

QATAR



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Gender Justice & The Law

DOES THE LAW ENSURE GENDER EQUALITY AND PROTECTION FROM VIOLENCE?

The colour codes indicate whether the laws comply with international human rights standards, the recommendations of the UN Committee on the Elimination of Violence against Women, and recommendations of the country's Universal Periodic Review.

YES

The law provides for gender equality and/or protection from gender-based violence and is substantially compliant with international standards. A green category does not indicate that the law is perfect or that gender justice in the relevant topic area has been fully achieved.

NO

The law does not provide for gender equality and/or there is no or minimal protection from gender-based violence.

Partly

Some gender justice aspects of the law have been addressed, but important gender inequalities remain.

No available data or inadequate information.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Qatar ratified CEDAW in 2009. Reservations were made to Articles 2(a), 9(2), 15(1), 15(4), 16(1)(a), (c), and (f). Qatar also included several declarations, including that Article 5(a) must not be understood as encouraging women to abandon their role as mothers and their role in child-rearing.

Constitution

The 2004 Constitution states that all persons are equal before the law and there shall be no discrimination whatsoever on grounds of sex, race, language, or religion.

NATIONALITY LAW

NATIONALITY

Women do not have the same rights as men to pass citizenship to their children or to a foreign spouse under the Nationality Law (Law No. 38 of 2005).

CRIMINAL LAWS

Domestic violence

There is no domestic violence legislation in Qatar.

Abortion for rape survivors

Under the Penal Code, abortion is generally illegal, except if necessary to save the life of the woman.

Female Genital Mutilation / Cutting (FGM/C)

There are no laws prohibiting FGM/C. However, FGM/C is not practiced in Qatar.

Marital rape

Marital rape is not criminalized. Due to the obedience requirement in the Family Law, cases of marital rape do not come before the courts.

Sexual harassment

Offensive remarks, sounds, or gestures against women and girls are criminalized by Article 291 of the Penal Code.

Human trafficking

Qatar adopted a comprehensive law against trafficking in 2011. The Law on Combating Human Trafficking includes penalties up to 15 years in prison and protective services for victims of trafficking

Rape (other than of a spouse)

Rape is criminalized by Article 279 of the Penal Code. The death penalty applies in aggravated circumstances, e.g., rape of a minor by a relative.

Femicide: Mitigation of penalty (so called 'honour' crimes)

Article 47 of the Penal Code allows for reduction in penalty for perpetrators of 'honour' crimes.

Sex work and anti-prostitution laws

Prostitution is prohibited by Article 298 of the Penal Code.

Exoneration by marriage

There is no 'marry-your-rapist' law in Qatar.

Adultery

Adultery is an offence under Articles 281, 282, and 285 of the Penal Code.

Sexual orientation

Sexual conduct between consenting adults outside of marriage is criminalized by Articles 281, 282, 285, and 298 of the Penal Code. Article 296 criminalizes seducing for sodomy or to commit immoral acts.

PERSONAL STATUS LAWS

Minimum age of marriage

The Family Law of 2006 establishes the minimum age for marriage as 18 for boys and 16 for girls. Judges may grant approval for marriage below these ages in exceptional cases.

Guardianship of children

Fathers are the sole guardians of children.

Male guardianship over women

Permission of a marriage guardian (wali) is required for a woman to marry. There are some legal protections for women under guardianship. The bride's guardian must conclude her marriage contract with her permission.

Custody of children

After divorce or separation, the mother retains custody of her sons until age 13 and of her daughters until age 15.

Marriage and divorce

The Family Law requires the husband to maintain the wife. The wife owes obedience to the husband. A husband can divorce by repudiation (talaq). A wife has the right to divorce on specified grounds. She can also apply for a khul'a divorce without grounds if she forgoes financial rights.

Inheritance

The Family Law defines the rules of inheritance, which follow Sharia principles. Women have a right to inheritance, but in many cases receive less than men. Daughters receive half the share that sons receive.

Polygamy

Polygamy is permitted by the Family Law.

LABOUR LAWS

Right to equal pay for the same work as men

Article 93 of the Labour Law of 2004 states that women shall be given equal remuneration to men when they do the same work and shall have the same opportunities for training and advancement as men.

Domestic workers

Domestic workers do not enjoy the same rights as workers protected by the Labour Law. The sponsorship system was abolished by Law No. 21 of 2015 and replaced with labour contracts. Law No. 15 of 2017 on Domestic Workers specifies maximum working hours, paid leave, and workplace health and safety rights.

Dismissal for pregnancy

Employers are prohibited from dismissing women because of pregnancy by Article 98 of the Labour Law.

Paid maternity leave

Under the Labour Law, women are entitled to 50 days of maternity leave, which is paid by the employer. This is less than the ILO standard of 14 weeks.

Legal restrictions on women's work

The Labour Law provides that women shall not be employed in dangerous work, arduous work, work that is detrimental to their health or morals, or other works to be specified by a Decision of the Minister. The Minister may also specify that women cannot be employed during certain times, such as at night.