



QATAR
ISSUES RELATED TO
IMMIGRATION DETENTION

**MIGRANT-
RIGHTS.ORG**

Joint Submission to the Working Group on Arbitrary
Detention in Preparation for its Mission to Qatar
on 3-14 November 2019

Submitted in September 2019

ABOUT THE GLOBAL DETENTION PROJECT

The Global Detention Project (GDP) is a non-profit organisation based in Geneva that promotes the human rights of people who have been detained for reasons related to their non-citizen status. Our mission is:

- To promote the human rights of detained migrants, refugees, and asylum seekers;
- To ensure transparency in the treatment of immigration detainees;
- To reinforce advocacy aimed at reforming detention systems;
- To nurture policy-relevant scholarship on the causes and consequences of migration control policies.

ABOUT MIGRANT-RIGHTS.ORG

Migrant-Rights.org is a Gulf Cooperation Council (GCC)-based advocacy platform working to advance the rights of migrant workers. It aims to change perspectives towards migrant workers by improving access to information on migration in the Gulf region and its migration corridors and promoting informed, local discussion on migration issues. Both off and online, Migrant-Rights.org engages residents, local businesses, and employers to challenge perspectives towards migrants and improve working conditions for some of the region's most vulnerable workers.

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Submission to the Working Group on Arbitrary Detention in Preparation for its Mission to Qatar on 3-14 November 2019

The Global Detention Project (GDP) and Migrant-Rights.org are pleased to provide the Working Group on Arbitrary Detention (WGAD) this joint submission in preparation for the WGAD's visit to Qatar on 3-14 November 2019. This submission concerns the detention of migrants and refugees. It addresses situations that mainly fall within the scope of the WGAD's Category IV of types of arbitrary detention: "when asylum seekers, refugees or migrants are subjected to prolonged administrative custody without the possibility of administrative or judicial review or remedy."

In order to assist the WGAD in undertaking a comprehensive analysis of the situation concerning arbitrary deprivation of liberty in Qatar, this submission describes the migration context of Qatar and provides a summary of relevant migration-related legislation and the facilities where non-citizens are detained, based on GDP research in collaboration with Migrant-Rights.org.¹

I. Context and key concerns

In a 2019 written submission to the UN Committee on Migrant Workers (CMW) as part of a questionnaire distributed by the committee in preparation for the drafting of its forthcoming General Comment No. 5 on Migrant's Rights to Liberty and Freedom from Arbitrary Detention, the government of Qatar argued that it was not obliged to answer questions "related to detention in the context of migration." It argued that the term "migrant" was not relevant to the situation in the country because it "is not commonly used in the Qatari legal system, as it is replaced by the term (expatriate) whose entry into the country is with the purpose of (visiting) or working, but not of permanent residence." Additionally, it argued that "Qatar is not facing irregular mass exoduses of foreign workers and subsequent serious violations of their human rights as a result of migration procedures such as mandatory detention, the problem of housing in poor conditions, dispersal of family members and detention of children, etc."²

Despite these claims, Qatar has long had a system of detention that can reasonably be defined as "immigration-related detention," as the GDP has documented since 2016, when we published our first report on the country.³ The government of Qatar acknowledged this fact in its CMW submission in its discussion of the treatment of people who do not have a valid residence permits. Describing a situation that appears akin to controversial mandatory

¹ Global Detention Project and Migrant-Rights.org, "Submission to the United Nations Committee on the Elimination of Racial Discrimination," November 2018, <https://www.globaldetentionproject.org/submission-cerd-qatar>; Global Detention Project, "Immigration Detention in Qatar," January 2016, <https://www.globaldetentionproject.org/countries/middle-east/qatar>. See also, "Immigration Detention in the Gulf," *GDP Special Report*, December 2015, <https://www.globaldetentionproject.org/publications/immigration-detention-gulf>

² Government of Qatar, "Unofficial Translation: Information provided by the State of Qatar: On General Comment No. 5 on Migrant Rights to Liberty and Protection Against Arbitrary Detention," <https://www.ohchr.org/EN/HRBodies/CMW/Pages/GC5.aspx>

³ Global Detention Project, "Immigration Detention in Qatar," January 2016, <https://www.globaldetentionproject.org/immigration-detention-in-qatar>

detention policies in countries like Australia, the government of Qatar said that such people “must be repatriated and his/her departure secured on the basis of the provisions of Law No. 21 of 2015 which regulates the entry and exit of expatriates and their residence and in accordance with the approved work context in the Search and Follow up Department which has, for this purpose, **a model temporary detention centre** equipped with the most up-to-date means for persons awaiting departure until their final procedures are completed” (emphasis added).

Foreigners, or “expatriates,” make up a stunning 90 percent of the country’s 2.2 million population. The migrant population surged in 2014, increasing by a record 10 percent, driven by labour demands related to the 2022 FIFA World Cup preparations.⁴

Statistical data on non-citizen adults taken into custody, including those who are apprehended for reasons at least in part due to their immigration status, are not available. A report from Qatar's statistics authority in 2016 claimed that some 23 percent of crimes were immigration and residency related; however, it failed to indicate how many people were detained as a result of these crimes.

According to Qatar, the recruitment of migrant workers is tightly regulated by bilateral agreements with the countries of origin and employment contracts and supervised by the Ministry of Administrative Development, Labour and Social Affairs. Although Qatar maintained in its submission to the CMW that these rules effectively pre-empted questions about immigration detention, these employment rules—and particularly the country’s sponsorship system, which ties foreign workers to their employers—have been an important source of challenge faced by migrant workers that lead to a variety of situations of deprivation of liberty.⁵

The *kafala* (“sponsorship”) system has been repeatedly criticised by international organisations, human rights groups, labour groups, and migrant workers for enabling and encouraging the exploitation of workers. Attempts to flee abusive employers (which is dubbed absconding) makes workers irregular and thus vulnerable to detention and deportation. It is difficult to change jobs due to the No Objection Certificate (NOC) requirements for many workers, which makes it difficult to leave an employer legally. The NOC requirement was purportedly dropped in 2017 but today, the process is effectively still in place and is long and cumbersome. In contrast, employers can terminate a relationship for practically any reason. Once a worker's residence permit is cancelled, individuals have 90 days to exit or they become illegal (they can also bring the case before the workers’ dispute committee).

After years of promises to reform the system, a new law adopted in September 2018 stipulates that migrant workers in Qatar no longer need permission from their employers to leave the country.⁶ However, the law foresees a number of exceptions: “Employers may request that certain named employees – up to 5% of their total employees – obtain their permission before exit. Their request must be pre-approved by the Ministry of Administrative Development and Social Affairs (MADSLA).”⁷ Employees of ministries, public sector organisations, and semi- or quasi-governmental organisations are also required to obtain an

⁴ Le Figaro, “La population du Qatar a augmenté de 10%,” 4 February 2015, <http://www.lefigaro.fr/flash-eco/2015/02/04/97002-20150204FILWWW00173-la-population-du-qatar-a-augmente-de-10.php>

⁵ Law No. 4 of 2009 Regulating the Entry and Exit of Expatriates in Qatar and their Residence and Sponsorship.

⁶ Law No. 13 of 2018 which amends Law No. 21 of 2015.

⁷ Migrant-Rights.Org, “Qatar Abolished Exit Permit for Most Migrants,” 10 September 2018, <https://bit.ly/2RrQepE>

exit permit, thereby excluding a large number of workers, including those in oil and gas companies.⁸ The law only covers migrant workers under labour law, leaving some 200,000 domestic workers still requiring permission from their employers to leave the country as they are explicitly excluded from the labour law.⁹ According to provisions in the new law, expatriate workers who are not allowed to exit the country for any reason can approach the Expatriate Exit Grievances Committee, which decides on the grievance within three working days.¹⁰ According to a report by the U.S. Department of State, out of 2,958 cases received by the committee during the first nine months of 2017, *only* “two were ruled in the employee's favour.”¹¹

Importantly, the excessive control that employers have over workers, common in Qatar and the entire Gulf region, may lead to unrecognised forms of arbitrary deprivation of liberty perpetrated by private individuals and businesses. Human Rights Watch and other organisations have noted how domestic workers in particular can be prevented from leaving households, have their passports confiscated by their employers, and face severe restrictions on their freedom of movement. As one writer has noted, it is “clear that people in this [kafala] system face a form of confinement to which they are susceptible because they are foreigners whose treatment is provided for in law.”¹²

Qatar is politically restrictive and lacks transparency. However, it has sought to burnish its international reputation by being more open to visits from rights actors and non-governmental organisations, a trend that has been reinforced since Qatar’s selection to host the 2022 FIFA World Cup games. As a result, some information about immigration-related detention has also come to light. Nevertheless, the country has strong censorship practices that make researchers and journalists vulnerable to arrest. In May 2015, for example, authorities arrested and detained a BBC team—who had been invited to Qatar by the Prime Minister’s office—for reporting on World Cup labourers. In September 2014, two British researchers commissioned by a Norwegian non-governmental organisation to carry out research on migrant labour issues were held incommunicado for six days. Following an international media and civil society outcry, the Qatari authorities acknowledged holding the men in custody and subsequently released them.¹³

II. Laws and practices

The legal framework governing immigration-related detention in Qatar is established in Law No. 21 of 2015 regulating the entry and exit of expatriates and their residence, adopted in

⁸ Migrant-Rights.Org, “What’s Changed in Qatar Since the ILO Dropped its Case?,” 8 August 2019, <https://www.migrant-rights.org/2019/08/whats-changed-in-qatar-since-the-ilo-dropped-its-case/>

⁹ Human Rights Watch (HRW), “Domestic Workers’ Rights in Qatar,” 26 June 2018, <https://bit.ly/2yKyVsP>; and Law No. 15 of 2017 on Service Workers in the Home.

¹⁰ Marhaba, “ILO Welcomes End of Exit Permits for Migrant Workers in Qatar,” 4 September 2018, <https://bit.ly/2RwE4vN>

¹¹ U.S. Department of State, “Country Reports on Human Rights Practices for 2017 – Qatar,” <https://bit.ly/2ivkC45>

¹² M. Flynn, “Detained Beyond the Sovereign: Conceptualizing Non-state Actor Involvement in Immigration Detention,” in *Intimate Economies of Immigration Detention*, D. Conlon and N. Hiemstra (Eds), Routledge, 2017.

¹³ M. Lobel, “Arrested for Reporting on Qatar’s World Cup Labourers,” *BBC*, 18 May 2015, <http://www.bbc.com/news/world-middle-east-32775563>; Global Network for Rights and Development, “Qatar’s Detention of BBC Journalists Part of a Pattern: GNRD,” *GNRD News*, 19 May 2015, <http://www.gnrd.net/seemore.php?id=1615>

October 2015.¹⁴ The Law No. 21 repealed Law No. 4 of 2009 and was amended in 2017 (Law No. 1) and 2018 (Law No. 13).

Immigration-related detention includes both criminal and administrative forms of deprivation of liberty. Administrative detention is linked to deportation and penal detention results from sanctioning certain immigration-related infractions with incarceration.

Grounds for administrative detention. According to Section 28(1) of the Law No. 21, the Interior Minister, when necessary, may place a non-citizen against whom a judicial judgment on his/her deportation or repatriation was issued in the “place specified for this purpose” for thirty days which is renewable for another period of similar duration.

There are several grounds for deportation of foreigners from Qatar, including when the person’s presence in the country threatens the country’s security or safety inside or outside the country, jeopardises its national economy, public health, or morals (Section 25). Non-citizens are also required to leave Qatar if their residence permit expires or is revoked or the purpose for which it was authorised is over (Section 24).

Grounds for penal detention. Article 51 provides that a person may be fined up to 50,000 Qatari Riyals (approximately 13,700 USD) and/or jailed for up to three years for violations of: Section 2(1) (not holding valid passport/travel document and/or visa to enter Qatar); Section 3 (failure to enter/exit the country through authorised ports of entry/exit); Section 4(3) (relinquishing or disposing of visa); Section 11(2) (remaining in Qatar beyond the 30-day period without renewing the authorisation to stay or obtaining residence); Section 16(1) (staying in Qatar for a different purpose than the one for which permit was granted, leaving work with his/her recruiter, or working in unauthorised place); Section (1)-(2) (failure to leave the country when the person does not obtain residence permit or within 90 days after its expiry or revocation); Section 28(2) (breaching the reporting duties); and Section 35 (breaching the purpose for which residence permit was granted).

Employers and sponsors often retain workers’ passports and fail to provide them with a valid Qatar ID, which makes migrant workers vulnerable to charges of illegal residence or not holding valid ID. Reportedly, a common ground for detention is breaching the purpose for which residence was granted (Section 16) and posing a threat to state (Section 25), which is often applied against workers who have absconded (as they may “damage the national economy or public health or morals”).¹⁵ Fear of detention is commonly expressed among migrants who are systematically detained for charges of having an expired ID card or residency permit, or for “absconding.” The authorities frequently check the validity of ID cards of certain categories of workers (primarily in the construction and service industry) to ensure they are not “illegally residing in Qatar.” Although it is the legal responsibility of the employer to obtain the residency permit of a worker and to renew it (and in fact the worker cannot do so himself), it is the employee who is fined 10 Qatari Riyals per day for overstaying and he is the one who is punished. When workers leave one sponsor to work elsewhere (usually because they are offered a higher wage, or they are being exploited by the current sponsor), the initial employer may not agree to let them join a different company. If the workers leave without permission, the initial employer would classify them as

¹⁴ International Labour Organisation - Natlex, “Law no. 21 of 2015 Regulating the Entry and Exit of Expatriates and their Residence,” 27 October 2015, http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=102231

¹⁵ James Lynch, (Amnesty International Researcher), United Kingdom, email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 3 February 2014.

‘runaways’ or ‘absconders’ and the authorities are allowed to detain and/ or arrest them for working with a different employer.”¹⁶

Non-custodial measures (“alternatives” to administrative detention). According to Section 28(2)-(3), when the judgement of deportation cannot be implemented, the Interior Minister may oblige the non-citizen to reside in a specific place for two weeks, which could be renewed. Pending his/her deportation or repatriation, the non-citizen should address himself/herself to the security department in whose jurisdiction this specific place lies at the specific dates.

During his 2013 visit to Qatar, the UN Special Rapporteur on the human rights of migrants (SRHRM) found that “a large number of detainees” wished to return to their home countries and thus there was little risk of their absconding from removal proceedings. In these cases, he concluded, “detention is not necessary and thus a violation of that person’s rights.” The SRHRM urged Qatari authorities to always explore “alternatives to detention.” Detention should be a measure of last resort limited to cases of a risk of absconding or a threat to the person’s own or public security (§ 67 and 121).¹⁷

According to the SRHRM, additional alternative measures include housing in shelters. Such shelters were run by Qatari foundations. The Rapporteur found that the capacity in such shelters should be expanded and new shelters should be established for all migrants in difficult situations, men, women, and children (§68).¹⁸

In its recent submission to the CMW, Qatar stressed that migrant workers who contravened the provisions of the Law No. 21 but voluntarily surrendered for the purpose of leaving the country, will not be “permanently arrested.” Rather, their repatriation procedures will be smooth and their departure secured without detention.¹⁹

In 2018, the UN Committee against Torture (CAT) urged Qatar to use detention as a measure of last resort only and promote alternatives to detention.²⁰

Length of administrative detention. Under Section 28(1), the person may be detained for 30 days, which can be renewable. There is no upper maximum period of detention. During his visit, the SRHRM observed that the length of detention was variable, depending on how the sponsor chooses to deal with the situation. There were numerous cases where detention was approaching the one-year mark, and reasons for delay typically had to do with either the sponsor’s refusal to grant an exit visa or sign a “no objection certificate” to the migrant’s departure from Qatar. The Rapporteur recommended that detention be limited to the minimum necessary and a maximum time limit be established by law (§121).²¹

¹⁶ Aakash Jayaprakash (Activist), Doha, email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 30 January 2014.

¹⁷ Special Rapporteur on the Human Rights of Migrants, “Report of the Special Rapporteur on the Human Rights of Migrants, François Crépeau: Addendum: Mission to Qatar, A/HRC/26/35/Add.1,” 23 April 2014, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>

¹⁸ Special Rapporteur on the Human Rights of Migrants, “Report of the Special Rapporteur on the Human Rights of Migrants, François Crépeau: Addendum: Mission to Qatar, A/HRC/26/35/Add.1,” 23 April 2014, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>

¹⁹ State of Qatar, “Unofficial Translation: Migrant Rights to Liberty and Protection from Arbitrary Detention,” <https://www.ohchr.org/Documents/HRBodies/CMW/GC5/Qatar.docx>

²⁰ UN Committee against Torture (CAT), “Concluding Observations on the Third Periodic Report of Qatar, CAT/C/QAT/CO/3,” 4 June 2018, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>

²¹ Francois Crepeau (UN Special Rapporteur on Human Rights of Migrants), Geneva, Switzerland, Skype interview with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 20 January 2014.

In 2016, the National Human Rights Committee (NHRC) pointed to the prolonged detention of individuals in the deportation centre. The Ministry of Interior stated prolonged detention was due to illegal entry/lack of travel documents. However, migrant workers often lack travel documents because the employer has confiscated them. The length of detention may also be influenced by the time needed to purchase flight tickets. Non-citizens are expected to cover the costs of their return airfare. Authorities may arrange the airfare if the person cannot afford it but this can take a considerable amount of time. In its recent submission to the CMW, Qatar noted that the country regularly purchases tickets for migrant workers if they cannot afford it.²²

According to the U.S. State Department's 2017 Report, the country limited detention to two months for all detainees in the Deportation Detention Centre (DDC), except those facing additional financial criminal charges. The processing time for deportations ranged from two days to 10 months. There were reports that authorities delayed deportations in cases where detainees had to resolve financial delinquencies before they departed the country.²³

In 2018, the CAT urged Qatar to refrain from detaining undocumented migrants for prolonged periods and impose detention for as short a period as possible.²⁴

Procedural standards. Law No. 21 does not spell out any procedural guarantees for detainees. Reportedly, there is little possibility of challenging detention or deportation orders. This is due both to the restrictive nature of the sponsorship scheme and the fact that procedures to obtain relief from detention/deportation are not readily available to migrants. There is also no legal aid and significant language barriers. According to AI, it found only 50 successful cases in which deportation orders were challenged (out of thousands).²⁵

Following his visit, the SRHRM noted that detainees have limited ability to contact their families, limited access to legal assistance or consular services and virtually no professional interpretation services. Access to a phone was not guaranteed for those who did not have money to pay for the phone and mobile phones were confiscated. The detainees had difficulty accessing the outside world and little knowledge about complaint and appeal mechanisms. The detainees reported that it was impossible to make complaints about their detention or the conditions in detention. In general, the detainees that the Special Rapporteur met had little or no information in a language they could understand about the reasons for their detention or its duration and little or no consular access or means of challenging their detention and/or deportation (§ 64-65).²⁶

In 2018, the CAT called upon Qatar to ensure that detained foreigners, including undocumented migrants, have the right to contact the consular services of their respective country and are entitled to receive legal aid.²⁷

²² State of Qatar, "Unofficial Translation: Migrant Rights to Liberty and Protection from Arbitrary Detention," <https://www.ohchr.org/Documents/HRBodies/CMW/GC5/Qatar.docx>

²³ U.S. Department of State, "Country Reports on Human Rights Practices for 2017 – Qatar," <https://bit.ly/2ivkC45>

²⁴ UN Committee against Torture (CAT), "Concluding Observations on the Third Periodic Report of Qatar, CAT/C/QAT/CO/3," 4 June 2018, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>

²⁵ Amnesty International, "The Dark Side of Migration: Spotlight on Qatar's Construction Sector Ahead of the World Cup," November 2013, <http://www.amnesty.org/en/library/asset/MDE22/010/2013/en/ca15040d-290e-4292-8616-d7f845beed7e/mde220102013en.pdf>

²⁶ Special Rapporteur on the Human Rights of Migrants, "Report of the Special Rapporteur on the Human Rights of Migrants, François Crépeau: Addendum: Mission to Qatar, A/HRC/26/35/Add.1," 23 April 2014, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>

²⁷ UN Committee against Torture (CAT), "Concluding Observations on the Third Periodic Report of Qatar, CAT/C/QAT/CO/3," 4 June 2018, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>

Women and children. One aspect of Qatar’s immigration detention regime concerns pregnant women and their children. Reportedly, migrant women who become pregnant outside of marriage are placed in a form of detention or imprisonment during and after their pregnancies because extra-marital relationships are criminalised. Some of the women are reportedly detained with their children at Qatar’s dedicated immigration detention facility after they give birth to await deportation.²⁸ According to 2018 reports, such cases of “*zina*” law often include women who have been abused and raped. (Islamic legal tradition treats any sexual contact outside a legal marriage as a crime: “*zina*” is defined as any act of illicit sexual intercourse between a man and woman.)²⁹

During the SRHRM’s visit there were several pregnant women in the deportation centre and reportedly women with small children are routinely kept in this facility. The Rapporteur urged Qatar to refrain from detaining pregnant women, children, and families with children. Rather they should be placed in shelters (§59, 124, 125).³⁰

In 2017, the UN Committee on the Rights of the Child (CRC) urged Qatar to refrain from holding children and families with children in immigration detention facilities in line with the principles of the best interests of the child and of family unity; systematically use non-custodial measures rather than detention; and establish shelters for those categories of migrant.³¹

Detention monitoring. Both the Human Rights Department of the Ministry of Interior and the NHRC are mandated to visit sites of detention and the Committee has investigated conditions at the country’s sole specialised immigration detention facility in Doha. The regularity of these monitoring efforts is unclear. The SRHRM applauded the visits to the deportation centre by the NHRC and the Human Rights Department of the Ministry of Interior. However, he encouraged Qatar to ratify the Optional Protocol to the Convention against Torture and establish an independent national preventive mechanism tasked with undertaking regular unannounced visits to all places of deprivation of liberty in Qatar (§ 66).³²

III Places of detention and conditions.

Qatar appears to operate one dedicated immigration detention facility, commonly referred to as the Deportation Detention Centre, which is located in Doha. The facility, referred to as a **model temporary detention centre** by Qatar in its 2019 CMW submission, is administered

²⁸ Christel Mobeck (Office of UN Special Rapporteur on Human Rights of Migrants), Geneva, Switzerland, Skype Interview with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 21 January 2014.

²⁹ A. P. Santos, “Where Pregnancy Is a Prison Sentence,” *Pulitzer Center*, 16 January 2018, <https://pulitzercenter.org/reporting/where-pregnancy-prison-sentence>

³⁰ Special Rapporteur on the Human Rights of Migrants, “Report of the Special Rapporteur on the Human Rights of Migrants, François Crépeau: Addendum: Mission to Qatar, A/HRC/26/35/Add.1,” 23 April 2014, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>

³¹ UN Committee on the Rights of the Child (CRC), “Concluding Observations on the Combined Third and Fourth Periodic Reports of Qatar, CRC/C/QAT/CO/3-4,” 22 June 2017, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>

³² Special Rapporteur on the Human Rights of Migrants, “Report of the Special Rapporteur on the Human Rights of Migrants, François Crépeau: Addendum: Mission to Qatar, A/HRC/26/35/Add.1,” 23 April 2014, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>

by the Search and Follow-up Department of the Ministry of Interior.³³ It is located in the industrial area outside the city centre, on Salwa Road, and consists of one-story blocks that contain accommodation and dining quarters. Men and women are kept separate.

Non-citizens arrested for criminal offenses or convictions, which can include immigration violations, are held at the central prison in Doha. Migrants are additionally held in police stations, but police custody is usually short-term, anywhere from a few hours to 48 hours, before the person is transferred to another facility (or a shelter in the case of domestic workers who are reporting abuse).

According to the government, the detention centre is equipped with “the most up-to-date means” for the detainees, including modern and air-conditioned accommodation, health services (a special hospital inside the centre which operates around the clock), daily subsistence requirements (with special dining rooms), recreational services (sports facilities and a TV lounge), and visits for families, lawyers, and consular representatives.³⁴

On the other hand, there are reports of inadequate conditions in detention. According to the 2015 NHRC’s report, the centre was overcrowded, which affected hygiene and safety standards. It also noted that “overcrowding also creates a hostile and tense atmosphere among the detainees, according to testimonies from a group of workers who were released after being detained in the prison.” The NHRC was informed of a tragic incident whereby a fire started in the centre in September 2014, which resulted in the death of five inmates. The Ministry of Interior announced the incident the following day.³⁵

In 2017, the U.S. State Department reported that conditions in the detention centre did not generally meet international standards and that “no statute allows ombudsmen to advocate for prisoners and detainees.” In January of that year, the government expanded the capacity of the deportation centre for women to host up to 250 inmates, and provided additional access to health care, food, and recreational facilities.³⁶

Upon his 2013 visit to Qatar, the SRHRM found the centre to be overcrowded and unsanitary. According to the rapporteur’s report, “Some migrants who had been both in the central prison and the deportation centre, stated that the deportation centre had the worst detention conditions, a remark that fits with an unfortunate pattern of treating migrants with little respect for their dignity.” The Rapporteur noted a litany of other problems at the facility, including unsanitary toilets, insufficient bedding, limited access to legal assistance and consular services, no professional interpretation services, no change of clothes, shortage of basic hygienic products, lack of access to outside world, no public transportation to enable visits by family members, and inadequate access to phones. He also highlighted deficiencies in medical treatment. Many detainees were injured before being taken to detention but did not receive adequate medical attention. The detainees reported that the only medication given was aspirin, regardless of their illness. The Special Rapporteur heard stories of pregnant women not receiving prenatal care, including one who had miscarried inside the

³³ A. Gardner, S. Pessoa, and L. Harkness, “Labour Migrants and Access to Justice in Contemporary Qatar,” *London School of Economics and Political Science Middle East Centre*, November 2014, <http://www.lse.ac.uk/middleEastCentre/publications/Reports/LabourMigrantsQatarEnglish.pdf>

³⁴ State of Qatar, “Unofficial Translation: Migrant Rights to Liberty and Protection from Arbitrary Detention,” <https://www.ohchr.org/Documents/HRBodies/CMW/GC5/Qatar.docx>

³⁵ National Human Rights Committee (NHRC), “Report of the NHRC on the Situation of Human Rights in the State of Qatar and the Committee’s Activities During the Year 2014,” <https://bit.ly/2qqVRsE>

³⁶ U.S. Department of State, “Country Reports on Human Rights Practices for 2017 – Qatar,” <https://bit.ly/2ivkC45>

deportation centre. Also, reportedly, mentally ill persons had been kept in the deportation centre, with no adequate treatment.³⁷

When examining Qatar's periodic report on the implementation of the Convention against Torture in 2018, the CAT expressed its concern about the reports of poor conditions of detention in the detention centre, including inadequate sanitation, insufficient ventilation, and shortage of bedding and food. In that connection, the committee was particularly concerned by the situation of women held in this detention facility, as described by the SRHRM. The committee recommended that Qatar continue its efforts to improve the conditions of detention and alleviate the overcrowding of deportation detention facilities, including through the application of non-custodial measures.³⁸

³⁷ Special Rapporteur on the Human Rights of Migrants, "Report of the Special Rapporteur on the Human Rights of Migrants, François Crépeau: Addendum: Mission to Qatar, A/HRC/26/35/Add.1," 23 April 2014, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>

³⁸ UN Committee against Torture (CAT), "Concluding Observations on the Third Periodic Report of Qatar, CAT/C/QAT/CO/3," 4 June 2018, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/QAIndex.aspx>



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