**Translation of a document on racism from Arabic to English**

**Report on the Measures Taken by the State of Qatar to Combat Racial Discrimination**

“General Assembly Resolution A/RES/71/181 of 19 December 2016. A global call for concrete action for the total elimination of racism, racial discrimination and xenophobia and racial intolerance and the comprehensive implementation of and follow-up to Durban declaration and programme of action”

**Introduction**

In implementation to the General Assembly Resolution A/RES/71/181 of 19 December 2016 on “A global call for concrete action for the total elimination of racism, racial discrimination and xenophobia and racial intolerance and the comprehensive implementation of and follow-up to Durban declaration and programme of action”, the State of Qatar renews its commitment by the declaration and the work programme issued in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance that was held in Durban on 8 September 2001. This matter shall be included among the national priorities and considered of much significance because the State of Qatar, in accordance to the UN estimations, is on the top list of the countries that have the highest percentage of expat population comparing to national population. The percentage of the expat population to the national citizens is 87%. For consideration, most of the expats are employees who form 94% of the economically active population (Ministry of Developmental Planning and Statistics, 4th Report on Human Development Non-Qatari, Achieved Progress & Challenges).

In consideration to this demographic challenge raising from the increasing economic development, the State of Qatar is keen to ensure that expats live in peace and safety and away from all forms of racial discrimination and xenophobia. The State of Qatar respects the cultural variation and admits the right of expats to keep their life style and exercise their religious rituals with a consideration that shall be given to the customs of the Qatari society, forgiveness and mutual respect.

In order to ensure religious freedom of Non-Muslims, a common Indo-Christian church was inaugurated in March 2009 besides keeping on building other eastern Anglican and Orthodox churches and Coptic church.

Also, Doha International Center was established in May 2007 as the fruit of the recommendations of Doha International Center for Interfaith Dialogue (DICID). It was officially inaugurated on 14 May 2008. Emiri Decree No. 10 /2010 was issued approving the establishment of DICID. The center aims to promote and enhance the culture of interfaith dialogue, peaceful co-existence among believers of religions and activate the religious values in order to address the issues and problems of humanity to promote for the culture of interfaith dialogue, co-existence and acceptance of others.

The State is aware of the importance of improving the lifestyle of foreign expatriates and protecting their rights from any violation through justice, equality and dignity for all and the elimination of abuse and discrimination. This matter can be obviously seen through this brief presentation which deals, in its first part (firstly), with the national strategies, the legislative framework for the total elimination of racism, racial discrimination and xenophobia., before going to, in the second part (secondly) the measures that have been recently taken by the State to support the rights of expatriate employees and to protect them from all forms of racism and exploitation.

**Firstly, The National Strategies, the Legislative Framework for the Total Elimination of Racism, Racial Discrimination and Xenophobia**

**1-The Constitution of Qatar**

Article (18): “The Qatari society is based on the values of justice, benevolence, freedom, equality, and high morals”.

Article (19): “The State shall maintain the pillars of the society and ensure security, stability, and equal opportunities for all citizens”.

Article (30): “The employee- employer relationship shall be based on the ideals of social justice and shall be regulated by law”.

Article (34): “The Citizens of Qatar shall be equal in public rights and duties”.

Article (35): “All persons are equal before the law and there shall be no discrimination whatsoever on grounds of sex, race, language, or religion”.

 Article (36): “Personal freedom shall be guaranteed and no person may be arrested, detained, searched, neither may his freedom of residence and mobility be restricted save under the provisions of the law; and no person may be subjected to torture, or any degrading treatment; and torture shall be considered a crime punishable by law”.

Article (50): “Freedom to practice religious rites shall be guaranteed to all persons in accordance with the law and the requirements of the maintenance of public order and morality”.

Article (52): “Every person who is a legal resident of the State shall enjoy protection to his person and property in accordance with the provisions of the law”.

**2- Qatar National Vision 2030**

It is a document that reveals Qatar’s comprehensive future vision. It confirms the appreciation of the State for expat employees as a productive and effective energy in development. The attraction of the proper structure of skills and maintaining them entails provision of appropriate incentives and putting in place governing procedures to maintain their rights and secure their safety, in addition to the enhancement of the spirit of tolerance, benevolence and encouragement of constructive dialogue and openness toward other cultures.

**3- The Conventions Ratified by the State of Qatar, relating to the elimination of racial discrimination, xenophobia and related intolerance**

The International Convention on the Elimination of All Forms of Racial Discrimination 1965, we confirm the commitment of the State of Qatar to abide by the convention

We confirm the commitment of the State of Qatar to implement the provisions of this convention to which it joined in 1976. The State regularly submits periodical reports to the committee of the elimination of all forms of racial discrimination in respect of the measures that have been taken to implement the convention. The recent report was submitted in 2011. Comments and recommendations of the committee are followed seriously.

1. The International Convention on the Suppression and Punishment of the Crime of Apartheid 1973
2. The International Convention Against Apartheid in Sport of 1985
3. The Convention on the Protection and Promotion of the Diversity of Cultural Expressions adopted by UNESCO in October 2005.
4. The Convention on the Rights of Persons with Disabilities
5. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),
6. TheConvention on theRightsof the Child
7. The Optional Protocolsto theConvention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography
8. The Optional Protocol to the Convention on the Rights of the Childon theinvolvement of children in armed conflicts*.*
9. Convention against Torture and Other Cruel*,* Inhuman or Degrading Treatment or Punishment
10. United Nations Convention against Transnational Organized Crime
11. Protocol to Prevent*,* Suppress and Punish Trafficking in Persons*,* Especially Women and Children *“*Palermo Protocols”
12. Arab Charter on Human Rights
13. The conventions adopted by International Labor Organization (ILO) and ratified by the State of Qatar:
* Forced Labor Convention, 1930 (No. 29)
* [Abolition of Forced Labor Convention, 1957 (No. 105)](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312250:NO)
* [Labor Inspection Convention, 1947 (No. 81)](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312226:NO)
* [Discrimination (Employment and Occupation) Convention, 1958 (No. 111)](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312256:NO)
* [Minimum Age Convention, 1973 (No. 138)](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312283:NO)
* Worst Forms of Child Labor Convention, 1999 (No. 182)

**4- Laws:**

The State is keen that expats shall enjoy education without any discrimination. Law No. (25) for the year 2001in respect of mandatory education was issued. The law states that education shall be mandatory for all children on the territories of Qatar (including expats). It is one of the most prominent legislations to achieve cultural rapprochement in the State.

Also, the State has adopted legislative actions to combat racism, racial discrimination and xenophobia and related intolerance. Article (47) of Law No. 8 / 1979 on Publications and Publishing states that no publication shall be published that would cause dissension among members of society or provoke sectarian, racial or religious trends. Article (47) managed that any violation would result in the application of the penalties stipulated in the penalty law and imprisonment for a term not exceeding three months or a fine not exceeding three thousand Riyals.

In addition, the Penal Code of the State of Qatar for the year 2004 in Article (256) considered a criminal whoever cursing any of the divine religions, insulting the divinity and insulting any of the prophets, Sabotaging the buildings prepared for worship and religious rituals.

The law explicitly states that whoever commits the following acts shall be punished with imprisonment for a term not exceeding seven years:

1- Cursing any of the divine religions according to the regulations of Islamic law.

2- Insulting any of the prophets through writing, drawing, gesturing or in any other way or through any other means.

3- Sabotaging, breaking, damaging or violating sites or their contents if they are made to perform religious rites for one of the divine religions according to the

regulations of Islamic law.

Also, Article 263 of the Penal Code provides the following:

“Whoever produces, sells, exposes for sale or circulation, or possesses products, merchandise, prints or tapes, including drawings, slogans, words, symbols, signals or anything else that may offend the Islamic religion or other divine religions according to the dictates of Islamic law, shall be punished with imprisonment for a term not exceeding one year and a fine not exceeding one thousand Qatari Riyals (QR 1.000). The same penalty shall be imposed on any person who uses disks, computer programs or magnetized tapes to offend Islam or other divine religions

according to the dictates of Islamic law”.

**It is worth noting here that the legislator equated the Islamic religion with other religions that are protected in accordance with Islamic law, namely, the Christian and Jewish laws, as well as the prohibition against insulting the Islamic religion, as well as the abuse of the Christian and Jewish religions. It is also forbidden to insult any prophets or to expose their places of worship in any form of exposure. There is no distinction between the Islamic religion and other heavenly religions in the field of protection.**

The State is striving to protect expatriates from exploitation practices and it is committed to resist the forms of contemporary slavery. Law NO. (15) /2011 was issued on Combating Trafficking in Human beings which considers trafficking in human beings a crime, especially women and children, migrants smuggling, the practices that constitute danger to their life or entails various forms of slavery and exploitation like servitude and enslavement of the debtor or sex-based exploitation or forced labor

Whoever recruits, transports, submits, harbors, receives a natural person in any form, whether inside a state territory or across its national borders, through the use of force, violence or threat to use any of them or through abduction, fraud, misrepresentations or through the abuse of power or by exploiting a position of vulnerability or need or by promising to provide or receive of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation in whatever form, is committing the crime of trafficking in human beings . Exploitation shall include the exploitation of the prostitution of others or any forms of sexual exploitation and sex trafficking of children, pornography or begging, forced labor or services, slavery or practices similar to slavery servitude”. It should be noted that the indicated law stipulates that the perpetrators of trafficking offenses shall be strictly punished by a maximum of fifteen years' imprisonment.

The State of Qatar continues its efforts to improve its mechanisms and legislative structure in combating human trafficking. It established the National Committee against Human Trafficking. As it will be explained in the second part of this report in respect of the measures that have been recently taken by the state of Qatar to promote the rights of expatriates and protect them from all forms of discrimination and exploitation.

**The Measures that Have Been Recently Taken by the State of Qatar to Promote the Rights of Expatriates and Protect them from all Forms of Discrimination and Exploitation**

The state is keen to treat expatiates fairly. Also, it follows an effective administrative and legislative policy to promote their rights, protect them from discrimination and exploitation, combat all forms of racism and xenophobia. Also, it adopts freedom of money transfer as Qatar is not imposing any restrictions on money transfers by migrants to their homelands.

The state is aware of the need to strengthen the national legal framework to promote for human rights and legal protection of expatriates and provide them with effective remedies in accordance to the International Convention on the Elimination of All Forms of Racial Discrimination. This can be obviously seen in the essential legislative reforms that have been adopt recently to ensure that expatriates, including house maids, enjoy their civil, economic, social and cultural rights without any discrimination. These measures are in consistency with the recommendations of the Committee of Combating Racial Discrimination in respect of the last periodical report of the State of Qatar. These legislative reforms can be summarized as follows:

**Firstly, Wages Protection System (WPS):**

Law No. (1) for the year 2015 has been promulgated to amend some of the provisions of Labor Law including the stipulation of the protection of the rights of the workers who are subject to the referred labor law as per the norms of the ministerial decree No. (4) for the year 2015. The WPS forces employer to credit the wages of the worker to his bank account with one of the financial institutions in the country in the specified time. Also, it sets an electronic auditing mechanism to detect violators and inflict penalty against them of maximum one-month imprisonment and a fine not less than two thousand Riyals and not exceeding six thousand Riyals; apart from suspending the issuance of any new work permits and suspending the transactions of the violating employer. Since the start of enforcement of this new system on 2/11/2015, WPS has been applied on the majority of the institutions that are subject to labor law to ensure that workers get their wages on time (this is in consistence with the concluding comments of the Committee of Combating Racial Discrimination in respect of non-payment of wages).

**Secondly, Cancellation of Residence Permit System:**

The State of Qatar has achieved an essential reform in the legal structure of employment relations under law No. (21) of 2015 in respect of regulating the entry, exit and residency of expatriates of expatriates, that has been amended by Law No. (1) of 2017 which includes the following:

1. Cancellation of Sponsor or “Kafala” System: the relation between employer and expat worker is based on the employment contract. The new law guaranteed for the expat worker more movement freedom to choose his job and move to another employer. Thus, the law is responsive to the international standards of employees’ rights to choose his job and change his destination that has been confirmed by the Committee of Combating Racial Discrimination in its concluding comments.
2. Exist permit

Law No. (1) of 2017 has been promulgated to amend some of the provisions of Law No. (21) of 2015 in respect of regulating the entry and exist of expatriates. Exit from the country for vacation or in case of any urgent circumstances has become an employee’s right after notifying the employer based on the employment contract. That means the legislator has completely removed the exist permit. The legislator also allowed expat employee to exit the country permanently upon or before expiry of the employment contract after notifying the employer.

1. No specific period is determined to return to the country

The law allows expat employee in the cases when residence permit expires normally to return to the country in a new job directly after obtaining a new job opportunity without waiting the grace period of 60 days what was applicable in law No. (4) of 2009.

1. Strict Penalty on Passport Retention

The new law raised the penalty of passport retention by employer to (QR 25,000) twenty-five thousand Riyals.

These measures aim to ensure that employees enjoy their civil rights without any discrimination, especially their right of mobility and exit the country in accordance to Article 5 clause (d) of the International Convention on the Elimination of All Forms of Racial Discrimination

**Thirdly, the Establishment of the National Committee against Human Trafficking:**

The state of Qatar is striving to improve its mechanism and legislative structure on combating human trafficking and to apply the relevant UN reports and resolutions, especially the resolutions of the UN General Assembly and United Nations Office on Drugs and Crime ([UNODC](https://www.unodc.org/unodc/en/about-unodc/index.html?ref=menutop)). Therefore, it has decided to establish efforts coordination mechanism to combat, prevent and punish against human trafficking. **Recently, the Cabinet of Ministers has issued decree No. 15 of 2017 to establish the National Committee to Combat Human Trafficking** Article 2 of which stipulates that the committee shall be established in the presidency of a representative from the Ministry of Administrative Development and Labor and Social Affairs, a representative from the Foreign Ministry being vice president of the committee and with membership of a representative from:

1. Ministry of Interior
2. Ministry of Justice
3. Ministry of Public Health
4. General Attorney
5. Government Communication Office
6. Human Rights National Committee
7. Qatar Institution for Social Work (Protection and Social Rehabilitation Center)

Article (4) of the referred the Cabinet of Ministers Decree No. (15) of 2017 stipulates that “the committee aims to play the role of the national coordinator for the observation and prevention of human trafficking through coordination with the concerned authorities in this respect. It is authorized to do the following:

1. Develop the national plan to combat human trafficking and prepare the implementation mechanisms and programs in coordination with the concerned authorities in the country.
2. Prepare a database which shall include the international legislations related to human trafficking and the means human trafficking and the related studies.
3. Review the related national legislations to ensure that they are in consistency with the international conventions and agreements that are ratified by the State.
4. Prepare and publish annual reports on the efforts of the government on the observation, prevention and punishment against human trafficking.
5. Study the international and regional reports on the observation, prevention and punishment against human trafficking and taking the necessary action in their respect.
6. Coordinate with the concerned authorities and competent offices to secure prevention and support for the victims of human trafficking including protection and rehabilitation programs to assist victims get integrated in the community.
7. Raise awareness on the means of human trafficking through the conduct of conferences and seminars and the preparation of bulletins and training programs, etc. to achieve the objectives of the committee.
8. Sharing information and experiences with Arab, national, regional and international organizations that are concerned to combat human trafficking.
9. Participation with the concerned government authorities in the international conferences and symposiums of human trafficking.
10. Performing any works assigned to the committee regarding human trafficking.

**Fourthly, Approval of a bill (law) in Respect of Employees in Houses:**

The State being keen to support the legal protection of all the categories of employees without discrimination including house maids **(being confirmed by the concluding comments of the committee of the elimination of all forms of racial discrimination)** the Cabinet of Ministers had approved, during its ordinary meeting that was held on 16/2/2017, the bill in respect of employees in houses which include the minimum employment age, the maximum working hours, the right of employee to get one day off and paid per a week, sick leave, annual leave and end of service bonus, in addition to effective means of dispute settlement.

**Fifthly, Establishment of ad hoc. Committees for the Prompt Settlement of Employment Disputes including employees in Houses:**

In order to enable expat employees’ access to effective means of justice and to ensure obtaining their rights immediately and without any discrimination, in accordance with Article 6 of International Convention on the Elimination of All Forms of Racial Discrimination, the honorable Cabinet of Ministers approved, in its meeting dated 6 October 2016, the bill to amend some of the provisions of labor law that was promulgated by Law No. (14) of 2004, including the establishment of one or more committees to decide in all dispute that may arise in connection to the provisions of labor law or employment contract. The committee will have the executive power. The committee shall be formed in the presidency of a judge from the court of first instance. Its function is to decide immediately within a term not exceeding three weeks on all disputes arising from the provisions of the labor law or the employment contract, which are referred by the concerned department in the ministry to the committee if such disputes have not been amicably settled by the mediation of that department.

The referred committees are concerned to settle the disputes that may arise between employers and employees in houses. (this is in consistency with the Committee against racial discrimination).