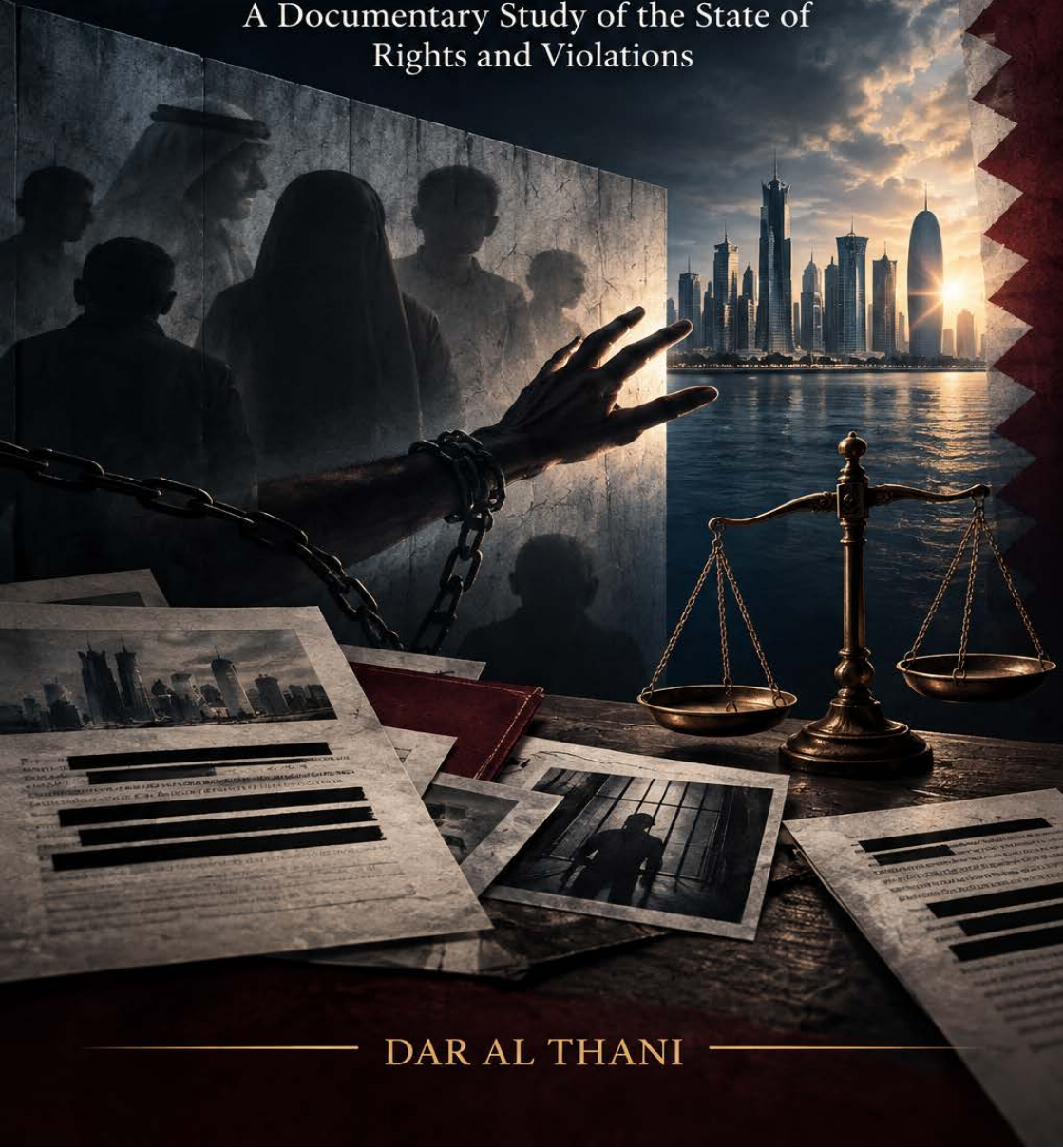


QATAR

VOICES UNHEARD

A Documentary Study of the State of
Rights and Violations



DAR AL THANI

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Abstract

This study examines the human rights situation in the State of Qatar by documenting a number of cases and alleged violations that have remained outside public debate or have not received adequate investigation and accountability. It focuses on political prisoners and arbitrary detention, restrictions on freedom of expression, discrimination in nationality matters, violations of migrant workers' rights, and the extent to which the judiciary is independent and capable of providing effective redress to victims.

Chapter One addresses political imprisonment and arbitrary detention by documenting cases in which individuals were arrested in connection with political opposition, criticism, or peaceful expression. It also analyses security legislation that permits the authorities to exercise broad powers of arrest and pretrial detention. The chapter further documents violations experienced by detainees, including solitary confinement, denial of access to legal counsel or family members, inadequate judicial oversight, and the absence of effective investigations, accountability, and compensation.

Chapter Two examines the state of freedom of expression in Qatar and the gap between constitutional guarantees and actual practice. It discusses the criminalisation of political criticism, restrictions imposed on the press and media, and the use of cybercrime and state security laws to prosecute critics, in addition to surveillance and control of the digital sphere. It also demonstrates how these policies have fostered self-censorship and fear, diminished public participation, and suppressed the voices of victims and political opponents.

Chapter Three discusses nationality, discrimination, and exclusion from citizenship, particularly the legal distinctions between Qataris by origin and naturalised citizens. It examines the use of nationality withdrawal or revocation in certain cases involving political or tribal considerations, as well as the resulting consequences for employment, education, healthcare, freedom of movement, and property rights. The chapter also considers how the effects of such decisions may extend to spouses and children, transforming an ostensibly individual measure into a penalty affecting the entire family.

Chapter Four documents the situation of migrant workers and the persistence of exploitative practices despite the announced “legislative reforms.” It examines the remaining features of the kafala system, passport confiscation, recruitment fees, delayed wage payments, obstacles to changing employers, inadequate living and working conditions, and the risks associated with heat stress and overwork. It also investigates migrant worker deaths, the inadequate examination of their causes, and the difficulties faced by victims’ families in obtaining compensation.

Chapter Five assesses the independence and effectiveness of the judiciary in protecting rights and freedoms. It examines the relationship between the judicial and executive authorities, the procedures governing the appointment of judges and the renewal of their terms, and the role of the Public Prosecution within the justice system. It further discusses violations of fair-trial guarantees, insufficient judicial oversight of security and administrative decisions—including nationality decisions—and the limited avenues available for appeal, redress, and compensation. The chapter considers how

these shortcomings may contribute to impunity for those responsible for violations and deny victims access to justice.

The study concludes that the cases under examination cannot be regarded merely as isolated incidents or unrelated administrative errors. When considered collectively and analysed in context, they reveal interconnected institutional shortcomings, including the broad discretionary powers granted to public authorities, the ambiguity of certain laws, insufficient transparency and independent oversight, and limited access to effective remedies. The study maintains that the protection of human rights in Qatar requires reforming legislation that restricts fundamental freedoms, safeguarding judicial independence, reviewing nationality decisions, ending arbitrary detention, strengthening protections for migrant workers, and establishing independent mechanisms to investigate violations, ensure accountability, and provide victims with effective redress and compensation.

Introduction

The State of Qatar presents itself internationally as a modern nation, a diplomatic mediator, and a global centre for media, investment, and major international events. Yet this external image does not fully reflect the state of rights and freedoms within the country. Behind Qatar's extensive international presence, the voices of citizens, residents, workers, and victims of various alleged violations have remained largely overlooked—whether because of restrictions on freedom of expression, fear of prosecution, limited access to the media, or the inadequacy of complaint and accountability mechanisms.

Human rights concerns in Qatar reveal a reality that should not remain obscured by official narratives or economic and diplomatic achievements. The voices of those affected by arbitrary detention, restrictions on freedom of expression, nationality revocation, the exploitation of migrant workers, and inadequate fair-trial safeguards continue to be excluded from meaningful public debate and accountability. Genuine progress cannot be measured solely by the scale of development projects or the extent of a country's international influence. It must also be assessed by the degree to which human dignity is respected, individual freedoms are protected, equality before the law is guaranteed, and access to an independent and effective judiciary is ensured when rights are violated.

Although the Qatari Constitution recognises a number of rights and freedoms—including equality before the law, personal liberty, freedom of opinion and expression, and judicial independence—the existence of such guarantees

in constitutional texts is insufficient unless they are reflected in legislation and everyday practice. Documented cases reveal a gap between formally proclaimed rights and the manner in which security, administrative, and judicial authorities deal with political opponents, critics, individuals affected by nationality decisions, and workers seeking to assert their rights.

The seriousness of this gap lies in the fact that violations do not always take the form of an officially announced decision or a written policy. They may instead occur through prolonged pretrial detention, expansive interpretations of legal provisions, restrictions on access to legal counsel, the suspension or invalidation of identity documents, obstruction of workers' ability to change employment, or failure to conduct serious investigations into allegations of ill-treatment, deaths, and arbitrary measures. When such practices recur in an environment marked by limited transparency and accountability, they can no longer be regarded merely as isolated errors; rather, they raise fundamental questions about the existence of institutional shortcomings that allow them to persist.

Chapter One: Political Prisoners and Arbitrary Detention

1. Politically Motivated Arrests and the Persecution of Dissenting Voices

The Qatari Constitution guarantees freedom of opinion and expression. In practice, however, some opposition figures and critics have faced prosecution for poems, online posts, or peaceful protests. Such prosecutions are based on broadly worded provisions concerning state security, incitement, and the dissemination of false information, allowing peaceful expression to be treated as a criminal or national security offence. The Committee to Protect Journalists has warned of the chilling effect of these provisions on freedom of expression.[1]

The case of Qatari poet Mohammed al-Ajami, also known as Mohammed Ibn al-Dheeb, is a clear example. He was arrested in 2011 and sentenced to life imprisonment for poems in which he was alleged to have criticised the authorities. His sentence was subsequently reduced to fifteen years. Amnesty International designated him a prisoner of conscience who had been punished solely for peacefully exercising his right to freedom of expression.[2] He was released under an Emiri pardon in March 2016, but his release did not erase the significance of his conviction for poetic expression.

In August 2021, lawyers Hazza and Rashed al-Marri were arrested following protests against the Shura Council Election Law. Hazza al-Marri had participated in the demonstrations and posted a recording criticising the

law, while his brother was arrested after attempting to inquire about his whereabouts. In May 2022, both men were sentenced to life imprisonment on charges that included challenging laws ratified by the Emir and organising unauthorised gatherings. Human rights and professional organisations called for their release, maintaining that the case was directly connected to the exercise of freedom of expression and peaceful assembly.

The crackdown also extended to individuals who exposed abuses against workers. Kenyan blogger Malcolm Bidali was detained in May 2021 after publishing articles under a pseudonym about migrant workers' wages and living conditions. Human Rights Watch reported that he was held in solitary confinement for approximately twenty-three hours a day and denied access to a lawyer.[3] Bidali later described solitary confinement as an exceptionally harsh experience in a small, enclosed space. He was eventually released and fined before being allowed to leave the country.

These cases reveal a recurring pattern: the peaceful expression of an opinion or grievance is followed by arrest and prosecution under vaguely worded provisions carrying severe penalties. The consequences of such persecution are not confined to those detained; they also foster fear, encourage self-censorship, and silence other voices. Criminalising peaceful expression is furthermore inconsistent with Article 19 of the International Covenant on Civil and Political Rights, which requires any restrictions on expression to be clearly defined, necessary, and proportionate, and prohibits the protection of national security from being used as a pretext for punishing dissent and criticism.

2. Arbitrary Detention and Prolonged Pretrial Detention

Qatar's detention system contains legal and procedural gaps that allow individuals to be arrested and held for extended periods before trial, with delays in bringing them before a judicial authority or enabling them to effectively challenge the lawfulness of their detention. These risks are heightened by the Law on the Protection of Society and the Law on the State Security Service, both of which grant broad powers to detain individuals and extend their detention without adequate judicial oversight.

Following its official visit to Qatar in 2019, the United Nations Working Group on Arbitrary Detention observed that the Law on the State Security Service failed to provide sufficient judicial oversight of detention and that its application resulted, in practice, in prolonged periods of deprivation of liberty that were incompatible with international standards.[4] The Working Group also stressed that detainees must be promptly informed of the reasons for their arrest, granted access to legal counsel, and enabled to challenge the lawfulness of their detention before a court.

A prominent example is the case of Abdullah Ibhaïs, a former employee of the Supreme Committee for Delivery and Legacy, who was reportedly subjected to serious violations by investigators. He alleged that they denied him access to a lawyer during questioning and pressured him into signing false confessions. Human Rights Watch noted that the court had rejected his request to exclude the confession despite his claim that it had been obtained

under coercion, and called for an independent and fair trial.

In 2024, British-Mexican national Manuel Guerrero Aviña was detained for more than a month before being granted access to legal counsel. Amnesty International reported that he was not permitted to examine the documents relating to his case until more than two months after his arrest and only a few days before his first court hearing. The organisation also stated that he had been compelled to sign documents whose contents he did not understand. Amnesty International called for his conviction to be quashed and for an investigation into the violations to which he said he had been subjected.

These cases demonstrate that arbitrary detention is not determined solely by the length of confinement. It may begin at the moment of arrest when an individual is not clearly informed of the reasons for the arrest, is not promptly brought before a judge, or is denied contact with family members and legal counsel. Such practices violate Article 9 of the International Covenant on Civil and Political Rights, which prohibits arbitrary arrest and detention and requires that detainees be informed of the reasons for their arrest, brought promptly before a judicial authority, and granted the right to challenge the lawfulness of their detention.

3. Violations of Detainees' Rights in Prison

Violations do not end with the decision to arrest an individual or the length of detention; they also extend to the treatment of detainees and the conditions in which they are held. United Nations bodies and human rights organisations have repeatedly raised concerns about the

safeguards afforded to persons deprived of their liberty in Qatar. The United Nations Working Group on Arbitrary Detention has noted that certain security laws fail to provide adequate judicial oversight of detention and that their application results in prolonged deprivation of liberty contrary to international standards. It has also emphasised the need to ensure detainees' access to legal counsel and their ability to effectively challenge the lawfulness of their detention.

Amnesty International has previously expressed concern[7] about allegations of torture and ill-treatment in places of detention, as well as the use of pretrial detention laws in ways that restrict detainees' rights. It called for all such allegations to be independently investigated and for those responsible to be held accountable.

In the case of Manuel Guerrero Aviña, Amnesty International and organisations advocating for the rights of people living with HIV reported that he had been denied essential medication while in detention and subjected to pressure and interrogation in an attempt to obtain information about other individuals. Amnesty International described his treatment as exceptionally harsh, while the United Kingdom's National AIDS Trust warned that any interruption to his treatment could endanger his health.

These cases raise concerns that solitary confinement, denial of contact with family members, and deprivation of medical treatment may be used as means of psychological pressure intended to weaken detainees. The resolution of certain cases through pardons also raises a legal concern. Mohammed al-Ajami was released

under an Emiri pardon in 2016 rather than having his conviction overturned and the unlawfulness of his imprisonment for peaceful expression acknowledged. A pardon terminates the enforcement of a sentence, but it does not expunge the conviction, establish the detainee's innocence, or ensure that the alleged violations are investigated, those responsible held accountable, and the victim compensated.

The Qatari authorities are obligated to safeguard detainees' dignity, provide them with adequate healthcare, and ensure their access to family members and legal counsel. International standards also prohibit solitary confinement exceeding fifteen consecutive days, as it may amount to cruel, inhuman, or degrading treatment. Nevertheless, human rights organisations have documented cases involving prolonged solitary confinement, denial of visits or medical treatment, and the use of psychological pressure. One such case was that of poet Mohammed Ibn al-Dheeb al-Ajami, who was held incommunicado for three months before being permitted to receive a visit and who, according to PEN America, subsequently spent nearly two years in solitary confinement.

4. Lack of Accountability and Effective Redress

The problem in Qatar extends beyond the occurrence of arbitrary detention or ill-treatment to include the failure to adequately investigate such allegations and the limited mechanisms available to hold perpetrators accountable, provide victims with effective remedies, and award

compensation. Many cases conclude with the victim's release, pardon, or departure from the country without an independent investigation to establish responsibility or an official acknowledgement that the detention was unlawful.

Moreover, the Law on the State Security Service lacks sufficient safeguards for judicial oversight of detention. Its application may result in prolonged deprivation of liberty and make it more difficult to challenge security-related measures, particularly when the Public Prosecution and the courts rely on records prepared by the security agencies themselves without subjecting the circumstances of the arrest and interrogation to independent judicial scrutiny.

The security services, the Public Prosecution, and the judiciary share responsibility for the continuation of these violations. Security agencies are responsible for ensuring the lawfulness of arrests and the safety of detainees. The Public Prosecution is obligated to investigate allegations of coercion and ill-treatment, while the judiciary must examine the legality of detention, exclude evidence obtained under coercion, and provide an effective avenue for appeal and compensation. When these institutions fail to fulfil their oversight responsibilities, violations cease to be isolated acts and become practices sustained by the absence of accountability.

Denying victims compensation is also inconsistent with Article 9 of the International Covenant on Civil and Political Rights, which recognises the enforceable right to compensation of anyone subjected to unlawful arrest or detention. Release alone therefore does not constitute

effective redress unless it is accompanied by the removal of the conviction's legal consequences, an investigation into the violations, accountability for those responsible, restoration of the victim's rights and reputation, and reparation for both material and moral harm.

Chapter Two: Freedom of Expression under Surveillance and Criminalisation

1. Criminalising Criticism and Peaceful Dissent

Qatar's legal framework does not treat political criticism as a right through which citizens may hold the ruler and state institutions accountable. Instead, it surrounds such criticism with a network of punitive provisions capable of turning a speech, poem, or online post into an offence against state security. The boundary between dissenting opinion and a security-related crime is therefore left to the discretion of the authorities within an environment lacking independent media, organised political opposition, and effective judicial oversight.

Article 134 of the Penal Code clearly embodies this approach. It provides for a prison sentence of up to five years for anyone who publicly criticises the person of the Emir or challenges the manner in which he exercises his authority. The provision does not require the criticism to involve incitement to violence or a genuine threat to national security; mere criticism of the ruler may constitute grounds for imprisonment. Human Rights Watch has stated that this provision is inconsistent with international standards protecting the right of individuals to criticise rulers and public policies.

Article 136 further heightens the risks inherent in this legislative framework by imposing life imprisonment for publicly advocating the use of force or other unlawful means to change the social or economic system.

Although criminalising direct incitement to violence is legitimate, expressions such as “the fundamental values of the State,” “the established system,” and “unlawful means” remain overly broad and may be interpreted in ways that portray peaceful opposition as a political or security threat.

Criminalisation also extends into the digital sphere. Cybercrime Prevention Law No. 14 of 2014 imposes penalties for publishing what is characterised as “false news” or content deemed to threaten state security or violate “social values.” The law provides no precise definitions of these terms, allowing the authorities to act simultaneously as both party and arbiter in determining the truth, defining acceptable values, and setting the boundaries of permissible criticism. The Committee to Protect Journalists and Human Rights Watch have warned that these vaguely worded provisions threaten journalists, bloggers, and anyone who publishes information that contradicts the official narrative.

A 2020 amendment to the Penal Code also introduced a penalty of up to five years’ imprisonment and a fine of 100,000 Qatari riyals for broadcasting or publishing information that the authorities describe as “false or biased” news or rumours. Amnesty International characterised the law as repressive, stressing that its ambiguity gives the authorities broad powers to punish peaceful expression and silence critical voices.

This legal framework exposes a stark contradiction: while the State invests internationally in media, dialogue, and mediation, it criminalises criticism of the country’s highest authority at home and subjects online publications, speeches, and poems to security-based

restrictions. The danger lies not only in the number of people arrested or prosecuted but also in the chilling effect these laws have on society as a whole. They encourage citizens and journalists to remain silent and practise self-censorship, making the expression of opinion fraught with the risk of prosecution and punishment. As the scope of vague legal terminology expands, the distinction between legitimate criticism and criminal conduct becomes increasingly blurred, transforming freedom of expression from a constitutional right into a conditional practice whose boundaries are defined by the executive authorities and security agencies.

2. Restrictions on Press Freedom and the Absence of Independent Media

Qatar's media environment reveals a stark contradiction between the extensive international influence of state-funded media and the severe restrictions imposed on the domestic press. While the State uses its media outlets to discuss regional crises and criticise other governments, it does not permit the emergence of an independent press within its own borders capable of scrutinising those in power, holding senior officials accountable, or freely investigating corruption, human rights violations, and public expenditure.

Consequently, local newspapers display a striking similarity in their headlines and editorial positions, focusing heavily on the official activities of the Emir and the government, while sensitive domestic political issues remain largely excluded from serious coverage.

Reporters Without Borders has described Qatar's media landscape as homogeneous, stressing that reporting on domestic political affairs remains a genuine challenge for journalists and that media outlets' editorial positions generally align with the State's official stance.[8]

Restrictions are not limited to direct censorship. They begin with subjecting the establishment and operation of media organisations to a system of licences and administrative controls and extend to a body of legislation containing vague expressions such as "false news" and "insulting others." Such wording gives the authorities broad discretion to criminalise journalistic work or digital content that does not conform to the official narrative.

The Penal Code also criminalises criticism of the Emir, while the Cybercrime Prevention Law imposes additional restrictions on online publication. As a result, the boundary between legitimate journalism and criminal conduct is determined more by the authorities' discretion than by clear legal standards. This problem is compounded by the absence of an effective framework guaranteeing journalists and the public access to official documents and public information. When data concerning government contracts, public expenditure, administrative investigations, and institutional decisions are withheld, journalists are deprived of the essential tools required to verify information and expose wrongdoing. Journalism is thereby transformed from a means of public oversight into little more than a channel for relaying official statements.

More dangerous than formal censorship is the extent to which this system has created deeply entrenched self-

censorship. Journalists understand in advance that reporting on matters involving individuals close to the Emir, corruption, workers' rights, or the conduct of the security services may expose them to prosecution or the loss of their employment or residency status. The authorities therefore do not need to issue an explicit prohibition in every instance, as fear itself has assumed the role of the censor. Reporters Without Borders has confirmed the persistence of self-censorship among journalists and their sources and has noted that certain highly sensitive domestic subjects are treated as virtually off-limits to media coverage.

3. Digital Surveillance and the Erosion of Privacy and Online Security

The growing use of digital platforms in Qatar has created a new sphere of surveillance that is no longer limited to the substance of published opinions but now extends to users' identities, communication networks, and online behaviour. Technical information associated with online accounts—such as IP addresses, login records, location data, and device information—can be used to identify the individuals behind pseudonymous accounts and link them to the people with whom they communicate. This restricts the ability of citizens and residents to discuss matters of public interest while preserving their privacy.

The powers granted to law enforcement and investigative authorities to access electronic data, seize devices, and request information from telecommunications service providers also raise serious concerns. A telephone or computer will ordinarily contain far more than the

specific publication under investigation; it may include private correspondence, documents, photographs, professional data, and information concerning other individuals. Examining an entire device without clear limitations regarding the scope, duration, and purpose of the search may therefore result in violations extending beyond the device's owner to affect family members, colleagues, and confidential sources.

Website blocking and content-removal procedures also raise concerns relating to transparency and the right to appeal. Content may disappear, or access to a platform may be restricted, without any public statement identifying the authority responsible for the decision, the legal basis on which it was issued, the duration of the restriction, or the means available to challenge it. In the absence of regularly published data concerning content-removal requests and demands for the disclosure of users' information, society cannot assess whether these measures are necessary or proportionate to their stated objectives.

Digital surveillance also affects social and professional relationships. The ability to track online interactions and recirculate old posts turns an individual's online activity into a permanent record that may later be invoked in decisions concerning employment, residency renewal, or dealings with public institutions. A person's digital footprint may thus become an instrument of administrative and social profiling, even where no judicial ruling has been issued and no offence has been established.

Foreign residents and migrant workers are particularly vulnerable in this context because their legal status,

employment, and residency depend on multiple administrative procedures. An investigation into online content may have consequences extending beyond criminal penalties to include job loss, disruption of legal residency status, or departure from the country. This creates a practical disparity in the ability to participate in the digital sphere, as those most dependent on employment and administrative stability are less likely to engage in public debate or report abuses.

4. The Impact of Repression on Qatari Society

Restrictions on freedom of expression in Qatar have created a pervasive climate of fear and caution in which the cost of voicing an opinion has become greater than the cost of remaining silent. When criticising a government decision or discussing the performance of a public institution can result in questioning, prosecution, or the loss of employment and benefits, individuals learn to avoid political issues even when those issues directly affect their rights and interests. Silence has thus become a means of protection from possible consequences.

This climate has also affected participation in public affairs. Citizens' ability to discuss, evaluate, or publicly oppose government policies has diminished, while decisions concerning public funds, rights and freedoms, education, citizenship, and the management of state institutions have largely fallen outside the scope of genuine public debate. In the absence of political parties, independent trade unions, effective civil society organisations, and free domestic media, citizens have

few avenues through which to influence decision-making or hold public officials accountable.

The absence of open debate has also weakened the policymaking process itself. When the authorities hear only supportive voices, they are deprived of the opportunity to identify their mistakes and assess the effects of their decisions on society. Suppressing criticism does not eliminate problems; it merely allows them to accumulate beyond public scrutiny and creates a widening gap between the official image presented by the State and the reality experienced by those adversely affected. The proclaimed stability has therefore come to rest on enforced silence rather than public satisfaction, trust, and participation.

This environment has driven some opposition figures and critics to stop expressing their views, adopt pseudonyms, or leave the country and continue their activities from abroad. Exile, however, does not always guarantee complete freedom, as critics may remain preoccupied with concerns for their families or interests inside the country. The result is a politically divided society consisting of a silent majority at home and marginalised voices abroad, while the country lacks a genuine public sphere in which differing opinions can engage in peaceful and responsible dialogue.

Chapter Three: Nationality, Discrimination, and Exclusion from Citizenship

1. Legal Discrimination among Citizens

Qatari Nationality Law No. 38 of 2005 establishes a hierarchy within the legal structure of citizenship based on the manner and date of acquiring nationality. It distinguishes between Qataris by origin and naturalised Qataris and does not grant both categories the same legal status, despite their possession of the same nationality. This distinction undermines the unified legal value of nationality and transforms citizenship into a system of unequal levels of rights and opportunities, in which the status of “citizen” alone is insufficient to guarantee full equality.

This discrimination is clearly reflected in Article 16 of the Nationality Law, which denies naturalised citizens equality with Qataris by origin regarding eligibility for public office or employment generally until five years have elapsed since the acquisition of nationality. As a general rule, it also excludes them from the rights to vote, stand for election, and be appointed to legislative bodies, subject only to limited exceptions prescribed by law. Naturalisation is therefore not treated as a complete transition to citizenship but as an inferior legal status under which members of this category are denied certain political rights.

The consequences of this classification were clearly demonstrated during the 2021 Shura Council elections, when the electoral law made the exercise of the rights to

vote and stand for election conditional upon holding Qatari nationality by origin. It provided only a limited exception for naturalised citizens whose grandfathers were Qatari and born in Qatar. This resulted in the exclusion of citizens from political participation because of their legal classification or their families' history of acquiring nationality, despite the fact that they hold Qatari nationality and are subject to the same public obligations. The constitutional amendments adopted in 2024, which ended the election of Shura Council members, did not address the underlying discrimination embedded in the Nationality Law. Instead of broadening electoral participation on an equal basis, they abolished the electoral sphere itself.

The effects of this discrimination are not confined to the individual who acquires nationality but extend to that person's children. The law treats a child born to a naturalised Qatari father as a naturalised citizen, allowing an inferior legal status to be transmitted to a subsequent generation that played no role in the circumstances surrounding the father's acquisition of nationality. The history of naturalisation is thereby transformed from a legal fact concerning a particular individual into an inherited family restriction. Certain families consequently remain required to demonstrate the "original" character of their citizenship, rather than nationality itself serving as a sufficient basis for the enjoyment of rights.

This legislative framework creates a fundamental conflict with Article 34 of the Qatari Constitution, which provides that citizens shall be equal in public rights and duties, and Article 35, which establishes equality before the law. Constitutional equality is deprived of substance when ordinary legislation permits citizens to be divided

into permanent or semi-permanent categories and allocates political rights, public offices, and state benefits according to family origin or the date of naturalisation rather than merit, citizenship, and adherence to the law.

Such discrimination cannot be justified by the need to regulate nationality. A state may establish objective conditions for acquiring nationality, but once it grants nationality to an individual, it should recognise that person as a citizen with full rights rather than as a second-class member of society. A form of nationality that imposes full obligations while granting only incomplete rights contradicts the very concept of citizenship and transforms national belonging from an equal legal bond into a differentiated privilege governed by origins, dates, and lineage.

2. Withdrawal and Revocation of Nationality for Political Reasons

In some cases in Qatar, nationality has been transformed from a right defining an individual's legal affiliation with the State into an instrument that may be used for political pressure and punishment. Rather than restricting its withdrawal or revocation to narrowly defined exceptional circumstances, the provisions of Nationality Law No. 38 of 2005 grant the executive authorities broad discretion to issue decisions affecting a citizen's legal status. Such decisions may result in the loss of employment, housing, education, healthcare, property rights, and freedom of movement. The danger posed by this power is heightened when decisions are issued without a public hearing or procedural safeguards ensuring that affected individuals are informed of the

evidence against them and given an opportunity to defend themselves.

The political and tribal dimensions of this practice became apparent in the case of members of the Al-Ghufran clan. Since 1996, thousands of its members have reportedly been stripped of their Qatari nationality. Clan representatives stated that these measures amounted to collective punishment following allegations that some of its members had participated in the 1996 attempted coup. The Qatari authorities, by contrast, attributed the withdrawal of nationality to findings that some of those affected also held Saudi nationality, in violation of legal provisions prohibiting dual nationality. However, the selective application of this justification and the targeting of a broad tribal group raised serious doubts about the political nature of the measure.

Human Rights Watch documented cases in which individuals and their children, including minors, were stripped of their nationality without receiving formal written notification explaining the reasons for the decision or providing an opportunity to challenge it. Some of those interviewed by the organisation stated that they had been expelled from the country or prevented from returning, while others remained stateless for years despite possessing documents demonstrating that they had previously held Qatari nationality. These accounts indicate that the consequences were not confined to the individuals suspected of wrongdoing but extended to entire families whose members had neither been personally charged nor convicted by a court.

The absence of transparency is among the most serious aspects of this practice. The names of those stripped of their nationality are not regularly published, nor are the detailed reasons for each decision or the evidence on which the authorities relied. Consequently, some families have found themselves in a state of legal uncertainty: they possess no valid documents, are not recognised by the State as foreign residents, and have no clear avenue for recovering their nationality. This lack of clarity leaves individuals' futures dependent on an administrative decision governed by neither publicly available procedures nor defined time limits.

These decisions also raise a fundamental concern regarding the right of access to justice. Affected individuals face considerable difficulty in bringing their cases before an independent judicial body empowered to examine the grounds and evidence and annul a decision found to be arbitrary. Individuals interviewed by Human Rights Watch stated that they had not been given an opportunity to appeal and that their repeated approaches to the Ministry of Interior, the National Human Rights Committee, and the Amiri Diwan had failed to provide an effective remedy. The decision is thus made by the executive authorities, while the affected person remains deprived of the safeguard of effective judicial review.

In addition to this collective pattern, individual cases have been reported in which nationality was withdrawn following publicly expressed political positions. One prominent example is Sheikh Shafi Nasser Hamoud al-Hajri, a leading figure of the Bani Hajer tribe, whose nationality was reportedly withdrawn in 2017 after he adopted a position opposing the Qatari government's policies during the Gulf crisis. Regional reports also stated that Sheikh Sultan bin Suhaim Al Thani was

stripped of his nationality after appearing outside Qatar and publicly opposing the policies of Emir Tamim bin Hamad Al Thani, alongside the freezing of his assets and measures targeting his property. Sheikh Taleb bin Sherim likewise announced that his nationality had been withdrawn following the political position he adopted during the Gulf crisis and that the measure had been extended to dozens of members of his family.

Chapter Four: The Situation of Migrant Workers and Gaps in Legal Protection

1. Vestiges of the Kafala System and Employer Control over Workers

Although Qatar announced the abolition of the principal restrictions associated with the kafala system in 2020, employers' control over workers has not ended in practice. Workers remain dependent on their employers in matters affecting their jobs, residency status, and overall legal position. The International Labour Organization has confirmed that many workers continue to face obstacles and retaliation when attempting to leave their employment, including the cancellation of residence permits and the filing of malicious "absconding" reports.[10]

Human Rights Watch has likewise confirmed the persistence of a gap between legislation and its practical implementation.[11] It documented cases in which workers were required in practice to provide a resignation letter signed by their former employer, despite the abolition of the employer-consent requirement. Some workers were also unable to change jobs even when their wages had not been paid. The organisation has noted that leaving an employer without completing the official procedures continues to be treated as the offence of "absconding," enabling employers to use such reports to punish workers or pressure them not to leave exploitative working conditions.

The continued exercise of employer control is also evident in the confiscation of passports and personal documents. Although employers are prohibited from retaining workers' passports without their consent, Human Rights Watch reports that passport confiscation remains widespread and, together with deception concerning the nature and conditions of employment before workers arrive in Qatar, frequently goes unpunished.[12] Withholding documents deprives workers of an essential means of proving their identity, travelling, or leaving the country and makes the recovery of those documents dependent on the employer's willingness to return them.

Recruitment fees and debt place workers in a position of dependency even before they arrive in Qatar. According to a survey cited by the International Labour Organization, approximately 54 per cent of low-wage workers paid recruitment fees to secure employment in Qatar, despite the law prohibiting these costs from being imposed on them.[13] The organisation has emphasised that such debt makes workers more vulnerable to exploitation and abuse.

2. Wage Abuses and Working Conditions

Despite the establishment of the Wage Protection System and the Workers' Support and Insurance Fund, delayed and unpaid wages remain among the most serious abuses faced by migrant workers in Qatar. The International Labour Organization has reported that some workers wait several months to receive their wages and that, since 2019, the government fund has disbursed approximately US\$630 million to settle workers' outstanding entitlements. This figure demonstrates the

scale of the problem of delayed or stolen wages. The number of complaints submitted to the Ministry of Labour also rose from 11,000 in 2020 to 25,000 in 2021, before exceeding 31,000 in 2022.

The minimum wage, set in 2021 at 1,000 Qatari riyals per month—approximately US\$274, remains insufficient to meet workers' living expenses and support their families in their countries of origin, particularly because it has not undergone periodic review since its introduction. Human Rights Watch has stressed that this amount does not reflect Qatar's rising cost of living, while wage violations continue to be reported.

Abuses are not confined to the amount or payment of wages; they also include excessive working hours and the denial of overtime pay and rest days. In its report on workers employed by private security companies, Amnesty International found that half of the companies investigated failed to pay overtime at the rate required by law, despite some employees working extended hours. The organisation has also stated that thousands of workers continue to experience delayed or unpaid wages, denial of adequate rest, and unsafe working conditions.

These abuses are compounded by inadequate living conditions, including overcrowding, poor hygiene and ventilation, and broken or insufficient air-conditioning systems. Substandard accommodation cannot be treated as a living issue separate from employment. It deprives workers who have already spent long hours working in extreme heat of the rest and recovery they need, thereby increasing their exposure to exhaustion and illness.

3. Deaths, Injuries, and the Absence of Effective Investigations

Occupational hazards in Qatar are not limited to visible injuries sustained on construction sites but also include deaths that may occur several hours after exposure to extreme heat and physical exertion. According to a report by the International Labour Organization,[14] at least 50 occupational fatalities, 506 serious injuries, and 37,601 minor or moderate injuries were recorded in 2020. The organisation stressed, however, that it was impossible to provide a definitive and comprehensive figure for occupational deaths and injuries because the available data were fragmented and recorded differently by various Qatari authorities.

This uncertainty is compounded by the classification of a large number of deaths under general descriptions such as “natural causes” or “cardiac arrest,” without identifying the underlying illness or contributing factor. An Amnesty International report found that 69 per cent of deaths among workers from India, Nepal, and Bangladesh between 2008 and 2019 were attributed to natural causes or cardiac arrest without specifying the underlying medical cause. Similarly, 71 per cent of deaths among Bangladeshi nationals in Qatar between November 2016 and October 2020 were classified as natural deaths, while 55 per cent of deaths among Nepalese nationals between 2008 and 2019 were attributed to cardiac arrest or natural causes.

Amnesty International documented cases involving young workers who died after prolonged exposure to extreme heat. They included a construction worker who died after a working day during which the temperature

reached 43°C, another who worked for approximately ten hours in temperatures reaching 39°C, and a pipefitter who worked in temperatures exceeding 40°C during the days preceding his death. Nevertheless, no adequate investigations were conducted to determine the possible connection between their deaths and their working conditions. The organisation further reported that post-mortem examinations and autopsies were rarely performed and that the authorities had not provided data on the number of investigations conducted since 2010.

The International Labour Organization has also confirmed the existence of cases displaying indications of a work-related cause, including deaths that occurred at workplaces but were not classified as occupational fatalities. It further identified underreporting of injuries by employers, particularly in small and medium-sized enterprises, and noted that companies were rarely penalised for failing to report such incidents. This is despite the law providing for imprisonment of up to one month, a fine ranging from 2,000 to 6,000 Qatari riyals, or either of these penalties.

The absence of thorough investigations and precise diagnoses deprives bereaved families of the opportunity to learn what happened and to establish that the death was work-related. Amnesty International reported that none of the workers' families interviewed during its investigation had received compensation from Qatar, because the death certificates did not establish a connection between the deaths and exposure to heat or working conditions. Families are therefore left to bear the loss of their primary breadwinner and may remain burdened by recruitment debts, without adequate

medical documentation or compensation from either the employer or the authorities.

This failure is not merely a statistical problem; in practice, it obscures responsibility. When a death is recorded as “natural” without an independent examination, the possibility of holding the company accountable for negligence disappears, the family’s ability to claim compensation is weakened, and the State loses the information necessary to prevent similar deaths. The absence of independent and transparent investigations therefore represents a failure to protect the right to life and to guarantee effective redress for the families of deceased workers.

Chapter Five: The Judiciary between Dependence and the Absence of Effective Redress

1. Manifestations of Executive Interference in the Judiciary

Articles 130 and 131 of the Qatari Constitution establish the independence of the judiciary and provide that judges shall be subject to no authority other than the law. The Constitution also prohibits interference with the administration of justice. However, the independence guaranteed in law is weakened by institutional mechanisms that grant the executive authorities a decisive role in the appointment, promotion, and continued tenure of judges. Under the Judicial Authority

Law, judges are appointed by Emiri decree upon the recommendation of the Supreme Judicial Council, leaving the final decision concerning the composition of the courts in the hands of the Emir rather than a fully independent judicial body.

Following her visit to Qatar, the United Nations Special Rapporteur on the independence of judges and lawyers raised concerns regarding the composition of the judiciary and its reliance on a large number of non-Qatari judges employed under renewable temporary contracts. She explained that their precarious employment status and the possibility that their contracts could be terminated or not renewed weakened guarantees of security of tenure and could make judges more vulnerable to pressure, particularly in cases involving the State or influential individuals. She recommended that Qatar guarantee secure tenure for non-Qatari judges and subject their appointment, renewal, and termination to clear and objective criteria.

Despite the existence of the Supreme Judicial Council, the administration of the judiciary has not been freed from executive influence. Decisions concerning appointment, promotion, secondment, and termination of service remain linked to decrees and orders issued by the Emir. Moreover, the absence of stronger guarantees protecting the independence of the judiciary's budget, resource management, and recruitment processes enables the executive to exert indirect influence over the courts by controlling funding, judicial posts, and contract renewals. Judicial independence is not limited to preventing direct instructions from being issued to judges; it also requires the judiciary to administer its own affairs and budget independently of an authority that may itself appear before the courts as a litigant.

The Public Prosecution raises a similar concern. Although the law describes it as an independent judicial body responsible for initiating criminal proceedings and supervising law enforcement officers, the Public Prosecutor is appointed by Emiri order, while other prosecutors are appointed by Emiri decrees upon the Public Prosecutor's recommendation. The leadership of the prosecutorial system therefore remains directly linked to the head of the executive authority, without an independent appointment mechanism or effective parliamentary oversight.

The risks inherent in this structure are heightened by the Public Prosecution's extensive powers affecting personal liberty. These include ordering and extending pretrial detention, initiating or discontinuing criminal proceedings, and supervising investigations conducted by law enforcement agencies. Its institutional dependence—or even the absence of adequate safeguards against political influence—therefore raises doubts about its ability to independently investigate allegations involving public officials or security agencies, as well as cases relating to political dissent and freedom of expression.

These mechanisms do not, by themselves, prove that direct interference occurs in every judicial decision. They do, however, reveal a structural deficiency that enables influence and undermines confidence in judicial independence. A judge whose continued employment depends on the renewal of a contract, a prosecution service whose head is appointed by the ruler, and a judicial system lacking full financial and administrative autonomy do not possess the institutional safeguards

required to ensure complete separation between the judiciary and political authority.

2. Violations of Fair-Trial Guarantees

Cases documented by human rights organisations demonstrate that violations of fair-trial guarantees in Qatar may begin at the moment of arrest, particularly in political and national security cases. Such violations include holding defendants incommunicado, interrogating them before granting access to a lawyer of their choice, and subsequently using statements and official records obtained during this period as evidence before the court. This places defendants in direct confrontation with the security services and the Public Prosecution without adequate legal protection, increasing the risk that they may be subjected to pressure or compelled to sign self-incriminating confessions.

Such violations were evident in the case of Qatari lawyers Hazza and Rashed al-Marri, who were arrested in August 2021 following protests and criticism relating to the Shura Council Election Law. According to a joint statement issued by several legal organisations, their trial did not begin until January 2022. The court appointed a lawyer to represent them without allowing them to choose their own counsel, and all four hearings were held behind closed doors. In May 2022, they were sentenced to life imprisonment. The organisations concluded that the proceedings had failed to meet even the minimum standards of fairness and due process.

Similar violations had previously arisen in the case of poet Mohammed al-Ajami. Amnesty International reported that his trial was held in secret without justification, despite objections from his lawyer, and that he was prevented from attending some of the hearings. Defence requests to call witnesses and challenge the evidence were also rejected. He was sentenced to life imprisonment, later reduced to fifteen years, before being released under an Emiri pardon.

The case of Abdullah Ibhais, a former official with the body responsible for organising the FIFA World Cup, provides another example of concerns surrounding the integrity of judicial proceedings. He stated that he had signed a confession under pressure and fear while being interrogated without a lawyer present. Human Rights Watch called for an investigation into his allegation that the confession had been extracted under coercion, noting that the judgment relied heavily upon it amid concerns that the defence had not been given an adequate opportunity to examine and challenge the evidence.

Prolonged pretrial detention further aggravates these deficiencies. Rather than remaining an exceptional measure intended to safeguard the investigation, it may become a form of punishment imposed before conviction and a means of pressuring the defendant. The combination of prolonged detention, closed proceedings, restricted access to legal counsel, and reliance on disputed evidence reveals a clear gap between the fair-trial guarantees established by law and their implementation in practice, particularly in cases involving national security or criticism of the authorities.

3. Weak Judicial Oversight of State Decisions

In 2007, Qatar established a specialised administrative disputes circuit. However, its jurisdiction does not extend to all decisions of the executive authorities. The law excludes certain decisions relating to acts of sovereignty, national security, residency, deportation, and the Law on the Protection of Society from judicial review. This effectively shields measures that profoundly affect individual rights from meaningful judicial scrutiny.

This problem is particularly evident in nationality decisions. The Nationality Law grants the executive authorities broad powers to revoke, withdraw, or restore nationality by decree without providing a clear and effective judicial avenue through which affected individuals may suspend the implementation of such decisions or challenge their grounds and proportionality. This deficiency is especially serious because nationality decisions do not merely alter an abstract legal status; they may result in the loss of identity documents, employment, education, healthcare, property rights, and freedom of movement. When such decisions cannot be subjected to comprehensive judicial review, citizens' rights become dependent on administrative measures that are difficult to challenge or overturn.

Judicial oversight is also weakened in the face of the exceptional powers granted to the security services. The Law on the Protection of Society permits individuals to be placed in preventive detention and allows such detention to be extended under conditions that are not subject to the same safeguards provided by the Code of Criminal Procedure. The exclusion of certain decisions issued under this law from the jurisdiction of the administrative courts further restricts detainees' ability to challenge the legal basis of security measures and seek their

annulment or compensation. The United Nations Committee against Torture has called on Qatar to review the law's provisions and ensure that detention is subject to effective judicial oversight.

In politically sensitive cases, the difficulty of overturning administrative decisions becomes even more apparent. The authorities may impose travel bans, cancel or refuse to issue official documents, or take measures affecting employment or residency. At the same time, affected individuals may encounter jurisdictional exclusions, prolonged proceedings, and difficulties obtaining documents held by the administrative authority itself. Administrative courts cease to function as a safeguard for rights when the most consequential decisions are classified as acts of sovereignty or security measures immune from review.

Criminal courts have likewise failed to provide adequate protection for freedom of expression when applying broadly worded provisions criminalising criticism of the Emir, the publication of "false news," or harm to state interests. Instead of subjecting restrictions to tests of necessity and proportionality, some cases have resulted in severe sentences for poems, online posts, or political criticism.

Delays in obtaining redress also affect workers and victims of administrative decisions. The International Labour Organization has reported that resolving workers' complaints and recovering unpaid wages and other entitlements may take several months, while grievance mechanisms remain complex and difficult for workers to navigate. In 2023, 23 per cent of labour complaints registered by the end of October had been referred to the courts, while 17 per cent remained under review, demonstrating that the establishment of labour dispute-resolution committees has not eliminated delays.

The problem, therefore, lies not in the absence of courts but in the legal and practical restrictions imposed on their ability to review state action. Judicial oversight loses its effectiveness when security and politically sensitive decisions are shielded from review, nationality decisions are difficult to challenge, or workers and other victims must wait so long that a favourable judgment loses its practical value. Without comprehensive and prompt judicial jurisdiction, an effective right to suspend administrative decisions, and compensation for the harm they cause, individuals remain the weaker party in their dealings with the State.

Recommendations

1. **Release individuals detained for peacefully expressing their views:** Review all cases involving political prisoners, bloggers, poets, and activists, and release anyone detained for peaceful expression. Their convictions should be quashed, their rights and reputations restored, and adequate compensation provided for the harm they suffered.
2. **Reform legislation restricting public freedoms:** Amend the laws governing the protection of society, counterterrorism, cybercrime, and press and publications. Restrictions should be limited to clearly defined circumstances in which they are necessary and proportionate. Vague provisions criminalising criticism of the Emir or state institutions and allowing peaceful opposition to be prosecuted should be repealed.
3. **Establish strict safeguards against arbitrary detention and ill-treatment:** Require the authorities to bring every arrested person promptly before an independent judge and guarantee immediate access to family members and legal counsel. Incommunicado detention and prolonged solitary confinement should be prohibited, and an independent body should be established to conduct regular and unannounced inspections of all places of detention.
4. **Protect nationality and civil rights from arbitrary interference:** Amend Nationality Law No. 38 of 2005, prohibit the withdrawal or revocation of nationality through unilateral administrative decisions, and ensure that no decision results in statelessness. All decisions concerning nationality, legal identity, and travel documents

should be subject to comprehensive and effective judicial review.

5. **Strengthen the protection of migrant workers and eliminate the remaining elements of the kafala system:** Prohibit malicious “absconding” reports, passport confiscation, and the imposition of recruitment fees on workers. Guarantee workers’ freedom to change employment, periodically increase the minimum wage in line with the cost of living, strengthen inspections of companies, and penalise those responsible for delaying wages or exposing workers to danger.
6. **Guarantee the independence of the judiciary and the Public Prosecution:** Entrust the appointment, promotion, and discipline of judges to an independent judicial council, ensure security of tenure for non-Qatari judges, and guarantee the financial and administrative autonomy of the courts. The mechanisms for appointing the Public Prosecutor and other prosecutors should also be reformed to protect them from political and executive influence.
7. **Establish an independent system of accountability and reparation:** Create an independent body to investigate allegations of arbitrary detention, torture, ill-treatment, and worker deaths. Investigation findings should be made public, and those responsible should be prosecuted regardless of their positions. Judgments and compensation awards should be enforced without delay, while international and human rights organisations should be permitted to visit the country and its prisons and independently monitor the situation of victims.

Conclusion

An examination of the situation of prisoners, freedom of expression, nationality, migrant workers, and judicial independence demonstrates that human rights violations in Qatar are not confined to individual incidents or isolated abuses. Rather, they are linked to a legal and institutional structure that grants broad powers to the executive authorities and security agencies while providing limited judicial oversight and slow or ineffective avenues for redress. A clear gap remains between the legal provisions that formally guarantee rights and the practices documented by international organisations—a gap whose consequences are borne by detainees, critics, persons deprived of their nationality, and migrant workers.

The documented cases demonstrate that peaceful expression may lead to prosecution and detention and that pretrial detention, solitary confinement, and denial of access to legal counsel may be used as instruments of pressure. The vague wording of legislation concerning state security, counterterrorism, and cybercrime also allows the scope of criminalisation to be expanded, making the exercise of the right to criticise the authorities inherently risky. The harm does not end with release or pardon, since the continued existence of a conviction and the absence of investigation, compensation, and restoration of rights and reputation deprive victims of full justice.

In the area of nationality, particular concern arises from the executive authorities' extensive powers to alter a citizen's legal status and, consequently, access to employment, education, healthcare, property, and

freedom of movement. Migrant workers, meanwhile, continue to face vestiges of the kafala system despite the reforms that have been announced. These include obstacles to changing employment, malicious “absconding” reports, passport confiscation, recruitment-related debt, delayed wages, and inadequate working and living conditions. Workers also continue to suffer deaths and injuries that are not always subjected to independent investigations capable of establishing their causes and ensuring compensation for their families.

These violations become even more serious when the judiciary is unable to perform its role as the final safeguard of rights. The mechanisms governing judicial appointments and the renewal of non-Qatari judges’ service, the extensive influence of the executive authorities, and the limited ability to challenge certain security and administrative decisions all raise serious concerns about the effectiveness of judicial independence. When proceedings are excessively prolonged, trials are conducted in secret, disputed confessions are admitted into evidence, or judgments and compensation awards remain unenforced, recourse to the courts is transformed from a means of redress into an arduous process that compounds the victim’s suffering.

Economic and diplomatic achievements, however substantial, cannot conceal the suffering of those deprived of their liberty, nationality, wages, or access to justice. Nor is it sufficient to enact legislation or announce reforms unless these measures are reflected in daily practice and accompanied by independent oversight, public accountability, and effective reparation. The true measure of respect for human rights lies not in

the number of institutions established or laws enacted, but in an individual's ability to voice objections without fear, challenge the State before an independent judge, and obtain prompt and effective redress.

Addressing this reality ultimately depends on the existence of genuine political will: a willingness to accept criticism, subject the security services to the rule of law, protect judicial independence, and open places of detention and human rights cases to independent scrutiny.

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SILENCED VOICES. UNANSWERED QUESTIONS. A NATION UNDER SCRUTINY.

This book presents a comprehensive examination of the human rights situation in the State of Qatar. It documents and analyses a range of alleged violations that have remained outside public debate or have not received adequate investigation and accountability.

Drawing on legal analysis, documented cases and international human rights standards, it examines key issues including political prisoners and arbitrary detention, restrictions on freedom of expression, discrimination in nationality matters, violations of migrant workers' rights, and the independence and effectiveness of the judiciary.

The study highlights the gap between the constitutional guarantees in Qatar and their actual implementation in practice, and calls for legal and institutional reforms to protect fundamental rights and freedoms, ensure accountability, and provide effective remedies for victims.

KEY THEMES EXPLORED



POLITICAL PRISONERS AND ARBITRARY DETENTION

Documented cases, security laws and the absence of effective oversight.



FREEDOM OF EXPRESSION

Criminalisation of criticism, media restrictions, surveillance and the climate of self-censorship.



NATIONALITY AND DISCRIMINATION

Legal distinctions, withdrawal of nationality and far-reaching consequences for individuals and their families.



MIGRANT WORKERS' RIGHTS

Exploitative practices, the kafala system, wage violations, unsafe conditions and inadequate investigations into worker deaths.



THE JUDICIARY AND ACCESS TO JUSTICE

Judicial independence, fair trial guarantees, limited avenues for appeal and the persistence of impunity.

“

Human rights are not a privilege bestowed by the State, but a fundamental duty to be protected, respected and applied in practice.

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DAR AL THANI