of laws, policies or programs for the promotion and protection of the right to freedom of association in your country. Please provide lessons learnt in that regard. Briefly evaluate, in both law and practice, the enjoyment of the right to freedom of association in your country, including by women , individuals facing discrimination or violence because of their sexual orientation and gender identity, as well as persons with disabilities, espousing minority or dissenting views or beliefs. and belonging to other groups at risk.

14) The NHRC did not receive any reports and complaints regarding this right given, saying that the Constitution ensures the freedom of association however the NHRC believes that it is still important to reiterate what it

recommended in previous reports concerning the need to reduce the existing restrictions contained in Law no.12 of 2004 on private associations and institutions notwithstanding the foregoing law No. 10 of 2010 amending some provisions of the said law has added new restrictions, by requiring exorbitant fees upon the establishment of the associations, this constitutes an important challenge ahead the endorsement of this right because the amendment has posed a new restriction on the establishment of new associations that could address any of human rights topics and issues of or private human rights associations to take care of the rights of some groups such as the rights of women, the rights of the child, the rights of the people with disabilities, the rights of prisoners and other associations. In this respect,

NHRC's Recommendation on the right to Association:

NHRC would like to reiterate that it is necessary to reconsider some provisions of law No.12 of 2004 on Private Institutions and Associations to eliminate the constrains related to the establishment of associations and limit the scope of their work so as to grant them more powers as required for them to carry out their tasks and mission. This necessitates amendments of articles 7,14,22,24,31 and 42 of the said law.

Cooperation with UN and regional human rights mechanisms:

15. Please indicate any cooperation your country has with the United Nations and regional human rights mechanisms aimed at maximizing the promotion and protection of the rights to freedom of peaceful assembly and of association.

- 15) Qatar has submitted the Country Report to the Human Rights council at (UPR) in 2010, which tackled the right to peaceful Assembly and association, and has received 112 recommendations, one of them is to consider ratifying two core united Nation Human Rights instruments, namely the International covenant on civil and political Rights and the International Covenant on Economic, Social and Cultural Rights.

**