



STATELESSNESS AND NATIONALITY POLICY IN QATAR



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STATELESSNESS AND NATIONALITY POLICY IN QATAR

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I. Introduction

Nationality refers to the legal bond between an individual and a state, signifying membership in a national community.¹ The concept is distinct from citizenship, which encompasses an individual's allegiance to a state and the state's recognition of that relationship under international law.² Though international law promises human rights to all, nationality status often determines an individual's ability to access rights and state resources.³ As a result, statelessness – defined by the 1954 Convention Relating to the Status of Stateless Persons (1954 Statelessness Convention) as a lack of nationality under any state's law – can result in fundamental human rights violations.⁴ At its core, statelessness is a violation of one's right to a nationality, as embodied in Article 15 of the Universal Declaration of Human Rights (UDHR),⁵ and may also trigger violations of related rights, including to legal identity, health care, education, and employment.⁶

Because statelessness manifests as a lack of legal identity, stateless individuals are often rendered effectively “invisible,” making accurate data on statelessness difficult to come by.⁷ The United Nations High Commissioner for Refugees (UNHCR) reported 4.4 million people worldwide were considered stateless or of undetermined nationality at the end of 2025.⁸ The exact number of

¹ Alice Edwards, *The meaning of nationality in international law in an era of human rights*, in NATIONALITY AND STATELESSNESS UNDER INTERNATIONAL LAW 11, 11 (Alice Edwards & Laura van Waas eds., 2014). While “there is no universally agreed upon definition of nationality,” the Permanent Court of International Justice (1922-1946) has spoken on nationality, writing that “[t]his right is necessarily limited to intervention [by the state] on behalf of its own nationals because...it is the bond of nationality between the State and the individual which alone confers upon the State the right of diplomatic protection...Where the injury was done to the national of some other State, no claim to which such injury may give rise falls within the scope of the diplomatic protection which a State is entitled to afford nor can it give rise to a claim...” *Panevezys-Saldutiskis Railway (Est. v. Lith.)*, Judgment, 1939 P.C.I.J. (ser. A/B) No. 76, at ¶ 65 (Feb. 28); The International Court of Justice more recently defined nationality as “the legal bond based on a social fact of attachment, a genuine connection of existence, interests and feelings, together with mutual rights and duties” and the “juridical expression of the fact that the individual upon whom it is conferred, either directly by the law or as the result of an act of the authorities, is in fact more closely connected with the population of the State conferring nationality than with that of any other State.” *Nottebohm Case (Liech. v. Guat.)*, Judgement, 1955 I.C.J. 4, 23 (Apr. 6).

² Citizenship law is issued by a state and is binding within it, but must only be recognized by another State under international law when “the legal bond of nationality accord[s] with the individual's genuine connection with the state which assumes the defence of its citizens by means of protection against other states.” See *Nottebohm Case (Liech. V. Guat)*, *supra* note 1, at 23; see also Kim Rubenstein, *International Citizenship: The Future of Nationality in a Globalized World*, 7 INDIANA U. J. GLOB. INT'L LEGAL STUDS. 519, 534-35 (2000).

³ *Ending Statelessness: UN Conventions on Statelessness*, U.N. HIGH COMM'R FOR REFUGEES, <https://www.unhcr.org/us/what-we-do/protect-human-rights/ending-statelessness/un-conventions-statelessness> (last visited Oct. 13, 2025).

⁴ U.N. Conference on the Status of Stateless Persons, *Convention relating to the Status of Stateless Persons*, art. 1, 360 U.N.T.S. 117 (Sept. 28, 1954) [hereinafter 1954 Statelessness Convention].

⁵ G.A. Res. 217 (III) A, Universal Declaration of Human Rights (Dec. 10, 1948), at art. 15 [hereinafter UDHR].

⁶ See U.N. High Comm'r for Refugees, *supra* note 3.

⁷ Data on stateless persons is hard to collect because those affected “frequently reside precariously on the margins of society.” See Lily Chen, Petra Nahmias, & Sebastian Steinmueller (contributors to U.N. High Comm'r for Refugees), *UNHCR Statistical Reporting on Statelessness*, UNHCR Stat. Tech. Series 2019/1 (Oct. 2019), at 1.

⁸ Data on some 4.4 million stateless people residing in 101 countries was reported at the end of 2025. See UNHCR, *Mid-Year Trends 2025* (Nov. 4, 2025) at 35.

stateless persons is unknown but estimated to be around ten million.⁹ No organization maintains comprehensive statistics about statelessness in the Middle East and North Africa (MENA) region.¹⁰

Since 2017, the Boston University International Human Rights Clinic (BU IHRC) has been working to address this information gap, producing a series of reports detailing the nationality and citizenship systems in MENA states and their efforts to prevent and address statelessness. This report considers statelessness in Qatar and offers related recommendations based on the conclusions from the research.

Qatar, like most states in the MENA region, adopts a restrictive stance on citizenship.¹¹ Qatar is home to a population of about 2.5 million persons, only about a tenth of whom are considered Qatari.¹² Although no comprehensive statistics on statelessness in Qatar exist, UNHCR estimates that as of 2025 there were 1,200 stateless persons residing in Qatar.¹³ The United States Department of State Human Rights Practices reports consistently cite a figure of about 2,500 stateless persons in Qatar.¹⁴

Qatari citizenship is transmitted on the principle of *jus sanguinis*, or the right of blood.¹⁵ Transmission is patrilineal, such that only children of Qatari fathers automatically qualify for

⁹ Chen, *supra* note 7; *Statelessness in the United States*, U.N. HIGH COMM’R FOR REFUGEES USA, <https://www.unhcr.org/us/stateless-united-states> (last visited Dec. 9, 2025).

¹⁰ Stateless people exist in almost every country and in every region of the world, yet most countries do not report statelessness data. Specifically, in most MENA countries, no statelessness data is available, despite widespread knowledge of the existence of populations without recognized nationality. *See Stateless People*, U.N. HIGH COMM’R FOR REFUGEES USA, <https://www.unhcr.org/us/about-unhcr/who-we-protect/stateless-people> (last visited Dec. 9, 2025); *Stateless persons in the MENA*, INST. ON STATELESSNESS AND INCLUSION, <https://www.worldsstateless.org/continents/middle-east-northern-africa/stateless-persons-in-the-mena> (last visited Dec. 9, 2025).

¹¹ Human Rights Council, Rep. of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, U.N. Doc. A/HRC/44/57/Add.1, at ¶ 53 (Apr. 27, 2020) [hereinafter HRC Qatar Report 2020].

¹² *Qatar*, THE WORLD FACTBOOK, <https://www.cia.gov/the-world-factbook/countries/qatar/> (last updated Dec. 3, 2025).

¹³ *Maps of Forcibly Displaced and Stateless People*, U.N. HIGH COMM’R FOR REFUGEES, <https://www.unhcr.org/refugee-statistics/insights/annexes/forcibly-displaced-maps.html> (choose “Stateless people” from dropdown; then scroll in the map over the yellow dot in Qatar) (last visited Dec. 9, 2025).

¹⁴ The U.S. Department of State Human Rights Practices Reports concerning Qatar from 2021-23 estimate there to be about 2,500 *bidoon* in Qatar. *See* U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2021 Country Reports on Human Rights Practices: Qatar (2021); U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2022 Country Reports on Human Rights Practices: Qatar (2022); U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2023 Country Reports on Human Rights Practices: Qatar (2023). The 2024 report does not make reference to statelessness. *See* U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2024 Country Reports on Human Rights Practices: Qatar (2024).

¹⁵ Noora Al-Saai, *The Kinship Model of the Qatari Nationality Law: Between State and Society*, LONDON SCH. OF ECON. (June 26, 2022) <https://blogs.lse.ac.uk/mec/2022/06/26/the-kinship-model-of-the-qatari-nationality-law-between-state-and-society/>; *قانون رقم (38) لسنة 2005 بشأن الجنسية القطرية* [Law No. (38) of 2005 Concerning Qatari Nationality], الميزان: وزارة العدل [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawView.aspx?opt&LawID=2591&language=ar> (last visited Dec. 9, 2025) [hereinafter Law No. 38 of 2005].

citizenship, further restricting the right to nationality.¹⁶ Qatar does not adhere to *jus soli*, or birthright citizenship, meaning that mere birth within Qatar's borders on its own does not entitle a child to Qatari citizenship.¹⁷

Intergenerational statelessness is also increasing due to denationalization policies enacted in 2005,¹⁸ as well as Qatar's complex naturalization requirements, which leave some unable to access their citizenship.¹⁹ Migrants – including migrant workers residing for years in the country – lack meaningful pathways to naturalization and its associated protections due to these restrictive nationality laws.²⁰ Refugees and asylum seekers face similar obstacles, including restricted, easily revoked rights and no clear pathways to citizenship.²¹ Lack of access to nationality seriously impacts the lives of migrants, refugees, and asylum-seekers, making it difficult or impossible to obtain birth registration for themselves or their children, access identification and travel documents, work legally, own or rent property, open bank accounts, or obtain drivers' licenses.²²

Based on underlying research, this Report identifies stateless persons and those at risk of statelessness within Qatar as: (1) women and children of Qatari mothers and non-Qatari fathers; (2) members of specific tribal groups who have had their nationalities revoked; (3) refugees, migrant workers, and migrants more generally; and (4) stateless Palestinians residing in Qatar.

Importantly, Qatar is party to a number of international treaties concerning the right to nationality, such as the International Covenant on Civil and Political Rights (ICCPR),²³ the International Covenant on Economic, Social, and Cultural Rights (ICESCR),²⁴ the Convention on the Rights of the Child (CRC),²⁵ the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW),²⁶ and the Convention on the Elimination of All Forms of Racial Discrimination (CERD).²⁷ Regionally, Qatar has ratified the Arab Charter on Human Rights,

¹⁶ Al-Saai, *supra* note 15.

¹⁷ Abdulaziz Ali & Logan Cochrane, *Residency and Citizenship in the Gulf: Recent Policy Changes and Future Implications for the Region*, 12 COMP. MIGRATION STUDIES, Mar. 20, 2024, at 8.

¹⁸ Law No. 38 of 2005 includes procedures for revoking citizenship. *See supra* note 15; *infra* Section IV.C.1.ii.b.

¹⁹ *See* Laura van Waas (writing for U.N. High Comm'r for Refugees), *The Situation of Stateless Peoples in the Middle East and North Africa* (Oct. 2010), at 35; Law No. 38 of 2005, *supra* note 15.

²⁰ van Waas, *supra* note 19, at 15; *see infra* Section IV.C.iii.2.

²¹ *See infra* Section IV.C.iii.2.

²² *See infra* Section V.A.iii.

²³ International Covenant on Political and Civil Rights, *opened for signature* Dec. 16, 1966, 999 U.N.T.S. 171 (entered into force Mar. 23, 1976) [hereinafter ICCPR].

²⁴ International Covenant on Economic, Social and Cultural Rights, *opened for signature* Dec. 16, 1966, 993 U.N.T.S. 3 (entered into force Jan. 2, 1976) [hereinafter ICESCR].

²⁵ Convention on the Rights of the Child, *opened for signature* Nov. 20, 1989, 1577 U.N.T.S. 3 (entered into force Sept. 2, 1990) [hereinafter CRC].

²⁶ Convention on the Elimination of All Forms of Discrimination against Women, *opened for signature* Dec. 18, 1979, 1249 U.N.T.S. 13 (entered into force Sept. 2, 1981) [hereinafter CEDAW].

²⁷ International Convention on the Elimination of All Forms of Racial Discrimination, *opened for signature* Mar. 7, 1966, 660 U.N.T.S. 195 (entered into force Jan. 4, 1969) [hereinafter CERD].

which guarantees the right to nationality.²⁸ Qatar is also a member of regional organizations, including the League of Arab States (LAS),²⁹ the Organization of Islamic Cooperation (OIC),³⁰ the Gulf Cooperation Council (GCC),³¹ and the Asian-African Legal Consultative Organization (AALCO),³² whose founding documents and declarations offer guidance on the right to nationality. Notwithstanding its international and regional obligations, Qatar's restrictive nationality laws and civil documentation processes fall short in guaranteeing that everyone entitled to a nationality in its borders can actually obtain it. Those left behind are prevented from accessing the protections, rights, and privileges associated with Qatari nationality or legal status.

This Report discusses the obligations Qatar has to populations that are stateless or at risk of statelessness within its jurisdiction. It highlights the gaps between Qatar's legal and policy framework and the regional and international standards to which it is bound, which leave certain populations unprotected and perpetuate statelessness. It then addresses reform efforts made by stakeholders, and the impact that these efforts have had. The Report concludes by providing recommendations for reducing barriers to nationality and citizenship in Qatar in order to address the problem of statelessness in the country.

II. Methodology

This Report relies on legal and factual research and editing conducted from September 2023 to December 2025. Research began with extensive desk review and analysis of the laws, policies, and practices of Qatar, corresponding international and regional laws, and a review of reports, studies, and other materials related to the demographic, legal, and political dimensions of nationality and statelessness.

The Report also reflects information gathered during discussions at a closed workshop in Qatar and through interviews conducted by the authors – a team of students and supervisors from BU IHRC – with non-governmental organizations, lawyers, and academics who provide legal aid and advocate for stateless persons in Qatar. The workshop, hosted in February 2024 in Doha, Qatar, by BU IHRC in partnership with Hamad Bin Khalifa University (HBKU) in Education City, brought together experts on nationality and citizenship rights in the Gulf region and featured a

²⁸ The Arab Charter states that “Everyone has the right to nationality. No one shall be arbitrarily or unlawfully deprived of his nationality,” but does not oblige states to provide the rights associated with it. الميثاق العربي لحقوق الإنسان [Arab Charter on Human Rights], art. 29(1), May 23, 2004, U.N. Digital Library, <https://digitallibrary.un.org/record/551368?ln=en&v=pdf> (last visited Dec. 9, 2025) [hereinafter Arab Charter on Human Rights].

²⁹ *Member States*, جامعة الدول العربية [LEAGUE OF ARAB STATES], <http://www.leagueofarabstates.net/ar/aboutlas/Pages/CountryData.aspx> (last visited Dec. 9, 2025) [hereinafter LAS Member States].

³⁰ *Member States*, ORGANIZATION OF ISLAMIC COOPERATION, <https://www.oic-oci.org/states/?lan=en> (last visited Dec. 9, 2025) [hereinafter OIC Members States].

³¹ *About the Council*, GULF COOPERATION COUNCIL, <https://www.gcc-sg.org/ar/AboutUs/Pages/FoundingDay.aspx> (last visited Dec. 9, 2025) [hereinafter About GCC].

³² *Member States*, Asian-African Legal Consultative Organization [AALCO], <https://www.aalco.int/Members> (last visited Dec. 9, 2025) [hereinafter AALCO Member States].

discussion on statelessness and its intersection with other critical issues such as migration, gender, ethnicity, and child rights.

This report is organized as follows: Part III offers a historical sketch of Qatar, presenting an overview of events that shaped Qatar's nationality laws and policies. Part IV outlines the legal framework under which Qatar operates, specifically its obligations regarding nationality and the reduction of statelessness under international, regional, and national law. Part V of the report analyzes the gaps in laws and policies related to statelessness in Qatar under three main themes: access to civil documentation (Part V.A); gender discrimination in nationality law and access to nationality (Part V.B); and refugee and migrant protections (Part V.C). Part VI discusses the efforts of various stakeholders to reduce and alleviate statelessness and broaden nationality rights. Part VII concludes by presenting recommendations designed to promote and protect equality, legal identity, inclusive citizenship, and protections for refugees and migrants in Qatar.

III. Historical and Legal Background

A. Statelessness Defined

The 1954 Statelessness Convention creates a universal definition of a “stateless person” as someone “not considered a national by any state under the operation of its law.”³³ This definition is widely accepted as a norm of customary international law (CIL).³⁴ Individuals meeting this definition are considered *de jure*, or legally, stateless,³⁵ although this phrase does not appear in any legal instrument. It instead is used to contrast the idea of “*de facto*” statelessness, which appears in the 1961 Convention on the Reduction of Statelessness (1961 Statelessness Convention),³⁶ but is not formally defined by any treaty concerning stateless persons.³⁷ “*De facto*” statelessness has been described by UNHCR as describing “persons outside the country of their nationality who are unable or, for valid reasons, are unwilling to avail themselves of the protection of that country.”³⁸ However, UNHCR discourages the use of the term *de facto* statelessness;³⁹ this report operates

³³ See 1954 Statelessness Convention, *supra* note 4, at Art. 1(1); see also U.N. High Comm’r for Refugees, *Handbook on the Protection of Stateless Persons Under the 1954 Convention Relating to the Status of Stateless Persons* 5 (2014) [hereinafter UNHCR Statelessness Handbook 2014].

³⁴ Int’l Law Comm’n, Rep. on the Work of its Fifty-Eighth Session, U.N. Doc. A/61/10, at 48-49 (2006) (noting that the definition of Article 1(1) provided by the 1954 Statelessness Convention is considered to have acquired a customary nature); see generally U.N. High Comm’r for Refugees, Guidelines on Statelessness No. 1: The definition of “Stateless Person” in Article 1(1) of the 1954 Convention Relating to the Status of Stateless Persons, U.N. Doc. HCR/GS/12/01 (Feb. 20, 2012).

³⁵ See UNHCR Statelessness Handbook 2014, *supra* note 33, at 5.

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*; But see Hélène Lambert, *Stateless Refugees*, in THE OXFORD HANDBOOK OF INTERNATIONAL REFUGEE LAW 797, 811 (Cathryn Costello, Michelle Foster, & Jane McAdam eds., 2021) (positing ‘*de facto* statelessness’ is a discredited notion).

³⁹ See generally Hugh Massey, *UNHCR and De Facto Statelessness*, UNHCR (Apr. 2010), <https://www.unhcr.org/media/no-16-unhcr-and-de-facto-statelessness-hugh-massey>.

under the assumption that the CIL definition of a stateless person does not distinguish between “*de facto*” or “*de jure*” statelessness.

Whether an individual is considered “a national by any state under the operation of its law”⁴⁰ is “authoritatively interpreted as being both a question of fact and law.”⁴¹ Individuals and populations can be “at risk” of statelessness, meaning their situation, though currently not meeting the international definition of statelessness, indicates a high probability that they could become stateless without timely intervention.⁴² Various factors can increase the risk of statelessness.⁴³ For example, a lack of access to civil documentation may prevent individuals from proving their legal ties to a state, thus placing them at risk of becoming stateless.⁴⁴ Specifically, “unperfected citizenship” (sometimes called “undocumented nationality” or “evidentiary statelessness”) refers to individuals who meet legal requirements for citizenship but are unable to complete legal registration of citizenship or otherwise prove their nationality, often because of a lack of required documentation, or separate reasons, frequently associated with discrimination.⁴⁵

This report uses “nationality” and “citizenship” interchangeably. However, it is important to note that citizenship typically denotes the rights and duties associated with a person’s legal status within a specific country – such as the right to vote or hold public office – and is determined by domestic law.⁴⁶ Nationality refers to the legal relationship between an individual and a state, grounded in international legal principles which domestic citizenship laws must follow.⁴⁷ Thus, all citizens are nationals, but not all nationals are citizens, as some legal systems, including Qatar, grant nationality via naturalization without full citizenship rights.

Qatar is not party to either of the two main international treaties concerning statelessness, the 1954 and 1961 Statelessness Conventions.⁴⁸ However, Qatar is still bound by its obligations under other

⁴⁰ See 1954 Statelessness Convention, *supra* note 4, at art. 1(1).

⁴¹ LAURA VAN WAAS ET AL., THE WORLD’S STATELESS 40 (Inst. on Statelessness and Inclusion, 2014) [hereinafter ISI THE WORLD’S STATELESS].

⁴² LEGAL AGENDA, NATIONALITY AND CASES OF STATELESSNESS IN THE MIDDLE EAST AND NORTH AFRICA 18 (Laura van Waas & Zahra Albarazi eds., 2016).

⁴³ VAN WAAS ET AL., *supra* note 41.

⁴⁴ LEGAL AGENDA, *supra* note 42, at 18.

⁴⁵ Also known as ‘undocumented nationality’ and ‘evidentiary statelessness.’ See WENDY HUNTER, UNDOCUMENTED NATIONALS BETWEEN STATELESSNESS AND CITIZENSHIP 5 (2019); see also BOSTON UNIV. SCH. OF L. INT’L HUM. RTS. CLINIC, THE CAMPAIGN TO END STATELESSNESS IN EGYPT 6 (2022) (in previous reports, the BU IHRC has used the phrase “unperfected citizenship”).

⁴⁶ *What is Citizenship?*, WAYNE STATE UNIV. CTR. FOR THE STUDY OF CITIZENSHIP, <https://csc.wayne.edu/what-is-citizenship#:~:text=A%20citizen%20is%20a%20participatory,business%20and%20attend%20public%20schools> (last visited Dec. 10, 2025).

⁴⁷ Oliver Dörr, *Nationality*, MAX PLANCK ENCYC. INT’L LAW ¶ 3 (Aug. 2019).

⁴⁸ See 1954 Statelessness Convention, *supra* note 4; U.N. Conference on the Elimination or Reduction of Future Statelessness, *Convention on the Reduction of Statelessness*, 989 U.N.T.S. 175 (Aug. 30, 1961) [hereinafter 1961 Statelessness Convention].

international and regional treaties to which it is a party, many of which guarantee the right to a nationality or access to associated rights.⁴⁹

Statelessness can arise from colonial legacies, discriminatory nationality laws, restrictive naturalization and immigration laws, and administrative barriers to civil documentation.⁵⁰ Additionally, statelessness can be passed down through generations, as individuals without a recognized nationality are often unable to confer nationality to their children.⁵¹ In some cases, restrictive documentation laws prevent individuals from registering their children's births, creating and compounding complicated cycles of statelessness reproduced through generations.⁵²

Understanding statelessness requires recognizing that it stems from a diverse range of causes, which vary across different contexts. The following sections set out the historical background and demographic factors that shape conceptions of and access to nationality in Qatar.

B. Qatari Nationality: History and Current Conceptions

Qatar's laws and policies related to nationality are informed by its history as an Ottoman territory and British protectorate, which created unequal legal and political systems that have influenced modern Qatari stances on citizenship, as well as the nomadic and tribal associations that shape Qatari ideas of identity and belonging.

i. Ottoman and British Influence

Qatar's socio-political and legal structures were shaped by successive periods of Ottoman and British control from the 16th to 20th centuries. Ottoman sovereignty over the Arab Gulf Coast was exercised through the authority of local leaders, or sheikhs, to control key strong points and protect against tribal unrest. In 1871, the Ottoman governor of Baghdad led a military expedition into Eastern Saudi Arabia, leveraging a Saudi succession dispute to separate Qatar's sheikhs from the influence of Saudi resistance and counter growing British power in the Gulf. The Al Thani sheikhs in Qatar thus submitted to Ottoman rule, establishing the administrative district that would define Qatar's modern borders.⁵³

By the late 19th century, however, administrative cutbacks weakened Ottoman influence over the region, allowing leaders like Shaik Jasim Bin Mohammed bin Thani (also known as Qasim ibn

⁴⁹ See discussion *infra* Section IV.A.1.

⁵⁰ See ISI THE WORLD'S STATELESS, *supra* note 41, at 95-96. Various factors prevent migrant populations and state nationals from accessing citizenship, such as: (1) structural forces and global trends (like identity management infrastructure, biometric identification, climate change, and economic development and inequality); (2) institutional factors (such as the private sector, state security mechanisms, representation, and government regimes); and (3) individual factors (including place of birth, race and ethnicity, socioeconomic status, and social status). See Noora A. Lori, *Statelessness, 'In-Between' Statuses, and Precarious Citizenship*, in THE OXFORD HANDBOOK OF CITIZENSHIP 745, 746 (Ayelet Shachar et al., eds., 2017).

⁵¹ ISI THE WORLD'S STATELESS, *supra* note 41, at 95-96.

⁵² *Id.* at 96.

⁵³ HABIBUR RAHMAN, THE EMERGENCE OF QATAR: THE TURBULENT YEARS, 1627-1916, 8-9 (2005).

Muhammad Al Thani) in Qatar to assert increasing independence.⁵⁴ Qatar eventually revolted against Ottoman rule, turning to Britain for protection against regional threats, including the emerging power of Saudi Arabia.⁵⁵ Simultaneously, Britain, motivated by the need to secure naval routes to India, formalized relationships with Gulf sheikhdoms in the early 19th century.⁵⁶ By 1913, the Ottoman Empire relinquished its territorial claims to Qatar and Bahrain, and Qatar became a “British-protected state” under the partial administration of the British Crown,⁵⁷ wherein Qatar’s sheikh remained the head of state but ceded control of certain aspects of sovereignty, such as foreign relations, to the British.⁵⁸

Despite a clear power imbalance, British control in Qatar could not have been established without the sheikh’s approval or support.⁵⁹ Accordingly, the British, like the Ottomans before them, chose to reinforce the authority and legitimacy of the sheikh and his family. Thus, between 1916 and the 1930s, the sheikhs retained autonomy over domestic issues, but the British directed foreign policy, limiting the access of foreign nationals and foreign states in the Gulf.⁶⁰ This coincided with the collapse of Qatar’s pearling industry, which, reliant on indentured servitude, had formerly driven a large part of the economy – employing nearly half the population in 1907.⁶¹

The bifurcated control between the sheikhs and the British led to the emergence of a Qatari legal system in which Islamic Shari’a and British common law courts operated in parallel.⁶² Under this system, British subjects, British protected persons, and foreigners from outside of the region were subject to British law and tried by British magistrates. Local issues were administered by Shari’a

⁵⁴ *Id.* at 9; Anthony Toth, *Qatar*, in PERSIAN GULF STATES: COUNTRY STUDIES 158 (Helen Chapin Metz ed., 1993).

⁵⁵ RAHMAN, *supra* note 53, at 10; Toth, *supra* note 54, at 157.

⁵⁶ RAHMAN, *supra* note 53, at 10; Toth, *supra* note 54, at 157.

⁵⁷ Toth, *supra* note 54, at 158; James Onley, *Britain and the Gulf Shaikhdoms: 1820-1971: The Politics of Protection*, at 10-13 (Occasional Paper, Geo. Univ. Sch. Foreign Serv. Qatar, 2009).

⁵⁸ Toth, *supra* note 54, at 158.

⁵⁹ See FREDERICK F. ANSCOMBE, *THE OTTOMAN GULF: THE CREATION OF KUWAIT, SAUDI ARABIA, AND QATAR* 173 (1997).

⁶⁰ See Olney, *supra* note 57, at 11, 16 (discussing British limits on foreign entry into Gulf states, including Britain’s refusal to permit the United States government to establish consulates in Gulf sheikhdoms and refusal to allow American companies to open offices in Gulf states); ROSEMARIE SAID ZAHLAN, *THE CREATION OF QATAR* 61-68 (Routledge 2016) (1979).

⁶¹ Pearling in Qatar dates back to around 4600 BCE, and in 1907 employed 48% of the Qatari population. In 1916, pearl culturing began in Japan, and these “artificial” pearls lessened the demand for the more expensive and irregular natural pearls from the Gulf. See *Pearls of Qatar, shedding light on their history, legacy, and heritage*, QATAR TOURISM (June 2, 2024), <https://www.qatartourism.com/en/news-and-media/press-releases/pearls-of-qatar-shedding-light-on-their-history-legacy-and-herit>; Mark Hobbs, *Divers are a Pearl’s Best Friend: Pearl Diving in the Gulf 1840s-1930s*, QATAR DIGITAL LIBRARY (Dec. 18, 2014), <https://www.qdl.qa/en/divers-are-pearl%E2%80%99s-best-friend-pearl-diving-gulf-1840s%E2%80%931930s>; Qatar’s pearling industry was also reliant on slavery similar to indentured servitude, where pearl divers – mostly of African, Asian, Indian, and Arab origins – were not owned, but found themselves perpetually indebted to their captains, on whom they relied for financial and other provisions. See Mark Hobbs, *Twilight of Pearl Trade Sees ‘Slave’ Divers Seek Freedoms*, Qatar Digital Library (Oct. 11, 2017), <https://www.qdl.qa/en/twilight-pearl-trade-sees-%E2%80%98slave%E2%80%99-divers-seek-freedoms>.

⁶² See Olney, *supra* note 57, at 15; A. Nizar Hamzeh, *Qatar: The Duality of the Legal System*, 30 MIDDLE E. STUD. 79, 82-83 (1994).

courts. Issues between locals and foreigners were tried before a joint court chaired by the local British political agent and a judge appointed by the sheikh of Qatar.⁶³

During the period of British protection, both the existence and importance of borders within Qatar changed, impacting approaches to freedom of movement and trade. Throughout the 1950s and 1960s, the British advocated for the creation of one federal state that would unite the Gulf sheikhdoms of Qatar, Bahrain, Abu Dhabi, Dubai, Sharjah, Ras Al-Khaimah, Fujairah, Ajman, and Umm Al Quwain. A significant challenge to independent statehood was the absence of clearly defined borders among the sheikhdoms. In nomadic pastoralist societies, like those defining the histories of Qatar and many Gulf countries, the boundaries of a sheikh's authority over people and control over resources fluctuated according to circumstances. Importantly, control over people was prioritized over precise territorial boundaries. However, some groups – such as the Bedouins, nomadic, desert-dwelling pastoralists who have held important military, political, and economic influence throughout Qatar's history – remained outside of that control. Only after the discovery of oil and the signing of petroleum exploration concessions did the Gulf states shift towards exact territorial definitions, administration, and authority over land.⁶⁴

The discovery of oil in the Gulf and the resulting emphasis on territorial control led to conflicts over borders and the resources within them, which in turn created restrictions on freedom of movement in the region.⁶⁵ For example, a 1937 oil dispute between Bahrain and Qatar over the region of al-Zubarah resulted in a complete trade and travel embargo between the two states, preventing people from moving between the two countries.⁶⁶

Similarly, the transition to an oil-based economy challenged the loosely defined concepts of citizenship fundamental to the Gulf's nomadic history, leading Qatar to codify its citizenship policies while still a British protectorate.⁶⁷ In 1951, the sheikh of Qatar issued nationality regulations defining Qatari nationals as all persons born in Qatar, except persons whose father possessed a different nationality at the time of their birth and who registered as a British subject or foreigner within the state.⁶⁸ The 1951 law also provided a relatively accessible path to naturalization following five criteria: (1) residence for five years; (2) good character; (3) sound

⁶³ See Olney, *supra* note 57, at 15; Alexandre Caeiro, *Islamic Law, Oil Wealth, and the Modern State in the Gulf: The Scope of the Sharia in Twentieth-Century Qatar*, DIE WELT DES ISLAMIS 214, 220 (2024) (Ger.).

⁶⁴ Toth, *supra* note 54, at 159; see also Malcom Peck, *Formation and Evolution of The Federation and its Institutions*, in UNITED ARAB EMIRATES: A NEW PERSPECTIVE 145, 146-47 (Ibrahim Al Abed & Paula Vine eds., 2001) (describing how borders shifted in the Gulf before British powers promoted settled boundaries).

⁶⁵ Peter Polak-Springer, *Bordering Zubara: Oil Politics, the 1937 Qatari-Bahraini Conflict, and the Making of a Modern Arabian (Persian) Gulf Borderland*, 37 J. BORDERLANDS STUD. 1071, 1072-74 (2022).

⁶⁶ *Id.*

⁶⁷ Ali & Cochrane, *supra* note 17, at 8.

⁶⁸ The Qatar Order in Council of 1949 was an agreement between the British and Qatari governments controlling, among other things, the treatment of British nationals and foreigners within the territory. Subject to the Order in Council, all British subjects and foreigners within Qatar were required to register themselves as such annually. See The Qatar Order-in-Council 1949, 13 Geo. c. 595 (Gr. Brit.).

mind and good health; (4) evidence of capacity for self-subsistence; and (5) willingness to abandon any other nationality held.⁶⁹

The 1951 regulations were replaced by Law No. 2 of 1961 (1961 Nationality Law), which, though amended in 1963 and 1966, served as the independent state's law until it was repealed in 2005.⁷⁰ This law significantly restricted access to both nationality and naturalization. It granted citizenship only to those who could prove their family lived in Qatar before 1930 and had maintained regular legal residence in the country since that time. It also changed the primary mode of citizenship transmission from *jus soli* – birthright citizenship – to a patrilineal form of *jus sanguinis*, whereby only those born to a Qatari-citizen father were eligible for citizenship. Finally, it raised the residency requirement for naturalization from five years to twenty.⁷¹

In January 1968, the British government announced its intention to withdraw from the Gulf sheikhdoms by 1971, placing pressure on Gulf rulers to finalize the political structure of their soon-to-be independent states.⁷² At the time of the British withdrawal, the Gulf states were mired in extensive border disputes, like that in al-Zubarah.⁷³ Qatar participated actively in federation discussions but expressed reservations, particularly concerning Bahrain's potential dominance, possible financial obligations towards a federation where Qatar would not play a leading role, and the difficulty of settling border disputes amongst possible federation states following the British withdrawal.⁷⁴ In contrast, Qatar's economic power, bolstered by oil revenues, made it well-suited to pursue independence. Ultimately, Qatar's political concerns and economic strength led it to pursue separate statehood, rejecting the formulation of a Gulf federation.⁷⁵

ii. The Role of Tribes

Qatar's history is characterized by the presence of nomadic pastoralists, who, when in Qatar, typically lived within its desert interior.⁷⁶ These indigenous nomadic pastoralist tribes are also referred to as the "Bedouin."⁷⁷

⁶⁹ Ruler of Qatar Sheikh Ali Bin Abdulla Al Thani issued these nationality regulations in 1951. *See* Nationality Regulations Issued by the Ruler of Qatar in 1951, NATIONAL LIBRARY AND ARCHIVES OF THE UAE, <https://www.agda.ae/en/catalogue/tna/fo/371/114728/n/7> (last visited Dec. 11, 2025).

⁷⁰ الميزان: وزارة العدل [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawView.aspx?opt&LawID=2578&language=ar> (last visited Sep. 17, 2025) [hereinafter Law No. 2 of 1961].

⁷¹ *Id.*

⁷² Olney, *supra* note 57, at 21.

⁷³ *Id.* at 19-21.

⁷⁴ Toth, *supra* note 54, at 161; Peck, *supra* note 65, at 145-47.

⁷⁵ Peck, *supra* note 65, at 150.

⁷⁶ *See* Jill Crystal, *Tribes and Patronage Networks in Qatar*, in TRIBES AND STATES IN A CHANGING MIDDLE EAST 37, 41 (2016); Donald P. Cole, *Where Have the Bedouin Gone?*, 76 ANTHROPOLOGICAL Q. 235, 238 (2003).

⁷⁷ *See* Victoria R. Williams, *Bedouin*, in INDIGENOUS PEOPLES: AN ENCYCLOPEDIA OF CULTURE, HISTORY, AND THREATS TO SURVIVAL 308, 309 (2020).

The term “Bedouin” is derived from the Arabic word “*badawi*,” translating loosely to “desert-dweller.” The name originally served to distinguish them from the “*hadr*,” or sedentary, urban populations.⁷⁸ The Bedouin often dwelled in and traveled across Qatar’s desert interior for at least part of the year, migrating from Saudi Arabia, Bahrain, and Oman.⁷⁹

The Bedouin have played a significant role in the military, political, and economic spheres in Qatar and the broader Gulf region. For example, Qatar’s ruling family, the Al Thani sheikhdom, has Bedouin roots and cemented its power in part by organizing Qatar’s tribes to repel the Ottomans in 1892.⁸⁰ Its influence among Bedouins was also a determining factor in the British government’s recognition of the Al Thani sheikhs as Qatar’s ruling family. Other Bedouin tribes, like the Bani Hajir, have continued to provide military support to Qatar’s rulers, serving in the Emir’s personal guard. Bedouin were also often hired to guard pearling settlements, one of Qatar’s main industries, during the *hadr*’s summer absence.⁸¹

Despite the Bedouins’ historical importance and ties to the ruling family, they are a historically marginalized and understudied group in the Gulf. Following Qatar’s independence from Britain, the new government sought to centralize state power, viewing the historic strength and influence of the Bedouin as a challenge to its authority.⁸² The formulation of the 1961 Nationality Law, which conditioned nationality on regular legal residence in Qatar, excluded Bedouins because of their nomadic lifestyle, despite their longstanding connections to Qatar.⁸³ As a result, many Bedouins in Qatar have been denied citizenship and, with it, access to fundamental rights and state resources.

Tension between Qatar’s tribal structure and efforts to centralize state political power are also evident in the use of nationality laws to denationalize certain Bedouin groups. In 2005, the Qatari government revoked the citizenship of 6,000 members of the al-Ghufran clan – a faction of the al-Murrah tribe – after they were alleged to have assisted the Saudi government in a 1996 coup against Qatar’s Emir. The Qatari government claimed the denationalized members had violated the nationality law by holding dual nationality with Saudi Arabia,⁸⁴ but the tribe’s members maintain that they were arbitrarily deprived of their nationality because of their clan’s alleged ties to the attempted coup.⁸⁵

Bedouins who have been excluded from Qatari citizenship or denationalized join a distinct but related group, known as the Bedoon, or “*bedoon jinsiyya*” (literally, “without nationality”).

⁷⁸ See Williams, *supra* note 77, at 309; Cole, *supra* note 76, at 237.

⁷⁹ See Williams, *supra* note 77, at 309; Crystal, *supra* note 76, at 41.

⁸⁰ See Crystal, *supra* note 76, at 41.

⁸¹ See *id.* at 40.

⁸² See *id.* at 46-48; Ali & Cochrane, *supra* note 17; Crystal, *supra* note 76, at 47-48.

⁸³ Law No. 2 of 1961, *supra* note 70.

⁸⁴ *Qatar: Families Arbitrarily Stripped of Citizenship*, HUMAN RIGHTS WATCH (May 12, 2019)

<https://www.hrw.org/news/2019/05/12/qatar-families-arbitrarily-stripped-citizenship>; see also Crystal, *supra* note 76, at 47-48.

⁸⁵ See *Qatar: Families Arbitrarily Stripped of Citizenship*, HUMAN RIGHTS WATCH, *supra* note 84.

Though Bedouin and Bedoon populations overlap today in Qatar, the terms describe fundamentally different concepts. Bedouin refers to nomadic tribal heritage, while Bedoon denotes a lack of civil and nationality documentation and legal statelessness.⁸⁶

Contemporary understandings of tribal affiliation in Qatar are transforming. Now, historically non-tribal populations are increasingly embracing an idea of tribal belonging traditionally centered on the Bedouin population. Leveraging expressions of kinship with tribes in activities like elections and National Day celebrations can serve as a tool for groups to gain access to the state and government benefits.⁸⁷ This current trend deviates from what social scientists highlight as the inherent flexibility of tribal affiliations; rather than individuals transitioning in or out of existing tribes, entire non-tribal segments of the Qatari population now reimagine themselves as distinct tribes.⁸⁸ In contrast to the historical conditions creating the tribal social structure, today's resurgence of tribalism is anchored to state-provided benefits. Here, power is partly derived from the size and influence of tribes, which grant access to "government positions, state-controlled resources, land, both elected and appointed positions,"⁸⁹ and other benefits. Thus, tribal affiliation is now a mechanism for establishing social belonging, political power, and collective identity within Qatar – one that is unavailable to foreigners.

iii. Current Conceptions and Concerns

The historical evolutions outlined above – from fluid borders and loosely-defined tribal affiliations to fixed territorial boundaries, restricted mobility and nationality, and more rigid tribal structures based in wealth and status – are reflected in contemporary conceptions of citizenship and belonging in Qatar. These conceptions increasingly emphasize exclusion from and politicization of nationality.

Qatar's current law on nationality, Law No. 38 of 2005 (2005 Nationality Law), retains the restrictive patrilineal *jus sanguinis* model of citizenship. The law adds new paths to naturalization and permanent residency status for skilled workers and students while maintaining the onerous requirements of the 1961 Nationality Law for everyone else, which has the effect of excluding the most vulnerable populations and those most at risk of statelessness.⁹⁰

⁸⁶ Charlie Dunmore & Edith Champagne, *Citizenship hopes become reality for Iraq's Bidoon minority*, UNHCR USA (Oct. 10, 2019), <https://www.unhcr.org/us/news/stories/citizenship-hopes-become-reality-iraqs-bidoon-minority>.

⁸⁷ Many Qataris report voting in elections for members of their tribes. Similarly, National Day festivities celebrate the victory of Sheikh Jassem over the disunity of conflicting tribes and invaders and are increasingly organized around such tribal conceptions, uniting the many tribes within the nation. Power in Qatar is also tied to tribal strength, which can lead to access to state-controlled resources. See A. Hadi Alshawi & Andrew Gardner, *Tribalism, Identity and Citizenship in Contemporary Qatar*, 8 ANTHROPOLOGY OF THE MIDDLE E. 46, 53-56 (2013); Cole, *supra* note 76, at 252-57.

⁸⁸ See Alshawi & Gardner, *supra* note 87, at 256.

⁸⁹ *Id.*

⁹⁰ Law No. 38 of 2005, *supra* note 15.

In most cases, for example, long-term or permanent residence in Qatar – and most other Gulf states – is tied to employment⁹¹ through the *kafala* program,⁹² a migrant worker sponsorship model in which citizen or entity sponsors, licensed by the Qatari government, contract foreign workers.⁹³ The *kafala* system is one of complex and varied dynamics, capable of producing contradictory outcomes – both of exploitation and protection – for migrant workers.⁹⁴ By tying residency status to employment, the *kafala* system creates a power imbalance between foreign workers and their Qatari sponsors that leaves workers extremely vulnerable to exploitation and can impact their ability to fully exercise their citizenship rights in their country of origin.⁹⁵ At the same time, *kafala* workers are not considered skilled workers for the purposes of naturalization under the 2005 Nationality Law, and therefore lack a viable pathway to Qatari citizenship. Thus, the *kafala* system institutionalizes the intermediation between Qataris and foreigners, creating exploitative and hierarchical relationships that demonstrate how Qatar’s legal frameworks function to make nationality exclusive. Qatar has introduced a number of reforms to its *kafala* system in recent years – some of the most significant in the Gulf – meant to eliminate the exploitation of migrant workers. However, the efficacy of these reforms remains dependent on their implementation by employment sponsors and enforcement by the state.⁹⁶

The status of Palestinians in Qatar, who lack dedicated protections and are often living in legal limbo, is also emblematic. The *Nakba* – “catastrophe” in Arabic, referring to the displacement and dispossession of over 750,000 Palestinians from their homeland during the 1948 Arab-Israeli war⁹⁷ – drove many Palestinians to seek refuge in neighboring Gulf countries. In Qatar, these and other Palestinians have been integrated mostly as economic migrants under the *kafala* system. In addition to the exploitation and other abuses suffered under the *kafala* regime, Palestinian migrants have faced multiple episodes of expulsion from Qatar and other Gulf states – oftentimes effected through the intentional non-renewal of residency permits or employment termination – based on

⁹¹ Claire Beaugrand & Helene Thiollet, *Migration Intermediation: Revisiting the Kafala (Sponsorship System) in the Gulf*, in RESEARCH HANDBOOK ON THE INSTITUTIONS OF GLOBAL MIGRATION GOVERNANCE 346 (2023), available at <https://hal.science/hal-03942824/document>. The *kafala* system has been used in all GCC countries, including Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates. See Kali Robinson, *What Is the Kafala System?*, COUNCIL ON FOREIGN RELATIONS (Nov. 18, 2022), <https://www.cfr.org/backgrounder/what-kafala-system>.

⁹² Beaugrand & Thiollet, *supra* note 91, at 346.

⁹³ Jafaar Alloul & Laavanya Kathiravelu, *Constructing Qatari Citizenship in the Shadow of the World Cup*, MIDDLE E. REP. ONLINE (Nov. 2, 2022), <https://merip.org/2022/11/constructing-qatari-citizenship-in-the-shadow-of-the-world-cup/>. The *kafala* system also traces its roots to the treatment of foreign workers and indentured servants in Qatar’s pearling industry. See Hobbs, *supra* note 61; Robinson, *supra* note 91.

⁹⁴ Beaugrand & Thiollet, *supra* note 91, at 341, 343.

⁹⁵ Effective deprivation of citizenship rights manifest in many ways for migrant workers, as sponsors manage almost all aspects of their lives, including travel costs and accommodation, which can vary from individual homes to dormitory-style lodgings. GEOFF HARKNESS, CHANGING QATAR: CULTURE, CITIZENSHIP, AND RAPID MODERNIZATION 193 (2020). Private recruitment agencies in the workers’ countries of origin also play a pivotal role in facilitating migration to Qatar, exploiting workers or charging exorbitant costs. Beaugrand & Thiollet, *supra* note 91, at 352.

⁹⁶ See Robinson, *supra* note 91.

⁹⁷ *About the Nakba*, UNITED NATIONS: THE QUESTION OF PALESTINE, <https://www.un.org/unispal/about-the-nakba/> (last visited Oct. 13, 2025); Rabea Eghbariah, *Toward Nakba as a Legal Concept*, 124 COLUMBIA L. REV. 887, 887 (2024).

changing geopolitical circumstances within the MENA region.⁹⁸ Though the 2023 Gaza War has resulted in renewed support for Palestine in Qatari foreign policy, the rights of most Palestinians within its borders remain tied to employment and the sometimes exploitative consequences of the *kafala* system.⁹⁹ Deliberately blocked from returning to their ancestral home by Israel and barred from accessing Qatari nationality via restrictive citizenship and naturalization policies, Palestinians occupy a precarious position in Qatar's citizenship regime, facing a heightened risk of statelessness and related harms.

Other contemporary events, like the 2017 GCC Crisis (also known as the “Blockade”), have exacerbated the exclusionary frameworks of nationality and citizenship in the Gulf. In June 2017, Saudi Arabia, the United Arab Emirates, Bahrain, and Egypt severed diplomatic ties with Qatar and imposed a land, air, and sea blockade on the country, accusing it of financing terrorist groups and supporting Iran, a longstanding GCC rival.¹⁰⁰ The crisis severely affected migrant workers. Many – laid off because of the Blockade's economic pressures – could not switch jobs under strict *kafala* visa requirements, obtain Qatari nationality, or return home.¹⁰¹ Accordingly, many migrant

⁹⁸ Most notably, Palestinians were expelled from Qatar after the first Gulf War. Central Intelligence Agency, *Palestinian Presence in the Persian Gulf: An Intelligence Assessment*, CIA-RDP84S00556R000300070003-4, at iv (July 1983); *Qatar: Information on the treatment of Palestinians in Qatar during and after the Gulf War*, IMMIGRATION AND REFUGEE BOARD OF CANADA (Nov. 1, 1991), <https://web.archive.archive.unhcr.org/20230520074736/https://www.refworld.org/docid/3ae6ab3d68.html>. Palestinians have been expelled from other Gulf States on multiple occasions, including from Libya in 1995 to express disapproval of Palestine-Israel peace negotiations and from Kuwait following the First Gulf War. See *Human Rights Watch Policy on the Right to Return*, HUMAN RIGHTS WATCH, <https://www.hrw.org/legacy/campaigns/israel/return/arab-rtr.htm#:~:text=More%20recent%20and%20extreme%20examples,six%20months%20to%20three%20years> (last visited Oct. 18, 2025).

⁹⁹ Most Palestinians in Qatar enter through the *kafala* system. Since the beginning of the 2023 Gaza War, Qatar has not implemented any new migration policies or programs for Palestinians. See مرسوم بقانون رقم (19) لسنة 2020 بتعديل بعض أحكام القانون رقم (21) لسنة 2015 بتنظيم دخول وخروج الوافدين وإقامتهم [Decree-Law No. (19) of 2020 amending some provisions of Law No. (21) of 2015 regulating the entry, exit and residence of expatriates, العدل الميزان: وزارة العدل [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawView.aspx?opt&LawID=8428&language=ar> (last visited Sep. 20, 2025) [hereinafter Decree-Law No. 19 of 2020]; see also IMMIGRATION AND REFUGEE BOARD OF CANADA, *supra* note 98; *The State of Qatar Reiterates Position of Supporting Palestine*, MINISTRY OF FOREIGN AFFAIRS <https://mofa.gov.qa/en/qatar/latest-articles/latest-news/details/1444/08/11/the-state-of-qatar-reiterates-position-of-supporting-palestine> (last visited Oct. 13, 2025).

¹⁰⁰ Wahiba Abu-Ras et al., *Gendered Citizenship, Inequality, and Well-Being: The Experience of Cross-National Families in Qatar during the Gulf Cooperation Council Crisis (2017-2021)*, 19 INT'L J. ENVIRON. RES. PUBLIC HEALTH 1 (2022). The GCC accused Qatar of financing groups designated as terrorists by other GCC members, including the Muslim Brotherhood, Al-Qaeda, and the Islamic State (IS). Qatar admitted to providing assistance to Islamist groups, but denied helping jihadist groups like Al-Qaeda or IS. *Qatar crisis, Saudi Arabia and allies restore diplomatic ties with emirate*, BBC (Jan. 5, 2021), <https://www.bbc.com/news/world-middle-east-55538792>.

¹⁰¹ Workers laid off reported being stranded for months despite having been issued tickets home by the Qatari government. See Haniya Javed, *The Qatar Blockade's Impact on Migrants*, CARNEGIE ENDOWMENT FOR INT'L PEACE (Aug. 28, 2018) <https://carnegieendowment.org/sada/2018/08/the-qatar-blockades-impact-on-migrants?lang=en>.

workers were left in legal limbo, without work or access to state support due to their lack of citizenship.¹⁰²

IV. Legal Framework

A. International Law

International law is binding through two principal means: customary international law (CIL) and international treaties. CIL arises from established international practice – in other words, “the consistent conduct of states acting out of the belief that the law required them to act that way.”¹⁰³ While treaties are only binding on the parties which have signed them,¹⁰⁴ CIL is binding on all states.¹⁰⁵ Treaty provisions can become CIL if they become established international practice, and thus bind even non-parties.¹⁰⁶

Qatar is party to multiple international treaties. According to Qatari law, these legal commitments are to be respected and progressively realized.¹⁰⁷ Qatar is obliged to follow CIL and the treaties to which it is a party in all matters.

i. General Recognition of the Right to Nationality

The Universal Declaration of Human Rights (UDHR) is the primary source of normative principles on international human rights which Member States of the United Nations should respect and enforce.¹⁰⁸ UDHR Article 15 provides that every individual “has the right to a nationality,”¹⁰⁹ and that “no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.”¹¹⁰ Arbitrary deprivation of nationality occurs when legislative or administrative measures lead to the automatic loss of nationality, result in “an administrative or judicial decision to deprive a person of his or her nationality,” or arbitrarily prevent a person from obtaining a

¹⁰² Many migrant workers in manufacturing and construction industries were laid off as Qatari was unable to import raw materials during the Blockade. Those laid off faced difficulty finding new jobs under their work visas, which make transferring employers challenging. *See id.*

¹⁰³ SHABTAI ROSENNE, PRACTICE AND METHODS OF INTERNATIONAL LAW 55 (1984).

¹⁰⁴ The Vienna Convention on the Law of Treaties (VCLT) provides guidance on treaty interpretation and provides that “every treaty in force is binding upon the parties to it, and must be performed by them in good faith.” Vienna Convention on the Law of Treaties, art. 26, *opened for signature* May 23, 1969, 1155 U.N.T.S. 331 (entered into force Jan. 27, 1980) [hereinafter VCLT].

¹⁰⁵ ROSENNE, *supra* note 103, at 55.

¹⁰⁶ *Id.*

¹⁰⁷ مرسوم بقانون رقم (38) لسنة 2002 بإنشاء اللجنة الوطنية لحقوق الإنسان [Decree-Law No. (38) of 2002 establishing the National Human Rights Committee], الميزان: وزارة العدل [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=13236&lawId=3998&language=ar> (last visited Sep. 28, 2025).

¹⁰⁸ While the UDHR is not a treaty, and as such is non-binding, it is considered the cornerstone of all other human rights documents. Several provisions have also become CIL. *See* Hurst Hannum, *The UDHR in National and International Law*, 3(2) HEALTH HUM. RTS. 144 (1998).

¹⁰⁹ UDHR, *supra* note 5, at art. 15(1).

¹¹⁰ *Id.* at art. 15(2).

nationality.¹¹¹ Several authoritative regional human rights systems have found that the norms enshrined in Article 15 of the UDHR have become CIL.¹¹²

Three treaties, which codify certain protections enshrined in Article 15 of the UDHR have been ratified by Qatar: the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).¹¹³ ICCPR Article 13 obligates States Parties to protect all non-nationals – which by definition includes stateless persons – from arbitrary expulsion.¹¹⁴ ICESCR Article 2(2) obligates states to ensure the rights can be exercised without discrimination of any kind, including to nationality.¹¹⁵ CERD Article 5(d)(i) specifically ensures the right to freedom of movement, Article 5(d)(ii) the right to leave and to return to one’s country, and Article 5(d)(iii) declares the right to nationality without discrimination.¹¹⁶

Qatar is not party to either of the main international treaties relating to the right to nationality: the 1954 Convention Relating to the Status of Stateless Persons¹¹⁷ or the 1961 Convention on the Reduction of Statelessness.¹¹⁸ The 1954 Convention is the primary international legal instrument for defining and regulating the rights of stateless persons.¹¹⁹ It defines a stateless person as one “not considered a national by any state” and guarantees the application of rights without discrimination on any basis.¹²⁰ The 1961 Convention builds upon the 1954 Convention by requiring States Parties to take specific steps to reduce statelessness.¹²¹

These instruments further call for safeguards such as independent review bodies, transparent procedures, and the right to a fair hearing, especially in cases where revocation of citizenship would result in statelessness.¹²²

ii. The Child’s Right to Nationality

Children are afforded special protections under international law, which are primarily enshrined in the Convention on the Rights of the Child (CRC).¹²³ Relevant protections are also enumerated

¹¹¹ Human Rights Council, Rep. of the Secretary-General on its Twenty-fifth Session, U.N. Doc A/HRC/25/28 (2013).

¹¹² BARBARA VON RUTTE, *THE HUMAN RIGHT TO CITIZENSHIP: SITUATING THE RIGHTS TO CITIZENSHIP IN INTERNATIONAL AND REGIONAL HUMAN RIGHTS LAW* 98-100 (2022).

¹¹³ ICCPR, *supra* note 23; ICESCR, *supra* note 24; CERD, *supra* note 27. Qatar ratified the ICCPR and the ICESCR on May 21, 2018, and acceded to CERD on July 22, 1976.

¹¹⁴ ICCPR, *supra* note 23, at art. 13.

¹¹⁵ ICESCR, *supra* note 24, at art. 2(2).

¹¹⁶ CERD, *supra* note 27, at art. 5.

¹¹⁷ 1954 Statelessness Convention, *supra* note 4.

¹¹⁸ 1961 Statelessness Convention, *supra* note 48.

¹¹⁹ 1954 Statelessness Convention, *supra* note 4.

¹²⁰ *Id.* at arts. 1, 24(b).

¹²¹ 1961 Statelessness Convention, *supra* note 48.

¹²² ICCPR, *supra* note 23; 1954 Statelessness Convention, *supra* note 4; 1961 Statelessness Convention, *supra* note 48.

¹²³ CRC, *supra* note 25.

in the ICCPR, namely Article 24, which guarantees the child's right to acquire a nationality and to be registered immediately after birth.¹²⁴ Qatar has not ratified a third treaty on the protection of children, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Migrant Workers Convention), which guarantees the right to nationality and registration at birth for children of migrant workers.¹²⁵

The CRC is a core international human rights treaty adopted by the UN General Assembly in 1989.¹²⁶ It establishes the fundamental rights of children and obliges States Parties to provide access to education, healthcare, and other essential services for children's well-being. Article 7 provides that every child has the right to be registered at birth, to have a name, and to acquire a nationality, "in particular where the child would otherwise be stateless."¹²⁷ Article 8 obliges States Parties to protect the child's identity, including nationality, and provide appropriate assistance to restore the child's nationality in cases of deprivation.¹²⁸

Upon ratification of the CRC on April 3rd, 1995, Qatar made a broad, general reservation limiting the application of every provision it considers incompatible with Shari'a law.¹²⁹ Under both CIL¹³⁰ and Article 51 of the CRC, States Parties cannot make reservations "incompatible with the object and purpose" of the treaty.¹³¹ Qatar eventually partially withdrew its general reservation on April 29, 2009, limiting it to just Articles 2 (prohibiting discrimination including based on nationality) and 14 (guaranteeing freedom of religion).¹³²

iii. Gender Equality in Nationality Law

Women are also afforded distinct protections under international law, codified in the ICCPR, the ICESCR, the Convention on the Elimination of All Forms of Discrimination against Women

¹²⁴ ICCPR, *supra* note 23, at art. 24.

¹²⁵ International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, art. 29, *opened for signature* Dec. 18, 1990, 2220 U.N.T.S. 3. (entered into force Jul. 1, 2003) [hereinafter Migrant Workers Convention].

¹²⁶ CRC, *supra* note 25.

¹²⁷ *Id.* at art. 7.

¹²⁸ *Id.* at art. 8.

¹²⁹ *Id.* The governments of Sweden, Denmark, Belgium and Austria entered declarations that Qatar's general reservation was invalid and contrary to international law. *Status of Treaties, Convention on the Rights of the Child*, UNITED NATIONS TREATY COLLECTION, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&clang=_en. (last visited Dec. 12, 2025).

¹³⁰ Article 19 of the VCLT states that reservations cannot defeat the "object and purpose" of a treaty. Article 19 is widely considered to have crystalized into customary international law. VCLT, *supra* note 104, at art. 19; Alain Pellet, *1969 Vienna Convention: Article 19 Formulation of reservations*, in *THE VIENNA CONVENTION ON THE LAW OF TREATIES: A COMMENTARY VOLUME 1* 427 (Olivier Corten & Pierre Klein eds., 2011).

¹³¹ CRC, *supra* note 25, at art. 51(2).

¹³² *Status of Treaties, Convention on the Rights of the Child*, UNITED NATIONS TREATY COLLECTION, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&clang=_en. (last visited Dec. 12, 2025); CRC, *supra* note 25, at arts. 2, 14.

(CEDAW), and the Convention on the Nationality of Married Women.¹³³ Qatar is not a party to the latter convention, however, which specifically safeguards against statelessness when women marry or divorce.¹³⁴

ICCPR Article 3 establishes gender equality in all political and civil rights.¹³⁵ Article 23(4) further requires States Parties to ensure equal rights between spouses before, during, and after marriage, including during divorce proceedings.¹³⁶ Qatar made reservations to both of these provisions upon accession, to the former as contrary to Article 8 of the Qatari Constitution, and to the latter as contravening Shari'a law.¹³⁷ ICESCR Article 3 provides men and women with equal rights under the Covenant,¹³⁸ including the right to pass on their nationality. Qatar made a reservation against this article, stating it conflicts with both national and Shari'a law in terms of inheritance and birth.¹³⁹

The Government of Sweden¹⁴⁰ and the United Nations Committee for Economic, Cultural, and Social Rights (ICESCR Committee)¹⁴¹ have raised concerns about Qatar's reservations to the ICCPR and the ICESCR, respectively, as contrary to the object and purpose of the treaties. These objections suggest that, although Qatar is a party to both treaties, its reservations undermine both the ICCPR and the ICESCR's core principles of equality and non-discrimination.

CEDAW is the main international instrument regarding the rights of women, including to nationality.¹⁴² Article 9(1) guarantees women equal rights with men in acquiring, changing, or retaining their nationality and Article 9(2) ensures women and men may confer their nationality to their children on an equal basis.¹⁴³

¹³³ Convention on the Nationality of Married Women, *opened for signature* Feb. 20, 1957, 309 U.N.T.S. 65 (entered into force Aug. 11, 1958).

¹³⁴ *Id.* at arts. 1-3.

¹³⁵ ICCPR, *supra* note 23, at art. 3.

¹³⁶ *Id.* at art. 23(4).

¹³⁷ Article 8 of the Qatari Constitution limits hereditary power and leadership in the ruling family to male descendants. Constitution of Qatar, 2004 art. 8. Qatar further made five statements upon accession to the ICCPR to clarify that it will interpret Articles 7, 18(2), 22, 23(2) and 27 in accordance with Shari'a and its national laws. *Status of Treaties, International Covenant on Civil and Political Rights*, UNITED NATIONS TREATY COLLECTION, https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=_en (last visited Dec. 12, 2025).

¹³⁸ ICESCR, *supra* note 24, at art. 3.

¹³⁹ *Status of Treaties, International Covenant on Economic, Social and Cultural Rights*, UNITED NATIONS TREATY COLLECTION, https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-3&chapter=4 (last visited Dec. 12, 2025).

¹⁴⁰ *Status of Treaties, International Covenant on Civil and Political Rights*, UNITED NATIONS TREATY COLLECTION, https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=_en (last visited Dec. 12, 2025).

¹⁴¹ Committee on Economic, Social and Cultural Rights, Concluding observations on the initial report of Qatar, ¶ 7, U.N. Doc. E/C.12/QAT/CO/1 (Nov. 6, 2023) [hereinafter ICESCR Committee Conclusions 2023].

¹⁴² CEDAW, *supra* note 26. Qatar ratified CEDAW on April 29, 2009.

¹⁴³ *Id.* at art. 9.

Qatar made extensive reservations to several provisions of CEDAW as inconsistent with Shari'a or Qatari law, including Article 9(2).¹⁴⁴ In its latest Concluding Observations in 2019, the Committee on the Elimination of Discrimination Against Women (CEDAW Committee) asserted that Qatar's reservations on Articles 2 and 16 are contrary to the object and purpose of CEDAW.¹⁴⁵ Under both CIL¹⁴⁶ and Article 28 of CEDAW,¹⁴⁷ States Parties cannot make reservations "incompatible with the object and purpose" of the treaty. Therefore, Qatar's reservations to these provisions are invalid. Note also that most of the States Parties to CEDAW have objected to the reservations to Art. 9(2).¹⁴⁸ Thus, they are entitled to hold Qatar to its obligations under CEDAW, including Art. 9(2), giving no effect to its reservations.¹⁴⁹

iv. Rights of and Protections for Refugees and Migrants

International treaties also govern state obligations regarding refugees and migrants – a group distinctly vulnerable to statelessness and other risks, such as violations of *non-refoulement* obligations. In Qatar, these obligations are particularly relevant to the situation of migrant workers subject to the *kafala* system, who, despite recent progressive reforms, continue to face systemic rights violations, including with respect to nationality.¹⁵⁰

The two key instruments relating to the rights of and protections for refugees and migrants are the 1951 Convention Relating to the Status of Refugees (1951 Refugee Convention) and the 1967 Protocol Relating to the Status of Refugees (1967 Refugee Protocol).¹⁵¹ The 1951 Convention outlines the rights and protections guaranteed to refugees, including those who are stateless.¹⁵² The

¹⁴⁴ *Status of Treaties, Convention on the Elimination of All Forms of Discrimination against Women*, UNITED NATIONS TREATY COLLECTION, https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtmsg_no=iv-8&chapter=4&clang=_en (last visited Dec. 12, 2025). Note too that every other GCC also made a reservation to art. 9(2). See Comm. on the Elimination of Discrimination against Women, Concluding observations on the second periodic report of Qatar, ¶¶ 9-10, U.N. Doc. CEDAW/C/QAT/CO/2 (July 30, 2019) [hereinafter CEDAW Report 2019]. Qatar's other reservations are to Articles 2(a) on hereditary transmission of authority; 15(1) and 15(4) regarding inheritance and family law; and 16(1)(a), (c), and (f) on equal rights and responsibilities in marital relations.

¹⁴⁵ CEDAW Report 2019, *supra* note 144.

¹⁴⁶ VCLT, *supra* note 104, at art. 19.

¹⁴⁷ CEDAW, *supra* note 26, at art. 28(2).

¹⁴⁸ *Status of Treaties, Convention on the Elimination of All Forms of Discrimination against Women*, UNITED NATIONS TREATY COLLECTION, https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtmsg_no=iv-8&chapter=4&clang=_en (last visited Dec. 12, 2025).

¹⁴⁹ See VCLT, *supra* note 104, at art. 19.

¹⁵⁰ See discussion *infra* Sections IV.C.iii.2, V.C.ii.

¹⁵¹ U.N. Convention relating to the Status of Refugees, *opened for signature* July 28, 1951, 189 U.N.T.S. 137 (entered into force Apr. 22, 1954) [hereinafter 1951 Refugee Convention]; Protocol relating to the Status of Refugees, *opened for signature* Jan. 31, 1967, 606 U.N.T.S. 267 (entered into force Oct. 4, 1967) [hereinafter 1967 Refugee Protocol]. It is worth noting that none of Qatar's neighboring countries in the Gulf are parties to the refugee and statelessness conventions, allegedly due to concerns about the dilution of Palestinians' right to statehood. The Arab states as a whole have maintained the position that providing citizenship to Palestinians through naturalization would undermine Palestine's national claims and the right to return – rights enshrined in United Nations General Assembly Resolution 194. G.A. Res. 194 (III), ¶ 11 (Dec. 11, 1948).

¹⁵² 1951 Refugee Convention, *supra* note 151.

1967 Protocol expands the scope of the 1951 Convention to refugees displaced after January 1, 1951.¹⁵³ Qatar has ratified neither the 1951 Convention nor the 1967 Protocol.

The 1951 Refugee Convention¹⁵⁴ and the Convention against Torture (CAT), to which Qatar acceded in 2000,¹⁵⁵ enshrine the principle of *non-refoulement*. The principle is defined under international law as the prohibition of forcible removal of any person to a country where their life or freedom would be threatened, and is considered a binding principle of CIL.¹⁵⁶ Qatar is therefore obliged not to return migrants or refugees to a country where they would face persecution, torture, death, or other cruel, inhuman, or degrading treatment or punishment.

Another important treaty, the Migrant Workers Convention,¹⁵⁷ is the only comprehensive multilateral treaty governing the rights and protections accorded to migrant workers and their families. It guarantees many rights and protections to migrant workers which serve to protect their right to nationality and the rights associated with it – including rights to residency, immunity from employer retaliation, identity and documentation, and equal protection of law and consular services when their rights are threatened. Qatar is not a party the Migrant Workers Convention.

Article 20 of the Migrant Workers Convention prohibits depriving a migrant worker of their residence permit or expelling them for failure to fulfill a part of a work contract.¹⁵⁸ Relatedly, Article 49 forbids revoking residency permits if employment ends prior to the expiration of the permit.¹⁵⁹ Article 21 makes it “unlawful for anyone, other than a public official duly authorized by law, to confiscate, destroy or attempt to destroy identity documents, documents authorizing entry to or stay, residence or establishment in the national territory or work permits.” The article also prohibits destroying passports or equivalent documents.¹⁶⁰ Article 23 grants migrant workers and their families the right to recourse and consular protection when rights accorded by the Convention are threatened.¹⁶¹ Article 24 mandates that migrant workers and their families have “the right to recognition everywhere as a person before the law.”¹⁶²

¹⁵³ 1967 Refugee Protocol, *supra* note 151.

¹⁵⁴ 1951 Refugee Convention, *supra* note 151, at art. 33(1).

¹⁵⁵ Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, *opened for signature* Dec. 10, 1984, 1465 U.N.T.S. 85 (entered into force Jun. 26, 1987) [hereinafter Convention against Torture].

¹⁵⁶ United Nations High Commissioner for Refugees (UNHCR), *Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations under the 1951 Convention relating to the Status and its 1967 Protocol* (Jan. 26, 2007), <https://www.refworld.org/policy/legalguidance/unhcr/2007/en/40854>.

¹⁵⁷ Migrant Workers Convention, *supra* note 125.

¹⁵⁸ *Id.* at art. 20.

¹⁵⁹ *Id.* at art. 49.

¹⁶⁰ *Id.* at art. 21.

¹⁶¹ *Id.* at art. 23.

¹⁶² *Id.* at art. 24.

Qatar has adopted several non-binding instruments relevant to the rights of refugees and migrants, including the New York Declaration on Refugees and Migrants (New York Declaration)¹⁶³ and the Global Compact for Safe, Orderly and Regular Migration (GCM).¹⁶⁴ The New York Declaration reaffirmed Member States' obligations to uphold the human rights of refugees and migrants, created core elements of the Comprehensive Refugee Response Framework,¹⁶⁵ and marked an agreement to work towards the GCM.¹⁶⁶ The GCM encourages strengthening measures to reduce statelessness and ensure that all migrants have adequate legal identification and documentation.¹⁶⁷ The Program of Action produced by UNHCR in relation to the GCM recognized statelessness as "both a cause and consequence of refugee movements," and encouraged Member States to accede to the 1954 and 1961 Statelessness Conventions.¹⁶⁸

B. Regional Law

The MENA region has several regional bodies which draft and enact both binding and non-binding instruments relevant to nationality and refugee rights. Qatar is a member of four: the League of Arab States (LAS), the Organization of Islamic Cooperation (OIC), the Gulf Cooperation Council (GCC), and the Asian-African Legal Consultative Organization (AALCO).

While two of the regional bodies have their own human rights monitoring bodies, neither has evaluated Qatar's compliance and both lack enforcement mechanisms.¹⁶⁹ The MENA region's lack of a comprehensive, well-enforced regional human rights system complicates the effective implementation of treaties and declarations.¹⁷⁰ Nevertheless, the instruments discussed in this section are critical in determining Qatar's obligations to protect against statelessness.

¹⁶³ The Declaration, notably, was passed unanimously by all U.N. Member States. G.A. Res. 71/1, New York Declaration for Refugees and Migrants (Sep. 19, 2016) [hereinafter New York Declaration].

¹⁶⁴ G.A. Res. 73/195, Global Compact for Safe, Orderly and Regular Migration (Jan. 11, 2019) [hereinafter Global Compact on Migration].

¹⁶⁵ These include commitments to: (1) ease pressures on host countries; (2) enhance self-reliance of refugees; (3) increase third-country solutions; and (4) support conditions for safe and dignified return to countries of origin. New York Declaration, *supra* note 163.

¹⁶⁶ *Id.*

¹⁶⁷ Global Compact on Migration, *supra* note 164, at ¶ 20.

¹⁶⁸ UNHCR, *Global Compact on Refugees* (2018), <https://www.unhcr.org/media/global-compact-refugees-booklet>.

¹⁶⁹ See discussion *infra* Section IV.B.ii on the Independent Permanent Human Rights Council.

¹⁷⁰ While the LAS adopted a proposal from Bahrain in 2014 to establish the Arab Court of Human Rights, it has since failed to secure ratification from the necessary seven states. As such, it remains unrealized. A review by the International Commission of Jurists, however, suggests that even if such a court were to exist in the form as currently proposed, it would be woefully inadequate compared to other courts in terms of the human rights standards it maintains. See Office of the United Nations High Commissioner for Human Rights (OHCHR), *The Major Regional Human Rights Instruments and the Mechanisms for their Implementation*, in HUMAN RIGHTS IN THE ADMINISTRATION OF JUSTICE: A MANUAL ON HUMAN RIGHTS FOR JUDGES, PROSECUTORS AND LAWYERS, OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (2003); INTERNATIONAL COMMISSION OF JURISTS, THE ARAB COURT OF HUMAN RIGHTS: A FLAWED STATUTE FOR AN INEFFECTIVE COURT (2015).

i. League of Arab States

The LAS is a voluntary association of 22 countries in the MENA region which enacts regional treaties.¹⁷¹

One of the principle binding LAS instruments with respect to stateless and nationality is the Arab Charter on Human Rights, which entered into force in 2008.¹⁷² The Charter creates the Arab Human Rights Committee,¹⁷³ which monitors the compliance of Arab states with their binding human rights obligations. The reporting process and mechanisms of the Arab Human Rights Committee are similar to those of UN treaty bodies.¹⁷⁴

Article 29 of the Charter guarantees the right to nationality and prohibits its arbitrary deprivation, directly drawing from the language of Article 15 of the UDHR.¹⁷⁵ The Charter requires that this right – along with all others enumerated in the Charter – be applied through “the framework of the positive discrimination established in favor of women by the Islamic Shariah, other divine laws and by applicable laws and legal instruments.”¹⁷⁶ By tying equality to “positive discrimination” rooted in Islamic Shari’a and other divine laws, the Charter permits interpretations of equality that may perpetuate gender-based restrictions rather than dismantle them. This conditional language leaves room for discriminatory practices to persist under the guise of compliance with religious or legal norms, thereby weakening the protections the Charter claims to offer women.

Further, the Charter only requires States Parties to “take such measures as they deem appropriate” to enable a child to acquire the mother’s nationality, leaving the obligation to grant nationality subject to each state’s domestic laws.¹⁷⁷ In doing so, the Charter gives individual states substantial discretion to craft nationality laws that may not meet standards set therein, or those set by their international legal obligations. However, as discussed below, subsequent LAS conferences and

¹⁷¹ LAS Member States, *supra* note 29; *League of Arab States*, U.N. DEPARTMENT FOR GENERAL ASSEMBLY AND CONFERENCE MANAGEMENT, <https://unterm.un.org/unterm2/en/view/38727503-9e12-41bd-9e0b-ccb02590ec3c> (last visited Sep. 14, 2025) [hereinafter *League of Arab States U.N. Overview*]. Qatar has been a member since 1971.

¹⁷² Arab Charter on Human Rights, *supra* note 28. Qatar ratified the Charter in 2013. Note that the 1994 Convention on Regulating Status of Refugees in the Arab Countries also contains references to persons without nationality, however only in the context of the right to return to their countries of habitual residence. It does not create any framework for stateless refugees to gain nationality. Importantly, the 1994 Convention never entered into force, and a 2018 draft revision, not publicly accessible, has likewise not yet been adopted. Arab Convention on Regulating Status of Refugees in the Arab Countries, League of Arab States (1994), <https://www.refworld.org/legal/resolution/las/1994/en/79419> (last visited Sep. 28, 2025); Dallah Stevens, *The Right to Asylum in International and Islamic Law*, REFUGEE LAW INITIATIVE: SCHOOL OF ADVANCED STUDY UNIVERSITY OF LONDON (Dec. 14, 2022), <https://rli.blogs.sas.ac.uk/2022/12/14/the-right-to-asylum-in-international-law-and-islamic-law-some-reflections/> (last visited Sep. 28, 2025); *see also Jordan makes reservations on the Arab refugee convention*, JORDAN NEWS AGENCY (July 18, 2018), https://www.petra.gov.jo/Include/InnerPage.jsp?ID=9320&lang=en&name=en_news (last visited Sep. 28, 2025).

¹⁷³ Arab Charter on Human Rights, *supra* note 28.

¹⁷⁴ Hadeel Hunaiti, *The Arab Human Right [sic] Committee: A Promising Mechanism in an Emerging Human Rights System* (2020) (Master’s thesis, University of Strasbourg) (Global Campus Open Knowledge Repository).

¹⁷⁵ Arab Charter on Human Rights, *supra* note 28, at art. 29; *see also* UDHR, *supra* note 5, at art. 15.

¹⁷⁶ Arab Charter on Human Rights, *supra* note 28, at art. 3.

¹⁷⁷ *Id.* at art. 29.

declarations make clear that the intent of the Charter is to ensure equal nationality rights for men and women, including with respect to transmission, and encourage states to enact domestic legislation that aligns with their obligations under the Charter.¹⁷⁸

The other key LAS instrument concerning the rights of stateless individuals is the Protocol for the Treatment of Palestinians in Arab States (Casablanca Protocol), adopted by the LAS in 1965.¹⁷⁹ It grants Palestinian refugees rights to residency, freedom of movement, and employment on an equal basis with citizens of States Parties.¹⁸⁰

States Parties to the Casablanca Protocol began individually removing or restricting the rights of Palestinians within their territories almost immediately after the Protocol's entry into force.¹⁸¹ In 1991 – possibly spurred by the increase in negative sentiment toward Palestinians as a result of the Palestinian Liberation Organization's (PLO) support for Iraq's 1990 invasion of Kuwait – the LAS adopted Resolution 5093, which made the legal status of Palestinians a national responsibility to be decided by each state.¹⁸² However, under the normative rules of treaty interpretation, a resolution cannot revoke a treaty.¹⁸³ Therefore, Qatar remains bound by the terms of the Casablanca Protocol.

Notably, a series of conferences, non-binding declarations, and other commitments reflect an increased commitment among Arab states to aligning domestic laws with the provisions in the Arab Charter, the Casablanca Protocol, CEDAW, and the CRC. In 2017, the LAS convened a government and civil society conference of “Arab States on Good Practices and Regional Opportunities to Strengthen Women's Nationality Rights.” The resulting Declaration was endorsed by the LAS Secretariat and called on Member States to implement core principles of the Arab Charter, CEDAW, and the CRC with respect to ensuring the rights of refugee and stateless children to a nationality and reforming nationality laws to ensure equal nationality rights for women and men.¹⁸⁴ In 2018, the LAS issued the Arab Declaration on Belonging and Legal Identity, which recognized the fundamental right to nationality and acknowledges the existence of statelessness in the MENA region.¹⁸⁵ The Arab Declaration calls upon LAS Member States to,

¹⁷⁸ See *infra* notes 184-186 and associated text.

¹⁷⁹ *Protocol for the Treatment of Palestinians in Arab States (“Casablanca Protocol”)*, REFWORLD: GLOBAL LAW AND POLICY DATABASE, <https://www.refworld.org/legal/agreements/las/1965/en/36716> (last visited Sep. 15, 2025) [hereinafter *Casablanca Protocol*].

¹⁸⁰ *Id.*; see also FRANCESCA P. ALBANESE & LEX TAKKENBERG, *PALESTINIAN REFUGEES IN INTERNATIONAL LAW* 267 (2d ed. 2020).

¹⁸¹ Abbas Shibliak, *Residency Status and Civil Rights of Palestinian Refugees in Arab Countries*, 25 J. PALESTINE STUD. at 36, 42 (Spring 1996).

¹⁸² *Id.*

¹⁸³ VCLT, *supra* note 104, at arts. 54, 56-59.

¹⁸⁴ The First Arab Conference on Good Practices & Regional Opportunities to Strengthen Women's Nationality Rights, League of Arab States Secretariat General, 1-2 October 2017 Final Declaration (Oct. 2, 2017), <https://www.refworld.org/sites/default/files/legacy-pdf/en/2017-10/5a256c4a4.pdf> [hereinafter *First Arab Conference on Good Practices & Regional Opportunities to Strengthen Women's Nationality Rights*].

¹⁸⁵ Arab Declaration on “Belonging and Legal Identity” Under the patronage of His Excellency President of the Republic of Tunisia League of Arab States, <https://www.unhcr.org/eg/sites/eg/files/legacy-pdf/Final-Ministerial->

inter alia, revise their national laws to ensure equal access to nationality and birth registration for children; guarantee the right of women to transmit their nationalities to their children; and ensure that Palestinian refugees residing in their territories have “the same social and economic rights granted their citizens.”¹⁸⁶

ii. Organization of Islamic Cooperation

The OIC in its Charter states that one of its purposes is “to promote human rights” and abide by the principles laid out in the UN Charter.¹⁸⁷ To this end, in 2011, the OIC formed the Independent Permanent Human Rights Commission (IPHRC) as a human rights reporting and support mechanism to promulgate human rights in OIC Member States.¹⁸⁸ In 2005, the OIC adopted the Covenant on the Rights of the Child in Islam (CRCI).¹⁸⁹ The IPHRC noted in 2017 that eight of the OIC’s fifty-seven Member States had signed the CRCI, only two of which had ratified it; the report does not name these states, nor do any other publicly available sources.¹⁹⁰

The CRCI provides that “[e]very] child shall, from birth, have the right to a good name, to be registered with authorities concerned, [and] to have his nationality determined.”¹⁹¹ Children of unknown descent similarly have a right to a name and nationality.¹⁹² These provisions mirror Article 7 of the CRC, which guarantees the child’s right to a nationality and to be registered at

Conference-Declaration-on-Belonging-and-Identity-English.pdf (last visited Sep. 28, 2025) [hereinafter Arab Declaration on Belonging and Legal Identity]. The Arab Declaration represents a marked difference from 1992, where statelessness was hardly mentioned during the Fourth Seminar of the Arab Experts on Asylum and Refugee Law. It was ignored entirely in the Declaration published thereafter. See Khadija Elmadmad, *An Arab Declaration on the Protection of Refugees and Displaced Persons in the Arab World: Report on the Cairo Seminar, 19 November 1992*, 6 J. REFUGEE STUD. 173, 175 (1993); see also Declaration on the Protection of Refugees and Displaced Persons in the Arab World, League of Arab States (Nov. 19, 1992), <https://www.refworld.org/legal/resolution/rri/1992/en/20477>.

¹⁸⁶ Arab Declaration on Belonging and Legal Identity, *supra* note 185.

¹⁸⁷ Charter of the Organization of Islamic Cooperation, preamble & art. 1(7), *updated on* Mar. 14, 2008, <https://bdrive.oic-oci.org/index.php/s/ww4mTX6sNKrKH24> (last visited Sep. 25, 2025). Qatar has been a member of the OIC since 1972. OIC Member States, *supra* note 30.

¹⁸⁸ Under their mandate, they may periodically report on the status, ratification, and implementation of OIC covenants. Since 2014, they have reported on 5 states: the Central African Republic, Palestine, Kashmir, Myanmar, and Armenia. See *About IPHRC*, INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION (IPHRC) OF THE ORGANIZATION OF ISLAMIC COUNCIL, <https://www.oic-iphrc.org/home/post/1> (last visited Oct. 17, 2025); see also Statute of The OIC Independent Permanent Human Rights Commission (2010), OIC/IPHRC/2010/Statute; *Reports*, INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION (IPHRC) OF THE ORGANIZATION OF ISLAMIC COUNCIL, <https://www.oic-iphrc.org/home/post/35> (last visited Oct. 17, 2025).

¹⁸⁹ Organization of Islamic Cooperation, Covenant on the Rights of the Child in Islam (June 2005), OIC/9-IGGE/HRI/2004/Rep.Final, *available at* <https://www.refworld.org/legal/agreements/oic/2005/en/19313> (last visited Oct. 17, 2025) [hereinafter CRCI].

¹⁹⁰ OIC-IPHRC 13th Session, Outcome Document of the Thematic Debate on ‘Revisiting the OIC Covenant on the Rights of the Child in Islam Reinforce the Rights of Children in Member States,’ at 2 (Apr. 19, 2017), https://oic-iphrc.org/en/data/docs/session_reports/13th/Outcome%20Document%20for%2013th%20Session.pdf (last visited Oct. 17, 2025) [hereinafter OIC-IPHRC 13th Session Outcome Document].

¹⁹¹ CRCI, *supra* note 189, at art. 7.

¹⁹² *Id.* at art. 7(3).

birth,¹⁹³ and Articles 2 and 10(2) of the 1961 Statelessness Convention,¹⁹⁴ which establish safeguards against statelessness for foundlings.¹⁹⁵

However, similarly to the Arab Charter, while the CRCI established the right to nationality, it does not create a clear and specific obligation on states to fulfil that right with respect to children born in their territories, children with non-citizen parents, or foundlings.¹⁹⁶ Further, its provisions are framed within the context of Islamic principles, allowing significant flexibility in interpretation and application by States Parties.¹⁹⁷ The IPHRC has made efforts to ensure full implementation by issuing recommendations reiterating a child's right to "lineage" and encouraging Member States to ratify the CRCI and incorporate its protections into their national laws.¹⁹⁸

The Cairo Declaration on Human Rights in Islam (Cairo Declaration), a non-binding declaration adopted by the OIC in 1990 and updated in 2020, includes similar safeguards.¹⁹⁹ Article 7(b) guarantees every child's right to a name, nationality, and registration at birth.²⁰⁰ Article 13 both maintains a universal right to nationality and prohibits its arbitrary or unlawful deprivation.²⁰¹ Similar to the Arab Declaration on Belonging and Legal Identity, the Cairo Declaration indicates a willingness by OIC Member States to contemplate stronger safeguards against statelessness.

iii. Gulf Cooperation Council

Bahrain, Kuwait, Oman, Saudi Arabia, the United Arab Emirates, and Qatar together constitute the GCC.²⁰² Founded in 1981, the Council aims to promote unity in the Gulf, making statements and issuing treaties related to economic, social, security, and environmental interests.²⁰³ These

¹⁹³ CRC, *supra* note 25, at art. 7; *see also* discussion *infra* Section VII.B.iii regarding interpretation of the CRCI.

¹⁹⁴ 1961 Statelessness Convention, *supra* note 48, at arts. 2 & 10(2).

¹⁹⁵ Foundlings are abandoned infants, found without guardians and without any known relations. *See Foundling*, BLACK'S LAW DICTIONARY (Free 2nd ed.), <https://thelawdictionary.org/foundling/#:~:text=Definition%20and%20Citations:Four>.

¹⁹⁶ Nasrin Mosaffa, *Does the Covenant on the Rights of the Child in Islam Provide Adequate Protection for Children Affected by Armed Conflicts*, 8 MUSLIM WORLD J. HUM. RTS. i, 15 (2011); Susan Akram, *The Search for Protection for Stateless Refugees in the Middle East: Palestinians and Kurds in Lebanon and Jordan*, 3 INT'L J. REFUGEE L. 407, 434 (2018).

¹⁹⁷ CRCI, *supra* note 189, at Preamble; *see also* International Humanist and Ethical Union, Oral Statement at the 42nd Session of the United Nations Human Rights Council: General Debate on Item 8 (Sep. 9-27, 2019), <https://humanists.international/advocacy-statement/the-convention-on-the-rights-of-the-child-in-islam/?lang=zh-hans> (last visited Oct. 17, 2025).

¹⁹⁸ OIC-IPHRC 13th Session Outcome Document, *supra* note 190, at 2.

¹⁹⁹ The Cairo Declaration was adopted during the 47th Session of the Council of Foreign Ministers of the Organization of Islamic Cooperation as Resolution No. 63/47-POL. Cairo Declaration on Human Rights in Islam, Nov. 28, 2020, https://www.oic-oci.org/upload/pages/conventions/en/CDHRI_2021_ENG.pdf [hereinafter Cairo Declaration]; *see also* Said Mahmoudi, *Islamic Approach to International Law*, in MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW ¶ 62 (2019).

²⁰⁰ Cairo Declaration, *supra* note 199, at art. 7(b).

²⁰¹ *Id.* at art. 13.

²⁰² About GCC, *supra* note 31.

²⁰³ *Id.*

include several statements enabling greater freedom of movement between GCC states, but only for GCC citizens with valid identity documents.²⁰⁴

In 2013, the six nations signed the first Riyadh Agreement.²⁰⁵ Seeking to eliminate causes of strife between the states, each agreed not to harbor or naturalize dissidents from any other Member State.²⁰⁶ This implicates both the right to seek asylum and nationality rights. An agreement not to harbor dissidents inherently impacts the right to seek political asylum. Considering Qatar's domestic law allows for denationalization and denaturalization²⁰⁷ and given its historic use of the law against political opponents,²⁰⁸ this is especially concerning for stateless individuals who would seek political asylum in neighboring countries.

iv. Asian-African Legal Consultative Organization

The AALCO is principally an advisory body, but also produces non-binding declarations and guidelines based on conferences between Member States.²⁰⁹ One such set of guidelines is the Bangkok Principles on Status and Treatment of Refugees, adopted in 2001.²¹⁰ The Principles recognize stateless refugees in several provisions, guaranteeing the right to return to one's country of habitual residency and prohibiting discrimination on the ground of nationality.²¹¹ However, they do not provide comprehensive protections or a pathway to citizenship for stateless refugees.

C. National Laws

i. Nationality and Civil Documentation Laws

1. Citizenship Acquisition

Qataris may acquire nationality either by right of blood (*jus sanguinis*) or through naturalization. Although Article 34 of the Qatari Constitution declares that "citizens shall be equal in public rights

²⁰⁴ الخطوات التي تم اتخاذها لتحقيق المواطنة الاقتصادية [Steps taken to achieve economic citizenship], GULF COOPERATION COUNCIL, <https://www.gcc-sg.org/ar/JointGulf/Cooperation/CommonMarket-Economicnationality/Pages/default.aspx> (last visited Sep. 21, 2025) [hereinafter GCC Statement on Economic Citizenship].

²⁰⁵ Riyadh Agreement, Nov. 24, 2013, retrieved from <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280527ea2> (last visited Sep. 21, 2025) [hereinafter Riyadh Agreement]; Craig D. Gaver, *What are the Riyadh Agreements?*, EJIL: TALK! BLOG OF THE EUROPEAN JOURNAL OF INTERNATIONAL LAW (July 1, 2020), <https://www.ejiltalk.org/what-are-the-riyadh-agreements/>.

²⁰⁶ Riyadh Agreement, *supra* note 205.

²⁰⁷ Law No. 38 of 2005, *supra* note 15.

²⁰⁸ See discussion *supra* Section III.B.ii.

²⁰⁹ About AALCO, AALCO, <https://www.aalco.int/about> (last visited Sep. 28, 2025). Qatar has been a member of the AALCO since 1976, joining twenty years after the organization's founding. AALCO Member States, *supra* note 32.

²¹⁰ The original document was drafted in 1966 and underwent many revisions before it was adopted. See *Final Text of the AALCO's 1966 Bangkok Principles on Status and Treatment of Refugees*, AALCO 40th Annual Session (June 24, 2001), <https://www.aalco.int/final%20text%20of%20bangkok%20principles.pdf> [hereinafter Bangkok Principles].

²¹¹ *Id.* at arts. I(1)(a), I(3), I(6)(iv), IV(4), VI(1).

and duties,” the rights of naturalized Qataris are undermined in several ways.²¹² Further complicating the distinction, the law is not always clear as to which citizens are entitled to which rights.

a. Jus Sanguinis

Citizenship acquisition in Qatar relies predominantly on *jus sanguinis*, a principle through which nationality is transmitted through blood as opposed to birth on the nation’s territory (*jus soli*). The 1961 Nationality Law first outlined the requirements to acquire Qatari nationality, and was partially amended by Law No. 19 of 1963.²¹³ The law was subsequently replaced with the passage of the 2005 Nationality Law.²¹⁴

The 1961 Nationality Law granted nationality to all residents of Qatar before 1930 who maintained residence, even if they were not currently residing there but intended to return.²¹⁵ It further guaranteed nationality to all those born to Qatari fathers, regardless of birthplace, through the principle of *jus sanguinis*.²¹⁶ These policies were maintained in the 2005 Nationality Law, which also allows Emiri decrees to grant nationality to individuals with proven Qatari origin as well as chosen individuals based on distinguished service or promising academic potential.²¹⁷ The law is not explicit as to whether these individuals have *jus sanguinis* nationality or naturalized status, the latter restricting access to certain citizenship rights. Citizenship may also be restored by an Emiri decision to individuals with established Qatari roots or patrilineal heritage as long as they have resided in Qatar for at least three consecutive years, earn a legitimate and sufficient income, and have a good reputation.²¹⁸ The law is silent on whether restored nationality provides all the same rights of nationality by right of blood.

The current legislation governing the registration of births is Law No. 3 of 2016.²¹⁹ Under the law, a child must be registered within fifteen days of birth.²²⁰ Timely registration and the original birth certificate are free of charge.²²¹ After fifteen days, late registration may be punished by a maximum of six months incarceration and/or a fine of 10,000 riyals.²²² If registration is delayed by more than one year, the Standing Committee for Births and Deaths decides whether the birth may be

²¹² Constitution of Qatar, *supra* note 137, at art. 34; *see also* discussion *infra* Section IV.C.i.1.b.

²¹³ Law No. 2 of 1961, *supra* note 70.

²¹⁴ Law No. 38 of 2005, *supra* note 15, at art. 25.

²¹⁵ Law No. 2 of 1961, *supra* note 70, at art. 1. Such citizens may be called “original” citizens. *See* BTI Transformation Index, *Qatar Country Report 2024*, <https://bti-project.org/en/reports/country-report/QAT> (last visited Sep. 20, 2025).

²¹⁶ Law No. 2 of 1961, *supra* note 70, at art. 2.

²¹⁷ Law No. 38 of 2005, *supra* note 15, at arts. 1, 6.

²¹⁸ *Id.* at art. 7.

²¹⁹ الوفيات المواليد قيد تنظيم بشأن 2016 لسنة (3) رقم قانون [Law No. (3) of 2016 regulating registration of birth and deaths], الميزان [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawPage.aspx?id=6963&language=ar> (last visited Oct. 16, 2025) [hereinafter Law No. 3 of 2016].

²²⁰ *Id.* at art. 4.

²²¹ *Id.* at art. 5.

²²² *Id.* at art. 40.

registered.²²³ The Committee's decision may be appealed once to the Minister of Interior.²²⁴ If the Minister does not decide within thirty days, the application is implicitly rejected.²²⁵

The Public Health Minister Decision No. 45 of 2023 further clarifies the requirements of registration.²²⁶ For children born to Qatari parents, several documents are necessary: (1) copies of the parents' valid identification; (2) their marriage certificate; (3) the child's vaccination card with the health number; and (4) a notification of the live birth from the hospital where the child was born.²²⁷ For children born to Qatari fathers and non-Qatari mothers, applicants also require a certificate from the Ministry of the Interior approving the marriage. An exception is made for non-Qatari mothers from GCC countries, as they are not considered foreigners under the law regulating marriage to foreigners.²²⁸ Court decisions dictate the birth registration of foundlings and illegitimate children on a case-by-case basis and in consideration of Shari'a law.²²⁹ Registered foundlings are considered naturalized Qataris, as opposed to Qataris by right of blood.²³⁰

Children born to non-Qatari parents may have their births registered upon showing valid identification, valid residence permits, or entry visas (not required for citizens of GCC countries), and a copy of their marriage certificate.²³¹ However, a birth certificate alone does not provide nationality or prove citizenship. Furthermore, due to the documentation requirements for birth registration, children of denationalized tribes may not be registered, resulting in unperfected citizenship.²³² The same may be true of foundlings and illegitimate children not registered by courts.

Personal numbers, known as Qatar ID numbers (QID), are delegated to every resident of Qatar – both Qatari and non-Qatari – and recorded on birth certificates and personal identity cards.²³³

²²³ *Id.* at art. 28.

²²⁴ *Id.* at art. 30.

²²⁵ *Id.*

²²⁶ [Public Health Minister Decision No. 45 of 2023 issuing the executive regulations of Law No. (3) of 2016 regulating registration of birth and deaths], *الميزان: وزارة العدل* [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawView.aspx?opt&LawID=9557&TYPE=PRINT&language=ar> (last visited Oct. 16, 2025) [hereinafter Public Health Minister Decision No. 45 of 2023]; *see also Issuance of Birth Certificate*, SHAREK: MINISTRY OF PUBLIC HEALTH, <https://www.sharek.gov.qa/en/articles/ministry-of-public-health/issuance-of-birth-certificate/679b651e22938a05a01e5d23> (last visited Oct. 16, 2025).

²²⁷ Public Health Minister Decision No. 45 of 2023, *supra* note 226, at art. 2.

²²⁸ *Id.*; *see also* discussion *infra* Section IV.C.ii.

²²⁹ The Orphan Care Center, to whom law dictates foundlings should be left, files applications on behalf of foundlings. *See* Law No. 3 of 2016, *supra* note 219, at arts. 12 & 13; *see also* Public Health Minister Decision No. 45 of 2023, *supra* note 226, at art 6.

²³⁰ Law No. 38 of 2005, *supra* note 15, at art. 2.

²³¹ Public Health Minister Decision No. 45 of 2023, *supra* note 226, at art. 2.

²³² *See supra* note 45 and associated text (explaining the concept of “unperfected citizenship”).

²³³ Abdullah Hasham, *Qatari ID Number Explained: What your QID Code Really Means*, QATARNAVIGATE (Apr. 24, 2025), <https://qatarnavigate.com/qatar-id-number-meaning/> (last visited Nov. 4, 2025); *see also* *الوزراء مجلس قرار* [Cabinet Resolution No. (6) of 1995 regarding the consideration of the personal identity card or personal number recorded on the birth certificate as the sole official document for proving identity], *الميزان: وزارة العدل* [AL MEEZAN: MINISTRY OF

Personal identity cards are required for every resident of Qatar over the age of sixteen and state the individual's nationality.²³⁴ They are required to access most services, including healthcare, work permits, banking, and school enrollment.²³⁵ After digits indicating birth year, three digits indicate nationality using ISO 3166-1 country codes.²³⁶

b. Naturalization

The 2005 Nationality Law, like its 1961 predecessor, also contains stipulations for naturalization.²³⁷ Naturalization is the only pathway to citizenship for people who do not meet the requirements of *jus sanguinis* nationality, however, it does not confer equal citizenship rights.

A maximum of fifty individuals per year may be naturalized by Emiri decree, and they must meet the stringent requirements outlined in Article 2 of the 2005 Nationality Law.²³⁸ First, applicants must be lawful, continuous residents of Qatar for a minimum of twenty-five years.²³⁹ Any periods spent outside of Qatar greater than two months are discounted from this calculation. Residence is voided if the applicant leaves Qatar for more than six months at any point in the process. Second, applicants must possess a sufficient, legally obtained, income;²⁴⁰ the law does not specify what constitutes a sufficient income. Applicants must have a good reputation and cannot have any criminal convictions that would call into question their honor or integrity.²⁴¹ Finally, applicants must have a sufficient command of Arabic.²⁴²

These same requirements are placed on children born to Qatari mothers and non-Qatari fathers who wish to acquire their mother's Qatari citizenship, although they are given priority.²⁴³ They also have easier access to permanent residency without needing to meet the other strict requirements for a residency permit.²⁴⁴ Underaged children of naturalized men are granted naturalization at the same time as their father; any potential future children are likewise granted naturalization at birth.²⁴⁵ Foundlings, who are treated as though they were born in Qatar unless

JUSTICE], <https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=5218&lawId=1702&language=ar> (last visited Nov. 4, 2025).

²³⁴ الميزان: وزارة العدل [Law No. (37) of 2005 amending some provisions of Decree-Law No. (5) of 1965 concerning personal identity cards], <https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=9513&lawId=2590&language=ar> (last visited Nov. 4, 2025).

²³⁵ Hasham, *supra* note 233.

²³⁶ *Id.*

²³⁷ Law No. 38 of 2005, *supra* note 15, at art. 2.

²³⁸ *Id.* at arts. 2, 17.

²³⁹ *Id.* at art 2(1).

²⁴⁰ *Id.* at art. 2(2).

²⁴¹ *Id.* at art. 2(3).

²⁴² *Id.* at art. 2(4).

²⁴³ *Id.* at art. 2.

²⁴⁴ الميزان: وزارة العدل [Law No. 10 of 2018 regarding permanent residency], <https://www.almeezan.qa/LawPage.aspx?id=7737&language=ar> (last visited Oct. 13, 2025) [hereinafter Law No. 10 of 2018], at arts. 1, 2(1).

²⁴⁵ *Id.* at art. 4; *see also* Law No. 38 of 2005, *supra* note 15, at art. 2.

there is proof to the contrary, are naturalized by court decision.²⁴⁶ The law says nothing about children of naturalized Qatari mothers.

Women marrying Qataris are eligible for naturalization after five years of marriage.²⁴⁷ If they divorce or she becomes widowed before the five years, she may still naturalize provided a child has come from their union and she continues to live in Qatar for the remainder of the requisite five years.²⁴⁸ However, the Minister of the Interior can also postpone her application for an indefinite number of one-year periods.²⁴⁹ Foreign wives of naturalized Qataris wishing to naturalize must show that they are dependent on their husbands and have resided with them for at least five years in Qatar after their naturalization.²⁵⁰ Men who marry Qatari women are not specifically granted any eligibility or priority to naturalize under the law.

Naturalized Qataris – including naturalized children of Qatari mothers and non-Qatari fathers – do not enjoy the same full rights as Qataris who are nationals by right of blood.²⁵¹ The law is not always clear whether providing the rights of Qataris apply to both naturalized and *jus sanguinis* Qataris. Under the 2005 Nationality Law, naturalized Qataris are not given the same employment rights as Qataris who are nationals by right of blood for the first five years after they naturalize. Furthermore, they cannot access housing loans for the first fifteen years and are prohibited from voting, running for office, or being appointed to a legislative body.²⁵²

Law No. 10 of 2018 regulates permanent residency in Qatar, a pre-requisite to naturalization.²⁵³ The number of permanent residency applications is capped annually at 100.²⁵⁴ This cap applies to children of Qatari mothers and non-Qatari fathers, individuals with unperfected citizenship in Qatar, and foreign-born persons alike.

Applicants for permanent residency must: (1) have resided in Qatar lawfully and consecutively for twenty years if born outside of Qatar, or ten years if born in the state;²⁵⁵ (2) satisfy minimum income requirements, unless they were born in Qatar or have resided there for more than fifty years;²⁵⁶ (3) have “good reputation” and have no convictions that would call into question their

²⁴⁶ Law No. 38 of 2005, *supra* note 15, at art. 2.

²⁴⁷ *Id.* at art. 8.

²⁴⁸ *Id.*

²⁴⁹ *Id.*

²⁵⁰ *Id.* at art. 5.

²⁵¹ HRC Qatar Report 2020, *supra* note 11, at ¶ 53.

²⁵² Law No. 38 of 2005, *supra* note 15, at art. 16.

²⁵³ Law No. 10 of 2018, *supra* note 244.

²⁵⁴ Although the law allows the cap to be raised separately each year, in 2020, a U.N. Special Rapporteur established this allotment was still 100. *See* HRC Qatar Report 2020, *supra* note 11, at ¶ 55; Law No. 10 of 2018, *supra* note 244, at art. 4.

²⁵⁵ *See* Law No. 10 of 2018, *supra* note 244, at art. 1(1).

²⁵⁶ For employees in the government sector, the basic monthly salary must be greater than 20,000 Qatari Riyals; for employees in the private sector, the gross monthly salary must be greater than 30,000 Qatari Riyals. Applicants who are investors must have an actual investment, in company assets or reflected on the balance sheet, in Qatar of at least one million Qatari Riyals. Military personnel are also exempted from this requirement. *See* بالإقامة وحالات الاستثناء منه [Cabinet Resolution No. (7) of 2019] قرار مجلس الوزراء رقم (7) لسنة (2019) بتحديد الحد الأدنى لقيمة الدخل لطالبي الترخيص

honor or integrity, unless “reputation has been restored;”²⁵⁷ and (4) have an adequate command of Arabic.²⁵⁸

Exempted from these criteria are: “(1) children of a Qatari woman married to a non-Qatari man; (2) the non-Qatari husband of a Qatari woman; (3) the non-Qatari wife of a Qatari man; (4) children of Qataris by naturalization; (5) those who have rendered distinguished services to the State; [and] (6) [p]eople with special competencies needed by the State.”²⁵⁹ For the first three, the marriages must be viewed as legal in Qatar.²⁶⁰ Nothing in the law indicates that these individuals do not still need to go through the application process for a permanent residency card.²⁶¹

Permanent residency²⁶² comes with certain privileges, including access to public healthcare and education on par with Qatari nationals until the age of eighteen,²⁶³ ownership of real estate,²⁶⁴ and the ability to establish commercial businesses without the need for a Qatari partner.²⁶⁵ These same privileges may also extend to minor children and spouses of permanent residency card holders.²⁶⁶ Card carriers may also leave and return to Qatar at will during its validity period.²⁶⁷

2. Loss of Citizenship

The 2005 Nationality Law also enumerates the circumstances under which a Qatari national may lose citizenship.²⁶⁸ Denationalization – or “revocation,” as defined by the 2005 Nationality Law – applies to persons whose nationality by right has been stripped. Denaturalization – or “withdrawal” – applies to persons who were granted nationality through naturalization. The grounds for each are different, but both are carried out by Emiri decision and result in a loss of citizenship and potential statelessness.

Citizenship by right may be revoked due to: (1) continued participation in the military forces of another country after being asked to leave; (2) employment by a country with which Qatar is at war; (3) affiliation with “any body, organization, association or group whose purpose is to

specifying the minimum income requirement for applicants for permanent residency and the cases of exception thereto], الميزان: وزارة العدل [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=18484&lawId=7939&language=ar> (last visited Oct. 29, 2025).

²⁵⁷ Law No. 10 of 2018, *supra* note 244, at art. 1(3).

²⁵⁸ *Id.* at art. 1(4).

²⁵⁹ *Id.* at art. 2.

²⁶⁰ *Id.*; see also *infra* Section IV.C.ii.

²⁶¹ Applications are submitted to the Permanent Residency Card Granting Committee, which evaluates applications before sending recommendations to the Minister of the Interior. The Minister then decides whether to grant the applicant a card, and retains the power to cancel or withdraw cards if the conditions under which it was granted change or if it is in the public interest. See Law No. 10 of 2018, *supra* note 244, at arts. 3, 11.

²⁶² *Id.* at art. 3.

²⁶³ *Id.* at art. 7.

²⁶⁴ *Id.* at art. 9.

²⁶⁵ *Id.* at art. 8.

²⁶⁶ *Id.* at art. 7.

²⁶⁷ *Id.* at art. 5.

²⁶⁸ Law No. 38 of 2005, *supra* note 15, at arts. 11, 12.

undermine the social, economic, or political structure of Qatar;” (4) conviction of a crime that impugns loyalty to the State of Qatar; or (5) acquisition of the nationality of another country.²⁶⁹

The grounds for withdrawal of naturalization are broader still and include: (1) fraudulent naturalization, either their own or assisting in someone else’s; (2) conviction in a final judgment of offenses related to honor and integrity; (3) removal from a public position due to an irrevocable disciplinary decision or order related to honor or integrity; and (4) cessation of residence in Qatar for more than a year without valid justification.²⁷⁰

Decisions of removal or withdrawal cannot be appealed, and there are no legal remedies for individuals who have been stripped of their Qatari nationality.²⁷¹

ii. Marriage Laws

In the explanatory memorandum to the Qatari Constitution, family is described as the “basis of society.”²⁷² Marriage certificates, necessary for the birth registration of children born in Qatar and as potential avenues of naturalization, are particularly significant.²⁷³ Under the 2005 Nationality Law, women marrying Qataris who are nationals by right of blood or through naturalization may be granted Qatari nationality by special, less stringent provisions.²⁷⁴ Law No. 21 of 1989 regulating marriage to foreigners provides further insight and complications to the acquisition of nationality by children and spouses in families of mixed or unperfected citizenship.²⁷⁵

Law No. 21 perpetuates gendered nationality by placing more stringent requirements on Qatari men marrying foreign wives. Under Article 2, the man in question cannot have been divorced more than once prior to this engagement and the age difference between the bride-to-be and the Qatari potential groom must be appropriate.²⁷⁶ The overlapping requirements between Article 2 (relating to Qatari men marrying foreigners) and Article 4 (relating to Qatari women marrying foreigners) list that potential spouses must: (1) be free of sexually transmitted diseases; (2) not have any convictions in Qatar which challenge morality; (3) not be barred from Qatar; and (4) be financially viable, although this condition extends only to the male counterparts in each proposed union.²⁷⁷

²⁶⁹ *Id.* at art. 11.

²⁷⁰ *Id.* at art. 12.

²⁷¹ See *Qatar: Families Arbitrarily Stripped of Citizenship*, HUMAN RIGHTS WATCH, *supra* note 84.

²⁷² Constitution of Qatar, *supra* note 137, at 79.

²⁷³ See *supra* Section IV.C.i.1.

²⁷⁴ Law No. 38 of 2005, *supra* note 15.

²⁷⁵ قانون رقم (21) لسنة 1989 بشأن تنظيم الزواج من الأجانب [Law Decree No. (21) of 1989 Regarding the Regulation of Marriage to Foreigners], العدل وزارة: الميزان [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=8702&lawId=2555&language=ar> (last visited Sep. 28, 2025) [hereinafter Law No. 21 of 1989].

²⁷⁶ *Id.* at art. 2.

²⁷⁷ *Id.* at arts. 2, 4.

Unlike inter-Qatari marriages, mixed-nationality marriages must be approved by the Minister of the Interior.²⁷⁸ Article 6 requires that the marriage be endorsed by the Minister, and Article 9 states that if no response is received for an application, the silence is to be interpreted as a rejection.²⁷⁹ Article 6 further reiterates principles in the 2005 Nationality Law, which provide that although children of Qatari mothers are given priority in seeking naturalization, they are not automatically naturalized at birth.²⁸⁰

Three amendments have been made to Law No. 21 of 1989. The first, Law No. 11 of 1994, changes the exceptions to the women who count as “foreign” under the law.²⁸¹ Women of other GCC nationalities,²⁸² cousins and nieces of Qataris, and the daughters of Qatari women are exempted from the requirements of Article 2.²⁸³ Women who meet these exceptions and who do not otherwise require approval of the Minister of the Interior must still obtain approval from their legal guardian.²⁸⁴ The second amendment, Law No. 8 of 2005, establishes a Committee to process the requests of Qatari-foreign marriages, and submit its recommendations to the Minister of the Interior for approval.²⁸⁵ The third amendment, Law No. 13 of 2015, adjusts provisions related to the Committee’s membership and remuneration.²⁸⁶

These regulations reinforce the gender disparities in Qatar’s nationality and citizenship framework, as women are disproportionately disadvantaged compared to men in conferring rights to their spouses and children.

²⁷⁸ *Id.* at art. 8; *see generally* قانون الأسرة 2006 بإصدار قانون الأسرة [Law No. (22) of 2006 issuing the Family Law], الميزان: وزارة العدل [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawPage.aspx?id=2558&language=ar> (last visited Sep. 28, 2025) [hereinafter 2006 Family Law].

²⁷⁹ Law No. 21 of 1989, *supra* note 275, at arts. 6, 9.

²⁸⁰ *Id.* at art. 6; Law No. 38 of 2005, *supra* note 15, at art. 2.

²⁸¹ Law No. (11) of 1994 [Law No. (11) of 1994 amending some provisions of Law No. (21) of 1989 regulating marriage to foreigners], الميزان: وزارة العدل [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=139&lawId=23&language=ar> (last visited Sep. 28, 2025) [hereinafter Law No. (11) of 1994].

²⁸² Member States of the GCC include Bahrain, Kuwait, Oman, Saudi Arabia, the United Arab Emirates, and Qatar. *See About GCC*, *supra* note 31.

²⁸³ Law No. 21 of 1989, *supra* note 275, at art. 1.

²⁸⁴ *Id.* at art. 4.

²⁸⁵ Law No. (8) of 2005 [Law No. (8) of 2005 amending some provisions of Law No. (21) of 1989 regulating marriage to foreigners], الميزان: وزارة العدل [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=3162&lawId=422&language=ar> (last visited Sep. 28, 2025) [hereinafter Law No. 8 of 2005].

²⁸⁶ Law No. (23) of 2015 [Law No. (23) of 2015 amending some provisions of Law No. (21) of 1989 regarding the regulation of marriage to foreigners], الميزان: وزارة العدل [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=16937&lawId=6688&language=ar> (last visited Nov. 4, 2025).

iii. Immigration Laws for Refugees and Migrants

1. Political Asylum

In 2018, Qatar passed Law No. 11 of 2018 on the Regulation of the Political Asylum (2018 Asylum Law), establishing the state's legal framework for granting political asylum.²⁸⁷ The law is the first among the Gulf States to establish such procedures for those seeking asylum within its borders.²⁸⁸ Its definition of a political refugee is somewhat similar to that of the 1951 Refugee Convention, but with significant differences:

Every person outside his/her state of nationality, or the state in which his/her habitual residence is situated if he/she is stateless, and who cannot or does not wish to return to it because of a justified fear of exposure to the risk of being sentenced to death, corporal punishment, torture, brutal or degrading treatment or persecution because of his/her race, religion, belonging to a particular social group or political views.²⁸⁹

Like the 1951 Refugee Convention, Qatar's law includes a *non-refoulement* obligation.²⁹⁰

Cabinet Resolution No. 12 of 2019 Specifying the Categories Granted the Right to Political Asylum dictates the categories of people who can be granted political asylum, including human rights defenders, media correspondents, writers and researchers, government officials, and persons belonging to political parties, religious sects, or ethnic minorities, who face persecution because of their status.²⁹¹

Under the 2018 Asylum Law, asylees are granted the right to obtain travel documents, employment, healthcare, education, housing, freedom of worship, and access to legal recourse.²⁹² The Council of Ministers Decision No. 13 of 2019 expounds upon these rights and the specific privileges accompanying them to which asylees are entitled.²⁹³ Those granted political asylum are forbidden from engaging in political activities and do not have the right of political participation.²⁹⁴

²⁸⁷ الميزان: وزارة العدل [Law No. 11 of 2018 regulating political asylum], <https://www.almeezan.qa/LawView.aspx?opt&LawID=7738&language=ar> (last visited Dec. 12, 2025) [hereinafter 2018 Asylum Law].

²⁸⁸ HRC Qatar Report 2020, *supra* note 11, at ¶ 58.

²⁸⁹ 2018 Asylum Law, *supra* note 287, at art. 1.

²⁹⁰ *Id.*

²⁹¹ Council of Ministers Decree NO. 12 | 2019, available at <https://www.eastlaws.com/legislation-full-text/en/qatar/19-05-2019/no-12?type=1&id=4760367> (last visited Dec. 12, 2025) [hereinafter Cabinet Resolution No. 12 of 2019].

²⁹² Law No. 11 of 2018, *supra* note 244, at art. 9.

²⁹³ Council of Ministers Decision No. 13 of 2019 on Specifying the Conditions and Controls of Privileges and Rights Enjoyed by the Political Refugee, الميزان: وزارة العدل [AL MEEZAN: MINISTRY OF JUSTICE], [https://www.almeezan.qa/EnglishLaws/Council%20of%20Ministers%20Decision%20No.%20\(13\)%20of%202019%20on%20Specifying%20the%20Conditions%20and%20Controls%20of%20Privileges%20and%20Rights%20Enjoyed%20by%20the%20Political%20Refugee.pdf](https://www.almeezan.qa/EnglishLaws/Council%20of%20Ministers%20Decision%20No.%20(13)%20of%202019%20on%20Specifying%20the%20Conditions%20and%20Controls%20of%20Privileges%20and%20Rights%20Enjoyed%20by%20the%20Political%20Refugee.pdf) (last visited Dec. 12, 2025) [hereinafter Council of Ministers Decision No. 13 of 2019].

²⁹⁴ Law No. 11 of 2018, *supra* note 244, at art. 11.

The law also establishes the Committee for Political Refugees Affairs within the Ministry of Interior which is responsible for evaluating applications for political asylum.²⁹⁵ The Committee receives applications through individual departments or via UNHCR and then makes recommendations to the Minister of the Interior.²⁹⁶ The Minister then issues final decisions regarding asylum applications.²⁹⁷ No clear criteria for the Committee or Minister's assessment of applications is provided.²⁹⁸ Additionally, the Minister can grant asylum-seekers temporary residence status until a decision is made. The law does not explain whether an asylum seeker granted temporary residence status is entitled to the same benefits as permanent residents or those accorded refugee status.²⁹⁹

Importantly, the law provides applicants an opportunity to "raise grievance" against rejected applications.³⁰⁰ However, no appeals process before a judge or tribunal is available, and appeals must be made directly to the Minister. A lack of response to the appeal within a thirty-day period is considered a final rejection to the application. The Minister is not required to provide justification for rejection of the application.³⁰¹ This degree of individual discretion – combined with the possibility that silence may function as rejection and lack of required justification – risks leaving individuals who have valid asylum claims without protection.

Individuals may have their refugee status revoked and be subject to deportation in specific instances, including when "the reasons for political asylum have ceased and the return to his/her original state became feasible."³⁰² This determination is made at the discretion of the Minister upon consultation with the Committee. Individuals may raise a grievance against a deportation decision according to the procedure detailed above but are not entitled to an explanation or an official appeal before a court.³⁰³ Importantly, neither the 2018 Asylum Law nor the Council of Ministers Decision No. 13 of 2019 provides a pathway to naturalization or citizenship for those granted refugee status.

2. Migrant Workers

Act No. 21 of 2015 on the entry, exit and residency of expatriates and the amendments contained in Decree-Law No. 19 of 2020 are the primary rules of national legislation regulating the status

²⁹⁵ *Id.* at art. 4.

²⁹⁶ *Id.* at art. 5.

²⁹⁷ *Id.* at art. 7.

²⁹⁸ *Id.*

²⁹⁹ *Id.* at art. 6.

³⁰⁰ *Id.* at art. 8.

³⁰¹ *Id.*

³⁰² Deportation can be ordered if: (1) asylum is proven to have been granted on the basis of forged documents; (2) it is proven the individual granted asylum is under the protection of another state of which they are a national; (3) reasons for asylum have ceased; (4) the individual granted asylum obtains Qatari nationality; or (5) if the individual returns to a state outside of which they became a resident. *Id.* at art. 12(1).

³⁰³ *Id.* at art. 14.

and rights of migrant workers in Qatar.³⁰⁴ Decree-Law No. 19 provides for a safer environment for migrant workers by abolishing the “No-Objection Certificate” (NOC), an employer-issued document that up to that time had been required in order for an employee to change employers.³⁰⁵ Prior to the adoption of Decree-Law No. 19, NOCs had been a pivotal aspect of Qatar's *kafala* system for foreign workers, giving employers practically complete control over workers. Although NOCs are no longer required, there is evidence that employers have found other methods of preventing their employees from leaving.³⁰⁶

Law No. 13 of 2018 removed the requirement of exit permits for migrant workers covered under Qatar’s labor law, allowing workers the freedom to exit the country without prior authorization from their employers.³⁰⁷ Ministerial Decree No. 95 of 2019 expanded this right to workers in certain sectors not covered under the labor law.³⁰⁸ Still, eligible employees do not include construction workers, who represent a large portion of *kafala* workers;³⁰⁹ military personnel;³¹⁰ or domestic employees, who are still required to notify their employers at least 72 hours before their departure.³¹¹ Some “critical employees” – a status that may be granted to no more than 5% of an employer’s workforce – are also excluded from the list.³¹²

³⁰⁴ The law uses “expatriates” to mean foreigners, including all migrants and non-Qatari people. Decree-Law No. 19 of 2020, *supra* note 99; Law No. 21 of 2015 Regulating the Entry, Exit and Residence of Expatriates, وزارة العدل: المعزان [AL MEEZAN: MINISTRY OF JUSTICE], https://www.refworld.org/sites/default/files/2024-07/law_no_21_of_2015_regulating_the_entry_exit_and_residence_of_expatriates.pdf (last visited Dec. 13, 2025) [hereinafter Act. No. 21 of 2015].

³⁰⁵ *Id.*; see also *Labour Reform*, مكتب الاتصال الحكومية [GOVERNMENT COMMUNICATIONS OFFICE], <https://www.gco.gov.qa/en/focus/labour-reform/> (last visited Sep. 20, 2025) [hereinafter Qatar Press Release on Labor Reform].

³⁰⁶ See discussion *infra* Section V.C.ii.

³⁰⁷ Law No. 13 of 2018 states covered workers may “temporarily exit the country, or for good, at any time throughout the duration of his/her employment contract without an exit permit.” قانون رقم (13) لسنة 2018 بتعديل بعض أحكام القانون رقم (21) لسنة 2015 بتنظيم دخول وخروج الوافدين وإقامتهم [Law No. (13) of 2018 amending some provisions of. Law No. (21) of 2015 regulating the entry, exit and residence of expatriates], وزارة العدل: المعزان [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawArticles.aspx?LawArticleID=76440&LawID=7756&language=ar> (last visited Nov. 4, 2025) [hereinafter Law No. 13 of 2018].

³⁰⁸ The decree grants the “right to temporary or permanent departure from the country during the term of their employment contract” to: (1) workers employed in ministries and other governmental organs and public institutions with the exception of those working in military bodies; (2) workers in the oil and gas sector, or in affiliated companies; (3) workers employed at sea within Qatar’s territorial waters; (4) workers in agriculture and grazing; and (5) workers employed in private offices. Like Decree-Law No. 19 of 2020, this law uses “expatriates” to mean all foreigners, including migrants. See قرار وزير الداخلية رقم (95) لسنة 2019 بشأن ضوابط وإجراءات خروج بعض فئات الوافدين من غير الخاضعين لقانون العمل [Interior Minister Decision No. (95) of 2019 regarding the controls and procedures for the exit of some categories of expatriates who are not subject to the Labor Law], وزارة العدل: المعزان [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawView.aspx?opt&LawID=8221&language=ar> (last visited Sep. 20, 2025) [hereinafter Ministerial Decree No. 95 of 2019].

³⁰⁹ *Id.* at art. 1; see also *infra* note 506.

³¹⁰ Ministerial Decree No. 95 of 2019, *supra* note 308, at art. 1; see also Qatar Press Release on Labor Reform, *supra* note 305.

³¹¹ Ministerial Decree No. 95 of 2019, *supra* note 308, at art. 2.

³¹² *Id.* at art. 1.

These laws represent progressive, significant reforms to the *kafala* system that make it one of the more protective – at least by law – migrant worker regimes globally.³¹³ However, enforcement of these reforms has been somewhat limited, leaving intact critical restrictions on workers’ mobility and freedom.³¹⁴

V. Gaps in Law, Policy and Protections

Qatar’s legal framework relating to nationality, while modernized in some respects, continues to reinforce systemic exclusion for some of the most vulnerable populations within its borders. Stateless individuals, children of Qatari mothers and non-Qatari fathers, and migrant workers – many of whom have lived in Qatar for decades – remain structurally marginalized by laws and policies that deny them access to full citizenship, security, and equal protection.

A. Nationality and Civil Documentation

i. Identification and Civil Documentation

Access to identification and civil documentation in Qatar is fundamental to the realization of nationality and citizenship rights. These documents – while not evidence of nationality in and of themselves³¹⁵ – validate legal identity and determine an individual’s right to reside in Qatar, access vital public services and protections, and participate in civic and economic life.³¹⁶ For those without proper documentation – such as stateless persons, undocumented migrants, or children born outside recognized legal frameworks – the lack of legal status results in systemic exclusion from core services and protections.³¹⁷ This section outlines the legal definitions and administrative processes underpinning access to civil documentation, and analyzes how systemic barriers to access for vulnerable populations contribute to broader patterns of exclusion and statelessness.

There are three main forms of identification documents (IDs) in Qatar: birth certificates, residence permits, and the QID. Birth certificates are required documentation to access vital services,

³¹³ See Act No. 21 of 2015, *supra* note 304; Decree-Law No. 19 of 2020, *supra* note 99; Law No. 13 of 2018, *supra* note 307; Ministerial Decree No. 95 of 2019, *supra* note 308. Qatar’s reforms are among “the most advanced” in the GCC. Ryszard Cholewinski, *Understanding the Kafala Migrant Labor System in Qatar and the Middle East at Large*, with ILO Senior Migration Specialist Ryszard Cholewinski, GEORGETOWN J. OF INT’L AFFS. (Feb. 1, 2023), <https://gjia.georgetown.edu/2023/02/01/the-kafala-system-a-conversation-with-ryszard-cholewinski/>; see also Mule Rohit Ashok, *Reforming the Kafala System: An Unfinished Agenda*, 19 IUP J. INT’L RELS. 56, 62, 64 (2025).

³¹⁴ The benefits of Qatar’s labor reform initiatives – including the removal of NOCs and exit permits, as well as wage protection measures – have been criticized on the bases of “their late introduction, narrow scope, and weak enforcement.” *World Report 2025: Qatar*, HUMAN RIGHTS WATCH, <https://www.hrw.org/world-report/2025/country-chapters/qatar> (last visited Nov. 4, 2025). In 2024, the Shura Council proposed an effective reinstatement of exit permits, requiring domestic workers to obtain permission from their employers before leaving the country. See *Qatar 2024*, AMNESTY INTERNATIONAL (2024), <https://www.amnesty.org/en/location/middle-east-and-north-africa/middle-east/qatar/report-qatar/>.

³¹⁵ Law No. 38 of 2005, *supra* note 15, at art. 22.

³¹⁶ Zahra R. Babar, *The Cost of Belonging: Citizenship Construction in the State of Qatar*, 68 MIDDLE E. J. 403, 405-406 (2014).

³¹⁷ *Id.* at 419-20.

including health care, education, and social services,³¹⁸ as well as other forms of ID like the QID and a Qatari passport.³¹⁹ In cases where the father is a Qatari national, the QID of both parents is required in order to register the child. In cases where the parents are not Qatari, both parents' passports or entry visas are required.³²⁰ In either case, the parents must also show a valid marriage certificate recognized by the Qatari authorities.³²¹

A residence permit is the primary legal authorization for a non-citizen to live in Qatar. Linked to the sponsorship of an employer, spouse, or parent, the permit enables access to a QID and government services and confers a legal status essential for daily life.³²² Failure to hold a valid permit may result in administrative penalties, including fines, detention, and deportation.³²³

The QID card is a mandatory identification document for all Qatari citizens and legal residents, regardless of age,³²⁴ and serves as a gateway to access essential government services, including education, healthcare, employment, and banking.³²⁵ Importantly, parents must have a QID in order to register their child.³²⁶ For Qatari nationals, the card is issued automatically upon registration at birth or upon the acquisition of citizenship.³²⁷ Non-nationals require a valid

³¹⁸ See Salma K. Al-Kaabi et al., *Improving the Birth Registration Service Using Kotter's Change Model: A Quality Improvement Study from Qatar*, 2 GLOB. J. ON QUALITY & SAFETY HEALTHCARE 98 (2019).

³¹⁹ بطاقة شخصية / إستمارة جواز سفر [PASSPORT/ID CARD APPLICATION FORM], MINISTRY OF INTERIOR OF QATAR, <https://portal.moi.gov.qa/wps/wcm/connect/4803a275-a2f4-416b-8d81-7ed3d48d6fcd/Passport+or+ID+Card+Application.pdf?MOD=AJPERES> (last visited Nov. 3, 2025).

³²⁰ Public Health Minister Decision No. 45 of 2023, *supra* note 226, at art. 2; see also Salma K. Al-Kaabi et al., *supra* note 318.

³²¹ Public Health Minister Decision No. 45 of 2023, *supra* note 226, at art. 2; HM Passport Office, *Qatar: Knowledge Base profile*, GOV. U.K., <https://www.gov.uk/government/publications/qatar-knowledge-base-profile/qatar-knowledge-base-profile> (May 1, 2024).

³²² Haya Al-Nuaimi, *Qatar ID Application Guide 2025: Easy Steps and Requirements*, QATAR VISA CHECK (Mar. 6, 2025), <https://qatarcheck.com/qatar-id-application/>.

³²³ Law no. 4 of 2009 Regarding Regulation of the Expatriates Entry, Departure, Residence and Sponsorship, وزارة العدل: المعزان [AL MEEZAN: MINISTRY OF JUSTICE], <https://www.almeezan.qa/LawPage.aspx?id=2611&language=en> (last visited Dec. 13, 2025) [hereinafter Law No. 4 of 2009]; *Residence Permit procedures must be completed within 30 days of entry into the country*, DELOITTE (Feb. 26, 2024), <https://www.deloitte.com/middle-east/en/services/tax/perspectives/residence-permit-procedures-must-be-completed-within-30-days-of-entry-into-the-country.html>.

³²⁴ Françoise De Bel-Air, *Irregular Migration in the Gulf States: What Data Reveal and What They Conceal*, in SKILLFUL SURVIVALS: IRREGULAR MIGRATION TO THE GULF 36-37 (2017), <https://gulfmigration.grc.net/media/pubs/book/BookChapters/GLMM%20-%20IM%20Volume%20-%20Chapter%20III%20-%20Extract%20-%202017-05-16.pdf>.

³²⁵ Huda Ata, *Qatar replaces health cards with National ID for citizens*, GULF NEWS (Sep. 12, 2025), <https://gulfnnews.com/world/gulf/qatar/qatar-replaces-health-cards-with-national-id-for-citizens-1.500266861>.

³²⁶ *Id.*

³²⁷ De Bel-Air, *supra* note 324, at 36-37.

residence permit in order to obtain the card.³²⁸ They must also complete additional requirements, including medical examinations and biometric registration, before they can be issued a QID.³²⁹

ii. Barriers to Obtaining Legal Documentation

1. Children

Qatar systematically violates its regional and international obligations to guarantee children a nationality and access to birth registration. Under Qatari law, only Qatari men can automatically pass citizenship to their children.³³⁰ By contrast, children of Qatari mothers and foreign fathers must meet strict conditions to even apply for citizenship, and many face long delays with no guarantee of success – even after years of residency, education, and employment in Qatar.³³¹ These discriminatory provisions deprive Qatari mothers of the legal right to confer nationality to their children and severely restrict their ability to independently secure legal identity documents for their children, thus perpetuating the cycle of statelessness.³³²

Bureaucratic requirements such as the Ministry of Interior’s approval for registering marriages between Qatari women and non-citizens further compound documentation barriers.³³³ In practice, these legal constraints create cascading effects: children born within such marriages often lack the foundational documentation required for identity registration, schooling, healthcare access, and eventual nationality claims.³³⁴ As a result, the legal documentation regime not only fails to redress historical exclusion but reproduces statelessness across generations.

Children of non-Qatari parents – including migrant workers, undocumented residents, and stateless individuals – face significant legal and procedural hurdles in having their births registered and obtaining essential documentation. Although Qatar has made strides toward digitizing and simplifying the birth registration process, access still hinges on the availability of specific documents such as valid residence permits, passports, and marriage certificates.³³⁵ Many families,

³²⁸ *U.S. Visa: Reciprocity and Civil Documents by Country: Qatar*, U.S. DEPARTMENT OF STATE, <https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country/Qatar.html> (last visited Dec. 12, 2025). Non-Qatari, non-permanent residents, such as *kafala* workers, are also eligible for residence permits, but are beholden to their employers for renewal. See *Qatar: Significant Labor and Kafala Reforms*, HUMAN RIGHTS WATCH (Sep. 24, 2020), <https://www.hrw.org/news/2020/09/24/qatar-significant-labor-and-kafala-reforms>.

³²⁹ *International Employment Law: Qatar*, PAUL HASTINGS (Jan. 28, 2025), <https://www.paulhastings.com/insights/practice-area-articles/qatar>.

³³⁰ See *Qatar: Residency Reform Doesn’t End Gender Bias*, HUMAN RIGHTS WATCH (Aug. 4, 2017), <https://www.hrw.org/news/2017/08/04/qatar-residency-reform-doesnt-end-gender-bias>.

³³¹ See Rothna Begum, *Qatar’s Permanent Residency Law a Step Forward but Discrimination Remains*, HUMAN RIGHTS WATCH (Sep. 11, 2018), <https://www.hrw.org/news/2018/09/11/qatars-permanent-residency-law-step-forward-discrimination-remains>; UNHCR, BACKGROUND NOTE ON GENDER EQUALITY, NATIONALITY LAWS AND STATELESSNESS (2025), https://www.refworld.org/sites/default/files/2025-03/background_note_on_gender_equality_nationality_laws_and_statelessness_-_2025-v357.pdf.

³³² See Begum, *supra* note 331.

³³³ *Id.*

³³⁴ *Id.*

³³⁵ See *Issuance of Birth Certificate*, *supra* note 226.

especially those from marginalized groups, cannot meet these requirements due to restrictive immigration laws, employer control under the *kafala* system, or the parents' undocumented status.³³⁶ Children born out of wedlock or to parents with irregular legal status are particularly vulnerable, as their births may go unregistered, leaving them without a birth certificate or recognized legal identity.³³⁷ In the case of children born to Qatari mothers and non-Qatari fathers, legal gaps and vague provisions further complicate access to nationality and related documentation, placing them at continued risk of exclusion despite long standing residence and strong ties to the country.³³⁸ These barriers violate Qatar's obligations under its regional and international commitments – namely, the Arab Charter, the CRCI, and the CRC – to ensure access to birth registration and nationality.³³⁹

The inability to access valid documentation or perfect nationality also impacts access to other core rights, especially for children of migrant workers, stateless children, and children born out of wedlock. For example, while Qatar's Law No. 25 of 2001 mandates free education for all children through secondary school, in practice, this right is not universally upheld.³⁴⁰ Children without valid documentation – such as a QID, birth certificate, or parental marriage certificate – face difficulty enrolling in school.³⁴¹ Administrative requirements often assume both legal paternity and legal residency, effectively excluding undocumented children, children born to unmarried parents, or children of migrant workers who lose their legal status due to job termination or expired residency permits.³⁴² The lack of a birth certificate or recognized residency status often means children cannot enroll in public schools or continue education beyond the secondary level, regardless of academic performance.³⁴³

³³⁶ See Nouf M. Al-Kaabi, *Gendered Citizenship: The Case of the Children of a Qatari Mother and a Non-Qatari Father*, 14-21 (2022) (M.A. thesis, Hamad bin Khalifa University) (ProQuest).

³³⁷ See OHCHR, *Use of digital technologies to achieve universal birth registration*, ¶ 28, U.N. Doc. A/HRC/59/61 (Apr. 25, 2025).

³³⁸ See Nouf M. Al-Kaabi, *supra* note 336, at 16-24).

³³⁹ The Committee on the Rights of the Child, however, published in its 2025 report that Qatar continues to restrict nationality rights. Committee on the Rights of the Child, *Concluding observations on the combined fifth and sixth reports of Qatar*, ¶ 26, U.N. Doc. CRC/C/QAT/CO/5-6 (Jul. 11, 2025) [hereinafter *Committee on the Rights of the Child Concluding Observations 2025*].

³⁴⁰ Law No. 25 of 2001 Mandatory Education, وزارة العدل: المعزان [Al Meezan: Ministry of Justice], <https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=12939&lawId=3973&language=en> (last visited Dec. 13, 2025) [Law No. 25 of 2001]; *Qatar: Submission to the UN Committee on the Rights of the Child: 95th Pre-Session*, HUMAN RIGHTS WATCH (Feb. 15, 2023), <https://www.hrw.org/news/2023/02/15/qatar-submission-un-committee-rights-child> [hereinafter *Qatar Submission to the UN Committee on the Rights of the Child*].

³⁴¹ Law No. 25 of 2001, *supra* note 340; Qatar Submission to the UN Committee on the Rights of the Child, *supra* note 340; see also *Official Documents*, MINISTRY OF INTERIOR: STATE OF QATAR, <https://portal.moi.gov.qa/wps/portal/MOIInternet/services/inquiries/others/officialdocuments> (last visited Dec. 12, 2025).

³⁴² Qatar Submission to the UN Committee on the Rights of the Child, *supra* note 340.

³⁴³ See Maryam Khalid, *Higher Education Accessibility for Migrants in Qatar: A Gendered Analysis* (2023) (M.A. thesis, Hamad bin Khalifa University) (ProQuest).

Even among documented non-citizen children, access to public education is limited. Public schools primarily serve Qatari nationals and a small subset of permanent residents.³⁴⁴ As a result, most non-citizen families must enroll their children in private institutions, where tuition fees are prohibitively high, especially for low-wage migrant workers.³⁴⁵ When wage delays occur – a frequent issue under the *kafala* system – parents may be forced to withdraw their children from school.³⁴⁶ The limited availability of affordable schools is yet another serious consequence of barrier to civil documentation.³⁴⁷

Documentation disparities also frequently surface in healthcare access for children. While Qatari law guarantees healthcare for all children, in practice undocumented or stateless children face significant barriers to healthcare.³⁴⁸ Birth registration is a prerequisite for accessing many public services, including the issuance of health cards.³⁴⁹ However, since registration requires both parents' valid documents and a marriage certificate, many vulnerable families are effectively excluded.³⁵⁰ If a child is born out of wedlock, for example, the lack of a marriage certificate could prevent the child from being able to acquire a health card and access healthcare, absent a discretionary court order under Shari'a law.³⁵¹

Additional barriers exist due to fear of criminal repercussions, such as imprisonment of the mother under the charge of *zina* (illicit sexual relations), which often includes survivors of rape.³⁵² Imprisonment and illegitimacy for the child is only avoided if the parents choose to get married, potentially forcing women and their children into precarious, otherwise unwanted marriages.³⁵³ Undocumented children often face difficulties accessing vaccinations and primary healthcare, particularly if their parents are reluctant to engage with government systems out of fear of detection and deportation.³⁵⁴ They are excluded from routine immunizations and state-funded healthcare programs, jeopardizing their long-term well-being.³⁵⁵

³⁴⁴ See DOMINIC J. BREWER ET AL., EDUCATION FOR A NEW ERA: DESIGN AND IMPLEMENTATION OF K-12 EDUCATION REFORM IN QATAR 24 (RAND Corporation, 2007).

³⁴⁵ Qatar Submission to the UN Committee on the Rights of the Child, *supra* note 340.

³⁴⁶ “How Can We Work Without Wages?”, HUMAN RIGHTS WATCH (Aug. 24, 2020), <https://www.hrw.org/report/2020/08/24/how-can-we-work-without-wages/salary-abuses-facing-migrant-workers-ahead-qatars>.

³⁴⁷ Qatar Submission to the UN Committee on the Rights of the Child, *supra* note 340.

³⁴⁸ *Id.*

³⁴⁹ *Health Card*, PRIMARY HEALTH CARE CORP. (last visited Nov. 18, 2025), <https://www.phcc.gov.qa/patients-clients/health-card>.

³⁵⁰ Public Health Minister Decision No. 45 of 2023, *supra* note 226, at art. 2; see also *Issuance of Birth Certificate*, *supra* note 226.

³⁵¹ See Law No. 3 of 2016, *supra* note 219, at arts. 12, 13; see also Public Health Minister Decision No. 45 of 2023, *supra* note 226, at art. 6.

³⁵² Ana P. Santos, *A Woman's Crime and Punishment*, PULITZER CENTER (Jun. 15, 2017), <https://pulitzercenter.org/projects/womans-crime-and-punishment>.

³⁵³ *Id.*

³⁵⁴ See Qatar Submission to the UN Committee on the Rights of the Child, *supra* note 340.

³⁵⁵ See Khalid, *supra* note 343.

Furthermore, while some children of Qatari mothers and non-Qatari fathers are eligible for permanent residence, this status does not automatically lead to citizenship, nor does it ensure equal access to subsidized healthcare and other essential services. Only a limited category of permanent residents – primarily those whose non-citizen father is deceased or absent – benefit from access to national health services on par with Qatari nationals.³⁵⁶

These persistent barriers mean that Qatar remains in violation of its regional and international legal obligations to guarantee every child's right to acquire a nationality and to be registered at birth. There is no policy mechanism in place to guarantee that children at risk of statelessness are protected where paternal nationality is inaccessible. Qatar also lacks a safeguard clause ensuring nationality for all children born on its territory if they would otherwise be stateless, a protection mandated under international law.³⁵⁷ Administrative discretion and unwritten norms further undermine consistency and transparency in how such cases are resolved.³⁵⁸

The burden of this exclusion extends to Qatari mothers, who often face legal, financial, and emotional hardship in advocating for their children's legal recognition. Many are unable to independently secure health services, school enrollment, or travel documents for their children without a legally recognized paternal sponsor. Their autonomy as parents is diminished, and their children's futures are constrained – not by merit or upbringing, but by laws that prioritize paternal descent over maternal citizenship.³⁵⁹

The problem is further compounded in families where the father belongs to a historically denationalized group (such as the al-Ghufran clan), is undocumented, or comes from a country with restrictive nationality laws himself. Children born out of wedlock, to migrant domestic workers, or to survivors of gender-based violence are at even higher risk due to additional administrative and social barriers to birth registration.³⁶⁰

2. Denationalized Tribes

Denationalized individuals in Qatar – particularly from communities such as the al-Ghufran clan, a part of the larger al-Murrah tribe – face entrenched structural barriers to obtaining legal documentation.³⁶¹ As a result of the government's collective denationalization of 6,000 members of the al-Ghufran clan beginning in 1996,³⁶² many were left without QID cards, passports, or other essential legal documents, effectively severing their access to formal legal status and

³⁵⁶ See Begum, *supra* note 331; HRC Qatar Report 2020, *supra* note 11.

³⁵⁷ *Gender discrimination in the GCC country's citizenship nationality laws*, EUR. CTR. FOR DEMOCRACY & HUM. RTS. (Jul. 29, 2024), <https://www.ecdhr.org/gender-discrimination-in-the-gcc-countrys-citizenship-nationality-laws/>.

³⁵⁸ See Nouf M. Al-Kaabi, *supra* note 336.

³⁵⁹ *Id.*

³⁶⁰ Qatar Submission to the UN Committee on the Rights of the Child, *supra* note 340.

³⁶¹ See van Waas, *supra* note 19, at 8.

³⁶² Qatar Submission to the UN Committee on the Rights of the Child, *supra* note 340; see also discussion *supra* Section III.B.ii.

administrative systems.³⁶³ Without recognized documentation, these individuals cannot access healthcare, public education, or lawful employment, and are excluded from housing registration and other government services.³⁶⁴ Despite many living their whole lives in Qatar, denationalized members of these tribes are also barred from any political participation, including basic voting rights.³⁶⁵ This absence of legal status renders them invisible to state institutions and prevents any form of redress or legal recognition.³⁶⁶

This exclusion is intergenerational.³⁶⁷ Children born to denationalized parents often lack the documentation necessary for birth registration, except in some cases where they are registered in other Gulf states or registered in Qatar as having “non-Qatari” parents, placing them at risk of inherited statelessness and continued exclusion from civil records and identity documents.³⁶⁸ In the absence of a clear pathway to re-acquisition of nationality or alternative legal remedies, affected individuals are forced to rely on informal or precarious arrangements to survive.³⁶⁹ These structural constraints leave entire communities in legal limbo, unable to perfect their citizenship and assert their rights, including to participate meaningfully in Qatari society.

These harms constitute violations of Qatar’s obligations under international law. The Committee on the Elimination of Racial Discrimination expressed concerns regarding discrimination in various areas, such as the differentiation between naturalized Qataris and those born with Qatari citizenship, as well as distinctions between citizens and non-citizens.³⁷⁰ These include Qatar’s treatment of the Bidoon and al-Ghufran clan, highlighting their challenges in preserving or re-acquiring nationality and facing discrimination in access to basic rights such as education and employment.³⁷¹ The obligation to refrain from discrimination on the basis of ethnic or racial grounds, as established under CERD, includes not only the right to nationality but also an obligation to provide access to nationality in a nondiscriminatory manner.³⁷² Furthermore, the collective denationalization of the al-Ghufran clan is a clear violation of the principles of the UDHR.³⁷³ Systematically denationalizing an entire tribe and barring them from access to all forms

³⁶³ Qatar Submission to the UN Committee on the Rights of the Child, *supra* note 340.

³⁶⁴ HRC Qatar Report 2020, *supra* note 11.

³⁶⁵ *Qatar: Election Law Exposes Discriminatory Citizenship*, HUMAN RIGHTS WATCH (Sep. 9, 2021), <https://www.hrw.org/news/2021/09/09/qatar-election-law-exposes-discriminatory-citizenship>; Ariel Admoni, *Order from Above: The Evolvement of Elections in Qatar*, 9 CONTEMPORARY REV. MIDDLE E. 308, https://journals.sagepub.com/doi/pdf/10.1177/23477989221100067?casa_token=3mvEYpe5VKgAAAAA:JbLBiXEGoL9S9f5y4zWQjuOr-OMoNb0O7kuen2GwKE8SmKi7lSCJtzWJ2HuyzRTP91x4vqGi9vnisg.

³⁶⁶ HRC Qatar Report 2020, *supra* note 11.

³⁶⁷ *See* van Waas, *supra* note 19.

³⁶⁸ *See id.*; *Qatar: Families Arbitrarily Stripped of Citizenship*, HUMAN RIGHTS WATCH, *supra* note 84.

³⁶⁹ *See* van Waas, *supra* note 19.

³⁷⁰ Comm. on the Elimination of Racial Discrimination, Concluding observations on the combined twenty-second and twenty-third periodic reports of Qatar, U.N. Doc. CERD/C/QAT/CO/22-23 (May 23, 2024).

³⁷¹ *Id.* at ¶ 42.

³⁷² Comm. on the Elimination of Racial Discrimination, General Recommendation No. 30 on Discrimination Against Non-Citizens, U.N. Doc. CERD/C/64/Misc.11/rev.3 (5 Aug. 2004).

³⁷³ UNHCR, Guidelines on Statelessness No. 5: loss and Deprivation of Nationality under Articles 5-9 of the 1961 Convention on the Reduction of Statelessness, ¶ 85, U.N. Doc. HCR/GS/20/05 (May 2020).

of public life represents a major gap between Qatar’s binding international legal obligations and its domestic policy.

3. Stateless Individuals and Undocumented Migrants

Lack of access to identity documentation in Qatar is especially severe for stateless individuals and undocumented migrants with foreign nationalities, who live in constant fear of detention and deportation.³⁷⁴ Without recognized proof of legal presence – such as valid residency permits or identity documents – these individuals are frequently subjected to arbitrary enforcement actions and criminalization of their mere presence within the country.³⁷⁵ Stateless individuals or those with unperfected citizenship may face additional barriers obtaining documentation, as QIDs require a listed nationality and citizenship code.³⁷⁶ Migrants whose employers fail to renew their residency permits or who have been forced to leave abusive workplaces without an NOC often become undocumented as a result. Once deemed “absconding,” they face imprisonment, fines, or forcible removal under Qatari immigration laws.³⁷⁷ These actions violate Qatar’s obligations under Articles 13 and 24 of the ICCPR, which protect non-nationals from arbitrary expulsion and guarantee the right to a nationality.³⁷⁸

iii. Consequences of Lack of Documentation

The absence of legal documentation in Qatar – such as a valid QID, residence permit, or birth certificate – has profound and far-reaching consequences for affected individuals.³⁷⁹ Without official identification, both adults and children are effectively excluded from essential public services and broader participation in society, and are at greater risk of statelessness.³⁸⁰ The denial of economic, property, and, in some cases, political rights to individuals as a result of the barriers discussed above represents a significant gap between national practice and regional and international human rights standards.³⁸¹ These restrictions compound other legal barriers, reinforcing a stratified system that prevents non-citizens and those unable to perfect their citizenship from achieving lasting security.³⁸²

The lack of access to official identification in Qatar – including QID cards, residence permits, or valid health cards – has significant consequences for individuals’ access to health and social

³⁷⁴ HRC Qatar Report 2020, *supra* note 11.

³⁷⁵ *Id.*

³⁷⁶ The 4th, 5th and 6th numbers of QIDs mirror ISO 3166-1 country codes. See Sheikh Al Fahad, *What is your Qatar ID Number (QID) Meaning*, QATAR GUIDE (last visited Nov. 12, 2025), <https://www.qatarguides.qa/qatar-id-number/>.

³⁷⁷ HRC Qatar Report 2020, *supra* note 11.

³⁷⁸ ICCPR, *supra* note 23, at art. 13.

³⁷⁹ See Khalid, *supra* note 343.

³⁸⁰ *Id.*

³⁸¹ HRC Qatar Report 2020, *supra* note 11.

³⁸² *Id.*

services.³⁸³ While there is no statutory obligation to obtain a health card, it is functionally required to access subsidized healthcare services at public facilities.³⁸⁴ Without it, individuals may be excluded from routine medical treatment, diagnostic services, and subsidized pharmaceuticals, and face out-of-pocket costs at private facilities.³⁸⁵ This exclusion can delay or entirely prevent care, particularly for vulnerable groups such as children and pregnant women, exacerbating existing health disparities and increasing risks to life and well-being.³⁸⁶

Although the majority of Qataris and many non-Qataris hold health cards, barriers remain for undocumented or irregular residents, who may be unable to enroll in the public system or afford private alternatives.³⁸⁷ The absence of a recognized legal identity also limits access to preventive care, including immunizations and reproductive health services, and reduces the likelihood of having a “usual source of care” – a critical indicator of health system access.³⁸⁸ These access gaps contribute to lower healthcare utilization rates among non-Qataris, particularly among women and low-income migrant workers, reinforcing a cycle of unmet health needs and long-term vulnerability.³⁸⁹

Without a valid QID or residence permit, individuals are also barred from formal employment, even if they possess the skills or qualifications required for knowledge-sector jobs.³⁹⁰ The inability to access formal employment severely limits economic mobility and reinforces cycles of poverty.³⁹¹ Individuals without documentation are additionally unable to register property, apply for driver’s licenses, open bank accounts, or receive social services, further marginalizing them from the economic and civic life of the country.³⁹²

The lack of documentation also affects property ownership. Law No. 16 of 2018 and related administrative decisions provide limited exceptions to the Qatari law that generally prohibits non-citizens from owning land or real estate.³⁹³ These exceptions are limited to specific zones and usually apply only to individuals with substantial financial means or special authorization.³⁹⁴ Even where ownership is technically permitted, it often amounts to long-term leasehold arrangements,

³⁸³ See generally Hussin et al., *Tracking access, utilization and health system responsiveness to inform evidence-based health care policy: The case of Qatar*, J. HEALTH PERSPECTIVE 1 (2015).

³⁸⁴ Shaher Alshamari, *The Qatar Health System: Challenges and Opportunities*, 5 NETWORK INTEL. STUD. 47, 50 (2017).

³⁸⁵ Hussin et al., *supra* note 383.

³⁸⁶ *Id.*

³⁸⁷ *Id.*

³⁸⁸ *Id.*

³⁸⁹ *Id.*; Mizanur Rahman et al., *Healthcare Provisions for Migrant Workers in Qatar*, 2023 HEALTH & SOC. CARE CMTY. 1, 7-8 (2023).

³⁹⁰ See Khalid, *supra* note 343.

³⁹¹ *Id.*

³⁹² *Id.*

³⁹³ *Instruction Manual: The Council of Ministers decision No. 28 of 2020*, QATAR MINISTRY OF JUSTICE, <https://www.qatartourism.com/content/dam/qatar-tourism/non-qatari-realestate/instruction-manual.pdf> (last visited Dec. 13, 2025).

³⁹⁴ *Id.*

which do not confer full property rights or a secure ownership status comparable to freehold ownership.³⁹⁵ Naturalized citizens are also limited in property ownership by limitations on borrowing, as they are unable to access housing loans for fifteen years after naturalizing.³⁹⁶ Permanent residency, governed by Law No. 10 of 2018, offers some property rights to a small group of non-citizens, such as children of Qatari mothers or individuals who have rendered exceptional service to the state.³⁹⁷ However, these rights remain discretionary and limited in scope.

This exclusion from property ownership has profound economic implications.³⁹⁸ The resulting financial precarity contributes to a cycle of dependency on employment and legal sponsorship, particularly under the *kafala* system. Moreover, because property ownership can ease access to legal residency or citizenship in Qatar, its denial effectively blocks a critical pathway to long-term integration.

These exclusions are compounded for migrant women and their families, who often face additional cultural and economic constraints.³⁹⁹ The systemic denial of documentation not only curtails their immediate opportunities but also undermines their long-term prospects for citizenship acquisition, reinforcing a status of legal and social invisibility.⁴⁰⁰

Moreover, the lack of access to documentation can impact political participation for individuals who would otherwise be entitled to such participation by law. For example, in the 2021 Shura Council elections – the first legislative elections in Qatar’s history – voting was restricted to Qatari citizens whose grandfathers were born in Qatar, a criterion that excluded large segments of the population, including naturalized citizens, children of Qatari mothers and non-Qatari fathers, and stateless communities such as the al-Ghufran clan.⁴⁰¹ Despite international criticism and domestic discontent, particularly among marginalized tribes like the al-Murrah, the Qatari government has maintained these restrictions, citing concerns over national security and social cohesion.⁴⁰² This political disenfranchisement violates basic democratic principles and perpetuates the system of exclusion.

³⁹⁵ Frank Lucente, *Non-Qatari Individuals: Investment in Real Estate and Succession Planning*, AL TAMIMI & CO (May 2019).

³⁹⁶ See HRC Qatar Report 2020, *supra* note 11.

³⁹⁷ See Law No. 10 of 2018, *supra* note 244, at art. 9.

³⁹⁸ For example, without the ability to invest in property, non-citizens are denied a key avenue for building wealth, securing housing stability, or transmitting intergenerational assets.

³⁹⁹ See Khalid, *supra* note 343.

⁴⁰⁰ See *id.*

⁴⁰¹ Admoni, *supra* note 365; see also Law No. 38 of 2005, *supra* note 15, at art. 16; HRC Qatar Report 2020, *supra* note 11.

⁴⁰² *Qatar: Election Law Exposes Discriminatory Citizenship*, HUMAN RIGHTS WATCH, *supra* note 365.

B. Gender Discrimination in Nationality Law

Qatar's nationality law embodies institutionalized gender inequality by denying women equal rights to transmit nationality to their children and spouses.⁴⁰³ Under the 2005 Nationality Law, only Qatari men are granted the automatic right to confer citizenship, regardless of the child's birthplace or the nationality of the spouse.⁴⁰⁴ In contrast, Qatari women cannot confer citizenship to their children or foreign spouses.⁴⁰⁵ Instead, these family members must rely on Qatar's limited and lengthy naturalization process.⁴⁰⁶ This legal framework entrenches a patriarchal model of citizenship transmission that systematically subordinates Qatari women within both the family unit and the state, curtailing their legal autonomy and capacity to secure full civic belonging for their families.⁴⁰⁷

Recent reforms – such as the 2018 introduction of permanent residency rights for certain children of Qatari mothers⁴⁰⁸ – have attempted to mitigate these disparities, but they fall short of Qatar's obligations under regional and international law. These measures do not provide full citizenship or political rights and are often contingent on paternal absence, reinforcing women's legal dependence. Many Qatari women affected by this system describe these policies as symbolic or

⁴⁰³ Discrimination is also pervasive for LGBTQ+ individuals. Although there are no statistics on LGBTQ+ persons being denaturalized due to their sexuality, the wide discretion under the nationality law leaves room for Qatar to revoke citizenship, withdraw naturalization or suspend permanent residency for LGBTQ+ individuals. Qatar has arbitrarily detained and brutalized people suspected of being LGBTQ+, and several report being forced to sign affirmations to “cease immoral activity.” One individual, a British-Mexican national who had been residing in Qatar for 7 years, was arrested and abused in custody for his sexuality, charged with a trumped up drug charge and subjected to a travel ban until he was finally able to be deported to the UK. Although he was not a permanent resident or citizen, his mistreatment illustrates Qatar's attitude. This is particularly concerning for stateless individuals and those who could be rendered stateless who would have neither the support of an embassy nor the ability to be deported to a safer country. As revocation of citizenship for *jus sanguinis* Qataris can be based on association with groups contrary to Qatar's social structure, it is possible that Qatar could use such arrests and affirmations as grounds to deprive Qataris of their citizenship. Homosexuality is also a crime in Qatar, a conviction may also be grounds to revoke citizenship or withdraw nationality. Concerns about homosexuality span the Gulf, as the GCC even considered implementing “tests” upon entry in order to bar LGBTQ+ people from entering. See *Qatar: Security Forces Arrest, Abuse LGBT People*, HUMAN RIGHTS WATCH (Oct. 24, 2022), <https://www.hrw.org/news/2022/10/24/qatar-security-forces-arrest-abuse-lgbt-people>; *Qatar: Quash conviction of British-Mexican national sentenced to six-month suspended prison term in grossly unfair trial*, AMNESTY INTERNATIONAL (June 5, 2024), <https://www.amnesty.org/en/latest/news/2024/06/qatar-quash-conviction-of-british-mexican-national-sentenced-to-six-month-suspended-prison-term-in-grossly-unfair-trial/>; Josh Parry, *I never thought I'd get home, gay man arrested in Qatar says*, BBC NEWS (Aug. 19, 2024), <https://www.bbc.com/news/articles/c3vxddzr2z5o> (last visited Oct. 15, 2025); *Qatar*, HUMAN DIGNITY TRUST (Dec. 16, 2024), <https://www.humandignitytrust.org/country-profile/qatar/>; *Kuwait must reject proposed homophobic 'medical test' on migrant workers*, AMNESTY INTERNATIONAL (Oct. 11, 2013), <https://www.amnesty.org/en/latest/news/2013/10/kuwait-must-reject-proposed-homophobic-medical-tests-migrant-workers/>.

⁴⁰⁴ Law No. 38 of 2005, *supra* note 15; Fatima Gismelseed & Bushra Elhag, *The Regulation of Family Life in the Gulf: Litigant Strategies and Judicial Rulings in Qatar (2005-2016)* (Nov. 2024) (M.A. thesis, Hamad bin Khalifa University).

⁴⁰⁵ Abu-Ras et al., *supra* note 100.

⁴⁰⁶ Ali & Cochrane, *supra* note 17, at 8-9.

⁴⁰⁷ Abu-Ras et al., *supra* note 100.

⁴⁰⁸ See discussion *supra* Section IV.C.i.1.b.

insufficient, noting that their children remain excluded from essential public benefits such as education, healthcare, and employment opportunities. Lacking citizenship, these children grow up with limited legal identity and face persistent barriers to social and economic integration, even when born and raised in Qatar.⁴⁰⁹

This exclusionary regime has profound real-world consequences. Qatari mothers interviewed in recent research reported that their children are often unable to obtain a QID, access government housing, or attend public schools. These restrictions not only impact the child's future but also undermine the mother's rights and dignity. The persistence of these discriminatory laws stands in clear violation of Qatar's obligations under the Arab Charter, the CRCI, CEDAW, and the CRC, which enshrine every child's right to acquire a nationality.⁴¹⁰

i. Gendered Citizenship Laws

In Qatar, statelessness is not merely a legal condition, it is a gendered one. The inability of Qatari women to confer nationality on an equal basis with men directly contributes to the perpetuation of intergenerational statelessness. This discriminatory framework disproportionately affects children born into mixed-nationality marriages and violates Qatar's obligations under international treaties, particularly CEDAW and the CRC, as well as its regional commitments respecting gender and nationality rights.

Qatar's gender discriminatory nationality law means that children born to Qatari mothers and non-Qatari fathers lack access to citizenship, and instead are subject to Qatar's discretionary and limited naturalization process.⁴¹¹ While recent amendments to the 2005 Nationality Law have granted such children priority in naturalization procedures, the absence of an automatic right to nationality leaves them in a precarious legal status.⁴¹² There is no legal guarantee that such discretionary applications will succeed.⁴¹³

As of 2018, children of Qatari mothers and non-Qatari fathers are eligible for permanent residency, marking the first step toward naturalization.⁴¹⁴ However, the 100-person annual cap on grants limits the effects of this reform.⁴¹⁵ This disparity places Qatari women and their families at heightened risk of exclusion. If a child's father is stateless, undocumented, or absent due to death, divorce, or desertion, the child's access to nationality – and by extension, to services like

⁴⁰⁹ Abu-Ras et al., *supra* note 100.

⁴¹⁰ *Id.*

⁴¹¹ Law No. 38 of 2005 *supra* note 15, at arts. 2, 17; UNHCR, UNHCR Submission for the Universal Periodic Review – Qatar – UPR 33rd Session (2019) 3, <https://www.refworld.org/policy/upr/unhcr/2019/en/122610> (last visited Dec. 13, 2025); *see also* discussion *supra* Section V.C.i.1.b.

⁴¹² *See* Nouf M. Al-Kaabi, *supra* note 336.

⁴¹³ *See id.*

⁴¹⁴ Begum, *supra* note 331.

⁴¹⁵ *Id.*, HRC Qatar Report 2020, *supra* note 11, at ¶ 55; Law No. 10 of 2018, *supra* note 244, at art. 4.

education, healthcare, and employment – becomes challenging or impossible.⁴¹⁶ It also reinforces the perception of these children as outsiders despite their close familial ties to Qatar.

This policy also creates a serious risk of statelessness for children who are unable to obtain nationality from their father's country of origin. Obstacles may include restrictive nationality laws in the father's country, lack of recognition of foreign births, or bureaucratic barriers such as the father's refusal or inability to complete the necessary registration procedures.⁴¹⁷ In some cases, the father's nationality may be unknown, unavailable, or revoked, further compounding the risk. While there is little data on the number of children who are unable to obtain citizenship under the laws of the father's country of origin, Qatari women have expressed that they would rather not marry foreigners to guarantee the greater stability of Qatari citizenship for their children.⁴¹⁸

Critically, naturalized Qataris do not have access to all of the same rights and benefits as Qataris who are nationals by right of blood under the law, demonstrating a significant gap in the law itself.⁴¹⁹ Further, access to benefits such as healthcare, education, or public employment is inconsistently applied and often depends on internal policies or administrative discretion, rather than clearly codified legal entitlements.⁴²⁰ Moreover, for children these benefits are often conditional on the father's absence or death, which further entrenches patriarchal family structures.⁴²¹ Citizenship insecurity also exacerbates vulnerability to domestic abuse, as women fear losing legal status if they report violence.⁴²²

This legal asymmetry conflicts with Qatar's obligations under international human rights instruments – namely CEDAW and the CRC – and its regional commitments to guarantee the right of women to transmit their nationalities to their children. CEDAW, the CRC, and the Arab Declaration on Belonging and Legal Identity all emphasize nationality as a foundational right and the importance of ensuring that women may transmit their nationality on an equal basis with men.⁴²³ The conflict between Qatar's domestic laws and its regional and international obligations represents a critical gap in Qatar's framework for protecting against statelessness.

⁴¹⁶ See Nouf M. Al-Kaabi, *supra* note 336.

⁴¹⁷ There is very little data available on the extent of this issue. However, children born in Qatar with one Korean parent and one non-Korean parent have been documented as having issues with obtaining Korean citizenship. See Byung-Lim Ji, *South Korean Transnational Families in Qatar*, in HANDBOOK OF FAMILIES IN THE ARAB GULF STATES 775, 776 (Md Mizanur Rahman et al. eds., 2025).

⁴¹⁸ See Hazal Muslu El Berni, *Labor Migration in Qatar: A Study on the Identity of Second Generation Migrants*, 8 BORDER CROSSING 479, 483-84 (2018).

⁴¹⁹ Ali & Cochrane, *supra* note 17, at 8-9; *Qatar: Election Law Exposes Discriminatory Citizenship*, HUMAN RIGHTS WATCH, *supra* note 365.

⁴²⁰ See Nouf M. Al-Kaabi, *supra* note 336.

⁴²¹ See *id.*; Gismelseed & Elhag, *supra* note 404.

⁴²² Interview with Ray Jureidini, Former Professor of Migration Ethics and Human Rights at the Center for Islamic Legislation and Ethics (Feb. 20, 2024).

⁴²³ See *Gender Discrimination and Childhood Statelessness*, UNHCR, <https://www.unhcr.org/ibelong/gender-discrimination-and-stateless-children/> (last visited Dec. 12, 2025); see also *supra* Section IV.A.ii-iii, IV.B.i.

Ultimately, Qatar’s nationality regime does more than produce legal inequality – it entrenches a structural mechanism of exclusion that marginalizes women and endangers their children’s futures.

ii. Marriage and Nationality

Qatar’s legal framework governing marriage to non-nationals significantly contributes to the persistence of gender-based discrimination in the conferral of nationality. Qatari women disproportionately face restrictive legal and administrative hurdles when seeking to marry non-Qatari men. These restrictions not only violate international human rights standards but also entrench systemic inequalities that inhibit the full realization of women’s rights in Qatar.⁴²⁴

Under Law No. 21 of 1989, all Qatari citizens must obtain prior government approval to marry non-Qatari nationals, unless the marriage is to a female GCC citizen.⁴²⁵ While the law appears gender-neutral on its face, in practice it disproportionately affects Qatari women. The process is more burdensome for women due to stronger social stigma and family opposition, and the requirement for a male guardian’s consent. Moreover, Qatari men retain the right to automatically pass nationality to foreign wives, whereas Qatari women cannot confer nationality on a foreign spouse and must rely on a discretionary and limited naturalization process for their children.⁴²⁶ Additionally, Qatari women married to foreign men are often excluded from state housing and other social benefits typically granted to Qatari male citizens with families, reinforcing their economic dependence and marginalization.⁴²⁷

The regulatory hurdles associated with state approval have also contributed to a rise in religious-only marriages – often unregistered with the state – as a workaround for delays or denials. These marriages are not legally recognized in Qatar and leave spouses and children without legal protections. The lack of formal status may hinder a woman’s ability to assert custody rights or secure legal recognition of the marriage and parentage.⁴²⁸

This legal regime contradicts Qatar’s obligations under international law, including Article 9 of CEDAW, which guarantees equal nationality rights.⁴²⁹

C. Refugees and Migrants

Many of the aforementioned barriers to accessing nationality and human rights in Qatar apply equally to refugees and migrants. However, refugees and migrants – including in particular migrant workers in the *kafala* system – also have distinct vulnerabilities related to their statuses.

⁴²⁴ See Rajnaara C. Akhtar, *Contemporary Issues in Marriage Law and Practice in Qatar*, 20 J. OF WOMEN OF THE MIDDLE E. & THE ISLAMIC WORLD 124 (2022).

⁴²⁵ Law No. 21 of 1989, *supra* note 275, at arts. 2-3; *see also* Akhtar, *supra* note 424.

⁴²⁶ *See* Akhtar, *supra* note 424.

⁴²⁷ *Id.*

⁴²⁸ *Id.*

⁴²⁹ CEDAW, *supra* note 26, at art. 9; *see also* discussion *supra* Section IV.A.iii.

i. Refugees

Qatar's legal framework governing political asylum further exacerbates inequalities between citizens and non-citizens. The 2018 Asylum Law defines a political refugee similar, but not exactly mirroring, the 1951 Refugee Convention and includes a *non-refoulement* obligation.⁴³⁰ However, later resolutions specified narrow categories of people who can be granted political asylum, meaning that only a limited subset of those with legitimate asylum claims under international law are entitled to apply for asylum in Qatar. While the law provides applicants an opportunity to appeal rejected applications directly to the Minister of the Interior,⁴³¹ the discretionary nature of the Minister's authority in granting asylum, with no clear criteria for approval, raises concerns about legitimacy and accountability.⁴³² The lack of clear application procedures compounds these challenges. Further, the absence of a formal appeals process before a judicial tribunal denies applicants the ability to challenge arbitrary denials, and may leave those with valid asylum claims without recourse or access to vital protections.

Though Qatar's law governing its asylum policy was passed in 2018, it is important to note that it did not become operational until 2019, as the government did not set up the Committee for Political Refugees Affairs until that point.⁴³³ In the intervening period, asylum applications were not considered by the Qatari government,⁴³⁴ leaving those with valid asylum claims with no access to protection or rights within the state. According to the U.S. State Department, in 2021, the Committee received twenty-four political asylum requests, approving only one.⁴³⁵ In 2022, it received thirty applications, of which it approved none.⁴³⁶ The Qatari government itself does not make data on asylum applications and grants publicly available.

This data illustrates a critical protection gap between Qatar's refugee policy in theory and in practice. Qatar's delay in operationalizing its asylum framework, followed by a limited acceptance of applications, raises concerns about the state's commitment to refugee rights.⁴³⁷ Moreover,

⁴³⁰ 2018 Asylum Law, *supra* note 287, at art. 1.

⁴³¹ *Id.* at art. 7.

⁴³² *Qatar: Gulf's First Refugee Asylum Law*, HUMAN RIGHTS WATCH (Oct. 30, 2018), <https://www.hrw.org/news/2018/10/30/qatar-gulfs-first-refugee-asylum-law>; *see also* discussion *supra* Section IV.C.iii.1.

⁴³³ *Qatar: Freedom in the World 2023 Country Report*, FREEDOM HOUSE (2023), <https://freedomhouse.org/country/qatar/freedom-world/2023>.

⁴³⁴ Evidence exists that Qatar violated the 2018 Asylum Law even though it was in effect, forcibly expelling a Yemeni asylum seeker without reviewing his application. *Qatar: Yemeni Asylum Seeker Turned Away*, HUMAN RIGHTS WATCH (Feb. 25, 2019), <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/qatar/>.

⁴³⁵ 2021 Country Reports on Human Rights Practices: Qatar, *supra* note 14.

⁴³⁶ *Id.*

⁴³⁷ Despite being a vocal supporter refugees and hosting UNHCR offices, Qatar's rhetoric doesn't match its domestic actions. Restrictive conceptions of nationality dominate state actions, even with reference to refugees entitled to special protections, who are provided no clear path to citizenship and its associated protections. *See Qatar Renews its Commitment to Support UNHCR Programs*, MINISTRY OF FOREIGN AFFAIRS, STATE OF QATAR (Oct. 11, 2025), <https://mofa.gov.qa/en/qatar/latest-articles/latest-news/details/1444/03/15/qatar-renews-its-commitment-to-support-unhcr-programs>.

Qatar's restrictive implementation of its asylum framework reflects its practice of limiting the access of non-Qatari nationals – even those entitled to special protections – to rights and state resources.

Qatar's failure to provide data on asylum applications and grants prevents comprehensive and verifiable identification of populations which received or sought protection in Qatar. These populations, lacking protections of refugee status and dedicated pathways to citizenship in Qatar, may be placed at risk of statelessness if simultaneously facing an inability to access their citizenship in their countries of origin. For example, for asylum seekers from Iraq and Syria – who make up the two largest populations seeking asylum in Qatar, according to UNHCR⁴³⁸ – loss of civil documentation due to recent conflict and gender discriminatory provisions in Iraqi and Syrian nationality laws may prevent them from accessing their nationality in their countries of origin. Denial of protection in Qatar or an inability to pursue citizenship after being granted refugee status leave them at risk of statelessness.⁴³⁹

The Riyadh Agreement, which stipulates that GCC countries may not harbor or naturalize dissidents from any other Member States, further narrows the application of the 2018 Asylum Law.⁴⁴⁰ The 2018 Asylum Law explicitly applies to individuals fleeing because of political persecution.⁴⁴¹ But Qatar's promises under the Riyadh Agreement prevent any dissidents from within the GCC states – who might otherwise have a valid asylum claim under Qatar's framework – from accessing asylum and associated protections. More narrowly, GCC states may revoke the citizenship of dissidents and their families,⁴⁴² resulting in statelessness unless they have a second

⁴³⁸ *Refugee Data Finder, Country: Qatar*, UNHCR, https://www.unhcr.org/refugee-statistics/data-summaries?data_summaries%5Bregion%5D=&data_summaries%5Bcountry%5D=157&data_summaries%5BwithinFrom%5D=within&data_summaries%5Bview%5D=population_totals&data_summaries%5Byear%5D=2025&data_summaries%5BpopType%5D=REF&data_summaries%5B_mode%5D=country&data_summaries%5B_token%5D=1133.o-Plar2b75SoGqORO_yxDJe2SNFQxkb9jmg06XrTkqI.86_BKYmr3NHGXJa8T6TmTvLnlpUK8ier4QFAog6D6Jfwo1YjdGt-P988g&data_summaries%5Bsubmit%5D= (last visited Dec. 9, 2025).

⁴³⁹ Syrian mothers cannot confer nationality to their children, unless the father is stateless or unknown. *See Human Rights Violations Due to Syria's Nationality Law: Periodic Review Submission*, GLOBAL CAMPAIGN FOR EQUAL NATIONALITY RIGHTS, <https://www.equalnationalityrights.org/human-rights-violations-due-to-syrias-nationality-law-universal-periodic-review-submission/> (last visited Dec. 9, 2025). Destruction of civil registries, fragmented documentation systems, and loss of documents during conflict and displacement has left many Syrians without access to crucial civil documentation, increasing their risk of statelessness. *See Unlocking Rights in Northeast Syria: The Importance of Civil and Legal Documentation*, NORWEGIAN REFUGEE COUNCIL (Jul. 2, 2025), <https://www.nrc.no/resources/reports/unlocking-rights-in-northeast-syria-the-importance-of-civil-and-legal-documentation2>. No gender discriminatory provisions regarding the acquisition of Iraqi nationality exist in the Iraqi Constitution of 2005, but Article 4 of the 2006 Nationality Law requires a number of conditions be met and leaves sole discretion of granting Iraqi nationality to the Minister of the Interior when a child is born outside Iraq to an Iraqi mother and an unknown or stateless father. *Country Position Paper: Statelessness in Iraq*, EUROPEAN NETWORK ON STATELESSNESS & INSTITUTE ON STATELESSNESS AND INCLUSION (Nov. 2019), <https://statelessjourneys.org/wp-content/uploads/2022/10/StatelessJourneys-Iraq-summary-final.pdf>.

⁴⁴⁰ *See* Riyadh Agreement, *supra* note 205.

⁴⁴¹ 2018 Asylum Law, *supra* note 287; Cabinet Resolution No. 12 of 2019, *supra* note 291.

⁴⁴² *Bahrain: Citizenship of 115 people revoked in "ludicrous mass trial,"* AMNESTY INTERNATIONAL (May 16, 2018), <https://www.amnesty.org/en/latest/news/2018/05/bahrain-citizenship-of-115-people-revoked-in-ludicrous->

nationality. Because of the Riyadh Agreement, these individuals would be unable to seek asylum within Qatar and the Gulf region, leaving them without access to essential protections and rights. With no travel documents – a privilege given only to successful applicants for asylum in Qatar – dissidents are unable to leave the Gulf to seek protection elsewhere.⁴⁴³

The few individuals granted asylum within Qatar possess only a limited set of rights under the 2018 Asylum Law and Decision No. 13 of 2019.⁴⁴⁴ Refugee status, though providing access to certain rights and state resources, such as travel documents, healthcare, and education, severely curtails other, foundational individual rights.⁴⁴⁵ Article 10 mandates that the Qatari government chooses where those granted refugee status under the law can live and prevents them from moving without obtaining the consent of the government.⁴⁴⁶ Article 11 prohibits refugees from engaging in political activity while in Qatar.⁴⁴⁷ Accordingly, refugees are barred from enjoying not only the full range of rights enjoyed by Qatari nationals, but rights accorded to them under international law, including freedom of movement within the country and non-discrimination based on national origin.⁴⁴⁸

The Minister may grant those whose asylum applications have not yet been considered temporary residency status.⁴⁴⁹ It is unclear whether this designation accords the same rights as those given to refugees or with permanent status, including the right to work, accommodation, healthcare, and education.⁴⁵⁰ If it does not, those applying for refugee status are left in a precarious position, simultaneously unable to access vital resources in Qatar or to return to their countries of origin while they await a decision. Such a state of legal limbo negates the efficacy of the asylum legal framework and could funnel asylum seekers fleeing persecution into Qatar's *kafala* system, further cementing the state's restrictive migration policies and discriminatory treatment of non-nationals.

Relatedly, individuals may have their refugee status revoked and be subject to deportation at the discretion of the Minister, including when the reasons for political asylum are deemed to have "ceased."⁴⁵¹ However, the law provides no clear criteria to determine when such a resolution has occurred. Accordingly, Qatar's asylum framework leaves the possibility that it may violate the principle of *non-refoulement* enshrined in domestic and international law. Critically for stateless individuals or those at risk of statelessness – like refugees from Iraq and Syria seeking protection in Qatar⁴⁵² – the provision preserves the possibility of returning them to their country of origin, a

mass-trial/; UAE: *Unrelenting Harassment of Dissidents' Families*, HUMAN RIGHTS WATCH (Dec. 22, 2019), <https://www.hrw.org/news/2019/12/22/uae-unrelenting-harassment-dissidents-families>.

⁴⁴³ 2018 Asylum Law, *supra* note 287, at art. 9(1).

⁴⁴⁴ *Id.* at art. 9; Council of Ministers Decision No. 13 of 2019, *supra* note 293.

⁴⁴⁵ 2018 Asylum Law, *supra* note 287, at art. 10-11.

⁴⁴⁶ *Id.* at art. 10.

⁴⁴⁷ *Id.* at art. 11.

⁴⁴⁸ 1951 Refugee Convention, *supra* note 151, at art. 26; ICCPR, *supra* note 23, at 2(1).

⁴⁴⁹ 2018 Asylum Law, *supra* note 287, at art. 6.

⁴⁵⁰ *Id.* at arts. 6, 9.

⁴⁵¹ *Id.* at art. 12(3).

⁴⁵² See discussion *supra* notes 438-439 and associated text.

place where they may either possess no nationality or are unable to prove it, rendering them stateless and without essential protections once more.

As in the initial application process, refugees subjected to deportation orders may appeal the decision once.⁴⁵³ These appeals are made directly to the Minister of the Interior, and no option is available for a full hearing before a judge or tribunal.⁴⁵⁴ The opaque appeals process again raises concerns regarding transparency and fairness as individuals with valid asylum claims are at risk of losing protected status – and its accompanying rights and privileges – with no justification or recourse available to them. Deportation, for whatever reasons provided by the Minister, may violate Qatar's obligation of *non-refoulement* under its own and international laws.

Critically, though the law does not prohibit refugees from becoming Qatari residents, the 2018 Asylum Law outlines no path to naturalization or citizenship for those granted political asylum. As such, refugees would be subject to the same stringent naturalization requirements that all foreign nationals who wish to become Qatari citizens must meet. Without a dedicated path to naturalization or citizenship, stateless individuals granted asylum face a perpetual risk of having their refugee status revoked, being returned to their country of origin, or relapsing into statelessness, subject to the opaque deportation measures explained above.

As noted, refugees are not granted indefinite protection under the 2018 Asylum Law. Instead, their grant of temporary residency is contingent upon a variety of criteria, including that the situation necessitating their asylum status persists.⁴⁵⁵ Unless the Qatari government determines that the conditions for a refugee's asylum persist for at least 20 years, the refugee will be unable to even apply for permanent resident status. Though Qatar does not receive or accept large numbers of applications for asylum each year,⁴⁵⁶ given the uncompromising and rigorous requirements, refugees may not be among the 100 foreign nationals granted permanent residency each year.⁴⁵⁷ Thus, even if granted refugee status, asylum-seekers in Qatar are subject to the broader devaluation of non-citizens embedded in Qatari law and policy, receiving only conditional access to a limited set rights which may be withdrawn at any time.

ii. Migrant Workers and the *Kafala* System

The *kafala* system remains the cornerstone of labor migration governance in Qatar. Under this system, a migrant worker's legal status in the country is entirely dependent on a local sponsor – typically their employer – who controls the worker's visa, residency status, and, in many cases, their ability to change employment or leave the country.⁴⁵⁸ Sponsors act as *de facto* guardians: they must sign workers in and out of the country, pay for their healthcare and children's schooling,

⁴⁵³ 2018 Asylum Law, *supra* note 287, at art. 14.

⁴⁵⁴ *Id.*

⁴⁵⁵ *Id.* at art. 12(3).

⁴⁵⁶ 2021 Country Reports on Human Rights Practices: Qatar, *supra* note 435.

⁴⁵⁷ Law No. 10 of 2018, *supra* note 244, at art. 4.

⁴⁵⁸ See Beaugrand & Thiollet, *supra* note 91, at 341.

and even serve as guarantors for deportation fines.⁴⁵⁹ A government-mandated deportation fund routes penalties through the sponsor, who in practice often withholds workers' passports to prevent absconding – a dynamic that replicates the *kafala* system's patriarchal, colonial origins.⁴⁶⁰ Despite recent progressive and substantial reforms intended to eliminate the exploitation of workers within the *kafala* system, including the abolition of exit permits and NOCs and the establishment of a minimum wage, these legal changes have proven inconsistent in implementation.⁴⁶¹ For example, the changes do not apply to certain groups, including domestic workers; leave employers with large amounts of control over workers; and are not always accessible to workers due to language and technological barriers.⁴⁶² Accordingly, many migrant workers remain vulnerable to structural abuse and prolonged dependency.⁴⁶³

While often portrayed as a monolithic institution, the *kafala* system in Qatar has evolved over time rather than existing as a separate, static regime. Today, ninety-five percent of Qatar's workforce holds temporary visas under sponsorship – far outstripping other models of sponsored migration and offering certain workplace protections and derivative rights akin to long-term residency schemes elsewhere, but without full access to citizenship or social services.⁴⁶⁴ Notably, most *kafala* workers are excluded from eligibility for actual permanent residency and the benefits it carries.⁴⁶⁵

Qatar's strict naturalization requirements⁴⁶⁶ bar migrant workers from accessing its protections. Exceptions to the law's rigid requirements mean naturalization is often restricted to "skilled workers" – applicants who can demonstrate an "extraordinary contribution" in fields such as academia or business. A report by the United Nations Special Rapporteur on contemporary forms of racism raised concerns about the low number of persons that can be naturalized even if they meet the "the extraordinary continuous residence and financial requirements for naturalization and

⁴⁵⁹ Zoom Interview with Noora Lori, Associate Professor of International Relations at the Boston University Pardee School of Global Studies (Dec. 11, 2023).

⁴⁶⁰ The *kafala* system emerged from the colonial context, and the subjugation of migrant workers by colonial employers is now ingrained in the laws and policies surrounding contemporary practices, including between migrant workers and their sponsors. *Disempowered, Dehumanised, Deported: Life Under the Kafala System*, GLOBAL SLAVERY INDEX, <https://www.walkfree.org/global-slavery-index/findings/spotlights/life-under-the-kafala-system/> (last visited Dec. 13, 2025).

⁴⁶¹ Qatar abolished exit permits for certain categories of migrant workers in 2018, and NOCs were abolished in 2020 in effort to ease restrictions on migrant worker mobility and freedom. See Law No. 13 of 2018, *supra* note 307; Decree-Law No. 19 of 2020, *supra* note 99. However, misinformation on worker mobility and retaliation from employers still prevents migrant workers from taking advantage of these reforms. See *Overview of Qatar's labour reforms*, INTERNATIONAL LABOR ORGANIZATION (ILO) (Apr. 7, 2022), <https://www.ilo.org/resource/overview-qatars-labour-reforms>.

⁴⁶² Nadine El-Dekmak, *Reforming the Kafala System: Persistent Violations of the Rights of Migrant Domestic Workers and the Role of Private Recruitment Agencies*, GEO. J. OF INT'L AFFAIRS (March 21, 2025), <https://gjia.georgetown.edu/2025/03/21/reforming-the-kafala-system-persistent-violations-of-the-rights-of-migrant-domestic-workers-and-the-role-of-private-recruitment-agencies/>.

⁴⁶³ *Id.*

⁴⁶⁴ Zoom Interview with Natasha Iskander, Associate Professor of Sociology & James Weldon Johnson Professor of Urban Planning and Public Service (Dec. 12, 2023).

⁴⁶⁵ Law No. 10 of 2018, *supra* note 244.

⁴⁶⁶ See *supra* Section IV.C.i.1.b.

permanent residence.”⁴⁶⁷ The combination of a strict annual cap, extensive residency requirement, and high financial and moral standards significantly limits the pool of eligible applicants. This approach reflects Qatar’s desire to maintain its demographic composition and restrict access to state resources, such as housing, education, and healthcare, which are largely reserved for Qatari nationals.

The discretionary nature of the naturalization process, with no clear or transparent criteria for approval, raises concerns about the process’s fairness and accountability.⁴⁶⁸ The absence of a formal appeals process further limits applicants’ ability to challenge arbitrary denials. Thus, Qatar’s naturalization framework overlooks the vast majority of *kafala* workers, who primarily perform blue-collar labor. For the few successful applicants, they only receive a limited naturalized status and are required to renounce prior nationalities.⁴⁶⁹

A core feature of the *kafala* system is the sponsor’s ability to control a worker’s mobility.⁴⁷⁰ Until 2020, migrant workers could not change jobs or leave the country without their employer’s written permission.⁴⁷¹ Although important reforms such as Law No. 13 of 2018 and Ministerial Decision No. 95 of 2019 aimed to relax these controls – by allowing some categories of workers to change employers without an NOC and to exit the country without prior approval – uneven implementation of these reforms can still leave workers vulnerable to exploitation by their employers.⁴⁷² In practice, workers are still required to obtain employer approval of resignations.⁴⁷³ Instead of obtaining an NOC, *kafala* workers must now apply for a transfer with the Ministry of Labor and receive discretionary government approval,⁴⁷⁴ but their current employer can see their application, send a note through the online system to the Ministry of Labor, and approve a waiver of the legislatively-defined mandatory notice period at their own discretion, still giving them a role in the transfer process.⁴⁷⁵ Employers can also apply for exceptions to require portions of their workforce to use exit permits, and recent government proposals risk undoing their elimination entirely, requiring workers once more to obtain permission before leaving the country.⁴⁷⁶ If a *kafala* laborer decides to stop working for their current employer early during the mandatory notice

⁴⁶⁷ HRC Qatar Report 2020, *supra* note 11, at ¶ 55.

⁴⁶⁸ See *supra* Section IV.C.i.1.b.

⁴⁶⁹ Interview with Ray Jureidini, Former Professor of Migration Ethics and Human Rights at the Center for Islamic Legislation and Ethics (Feb. 20, 2024).

⁴⁷⁰ El-Dekmak, *supra* note 462, at ¶¶ 22.

⁴⁷¹ *Id.* at ¶¶ 22.

⁴⁷² *Disempowered, Dehumanised, Deported: Life Under the Kafala System*, *supra* note 460; *Overview of Qatar’s labour reforms*, *supra* note 461.

⁴⁷³ See *Qatar: Events of 2024*, HUMAN RIGHTS WATCH, <https://www.hrw.org/world-report/2025/country-chapters/qatar> (last visited Dec. 10, 2025).

⁴⁷⁴ See *Changing employers in Qatar: Key information for workers*, MINISTRY OF LABOR OF QATAR, https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40arabstates/%40ro-beirut/documents/publication/wcms_754449.pdf (last visited Dec. 13, 2025).

⁴⁷⁵ See *User Guide for Changing Employer for a Labor – Employer*, MINISTRY OF LABOR OF QATAR 13 (2024), [https://www.mol.gov.qa/admin/EServices/User%20Guide%20for%20Changing%20employer%20\(1\).pdf](https://www.mol.gov.qa/admin/EServices/User%20Guide%20for%20Changing%20employer%20(1).pdf).

⁴⁷⁶ See *Qatar: Events of 2024*, *supra* note 473.

period, the laborer must pay their current employer the equivalent of their per diem wage for each day they do not work there.⁴⁷⁷

Therefore, though on paper leaving a job no longer triggers immediate deportation,⁴⁷⁸ in practice these reforms are unevenly enforced, and workers may still face retaliatory refusals of permit renewals or blacklisting when attempting to transfer jobs.⁴⁷⁹ Consequently, employers still retain *de facto* control over workers that they exercise through threats of retaliation, refusal to renew residence permits, or informal blacklisting, particularly in sectors such as domestic work that are excluded from labor protections.⁴⁸⁰ For example, reports have been made of migrant workers – specifically domestic workers – being denied access to telephones,⁴⁸¹ while overtime and working-hour restrictions are reportedly ignored by portions of *kafala* employers.⁴⁸²

These tactics make it very difficult for the majority of *kafala* workers to return to their home countries or avail themselves of consular services, impacting their ability to fully enjoy important aspects of exercising their citizenship rights in their home country. The government’s prohibition on passport confiscation by employers remains largely unenforced, compounding these challenges.⁴⁸³ Simultaneously denied access to pathways to nationality in Qatar, depending on the citizenship laws of their home countries and ability to prove or access their nationalities there, these workers may be at risk of statelessness.⁴⁸⁴

Beyond legal controls, race, class, and gender discrimination exacerbate these risks. For example, migrant workers face systemic discrimination rooted in perceptions of “*haram*” labor and racialized stereotypes of laziness.⁴⁸⁵ Women, whether as domestic workers or professionals, often require additional sponsor permission to work in certain spaces,⁴⁸⁶ or are excluded from the system entirely because employers refuse to sponsor women.⁴⁸⁷ Those who are able to participate in the

⁴⁷⁷ See *Changing employers in Qatar: Key information for workers*, *supra* note 474.

⁴⁷⁸ Zoom Interview with Natasha Iskander, Associate Professor of Sociology & James Weldon Johnson Professor of Urban Planning and Public Service (Dec. 12, 2023).

⁴⁷⁹ *Qatar: Significant Labor and Kafala Reforms*, *supra* note 328; *Qatar: Events of 2024*, *supra* note 473; *Disempowered, Dehumanised, Deported: Life Under the Kafala System*, *supra* note 460.

⁴⁸⁰ *Disempowered, Dehumanised, Deported: Life Under the Kafala System*, *supra* note 460; “*I have nothing*” – *Worker’s rights and the Qatar 2022 World Cup*, TRADES UNION CONGRESS (Nov. 18, 2022), <https://www.tuc.org.uk/research-analysis/reports/i-have-nothing-qatar-2022-world-cup>.

⁴⁸¹ See 2024 Country Reports on Human Rights Practices: Qatar, *supra* note 14.

⁴⁸² *Id.*

⁴⁸³ *Id.*

⁴⁸⁴ Sponsor control over workers in the *kafala* system and their mobility severely, as well as fear of retaliation, limit their ability to locate or utilize consular services. In other Gulf countries, *kafala* workers have reported lack of assistance from embassies and consulates of their home countries. *Disempowered, Dehumanised, Deported: Life Under the Kafala System*, *supra* note 460; “*I have nothing*” – *Worker’s rights and the Qatar 2022 World Cup*, *supra* note 480.

⁴⁸⁵ Zoom Interview with Noora Lori, Associate Professor of International Relations at the Boston University Pardee School of Global Studies (Dec. 11, 2023).

⁴⁸⁶ *Id.*

⁴⁸⁷ Azza Y.A. Nassar, *Palestinians in Qatar: An Oral History of Migration, Memory, Citizenship and the Right of Return* 43-44 (Mar. 2023) (M.A. Thesis, Hamad Bin Khalifa University), <https://ezproxy.bu.edu/login?url=https%3A%2F%2Fwww.proquest.com%2Fdissertations-theses%2Fpalestinians->

kafala system can sponsor their spouses, but men under their wives' visa sponsorship are not allowed to work and instead must find a separate employment sponsor.⁴⁸⁸ If the husband secures employment under a separate sponsor, Qatari authorities can in turn require him to become his wife's sponsor for employment and residency.⁴⁸⁹ Such forms of discrimination – animated by the idea that migrants are unable or should not be able to penetrate certain sectors of Qatari society – compound workers' reliance on employers for membership rights in Qatari society, heightening their vulnerability under the *kafala* system.⁴⁹⁰

Exploitation and wage theft remain widespread due to weak enforcement of labor laws and a lack of accessible legal remedies.⁴⁹¹ Employers frequently delay or withhold wages without consequence, and workers often lack the language skills, legal knowledge, or financial resources to pursue claims through official channels.⁴⁹² Labor courts are theoretically available to address grievances, but long delays, legal complexity, and fear of employer retaliation deter most workers from seeking redress.⁴⁹³ Furthermore, the threat of losing one's residency – and thus becoming undocumented – creates a chilling effect that prevents many workers from reporting abuses, effectively silencing their complaints.⁴⁹⁴ Recent laws establish a national minimum wage, cap weekly hours, and create a formal labor complaints system. However, there remains no right to organize,⁴⁹⁵ and many vulnerable workers lack awareness of their new entitlements or fear retaliation if they file grievances.

Recruitment intermediaries – both licensed agencies and informal “manpower” brokers – charge exorbitant fees despite stricter licensing of agencies, plunging workers into debt before arrival. This mismatch between promised and actual conditions can constitute trafficking under Qatari law, even though the *kafala* system itself remains the only formal sponsorship route. Until the recent reforms, migrants had to leave Qatar to change jobs, reinforcing dependency and debt bondage.⁴⁹⁶ Bilateral labor agreements between governments of origin and Qatar – especially with India,

qatar-oral-history-migration-memory%2Fdocview%2F3083053509%2Fse-2%3Faccountid%3D9676. In Qatar, visa sponsors exert great control over women and must give them permission to work, obtain drivers licenses, and study. *See Everything I Have to Do is Tied to a Man: Women and Qatar's Male Guardianship Rules*, HUMAN RIGHTS WATCH (Mar. 29, 2021), <https://www.hrw.org/report/2021/03/29/everything-i-have-do-tied-man/women-and-qatars-male-guardianship-rules>.

⁴⁸⁸ *See id.*; Law No. 21 of 2015, *supra* note 340, at art. 68.

⁴⁸⁹ *See Everything I Have to Do is Tied to a Man: Women and Qatar's Male Guardianship Rules*, *supra* note 487.

⁴⁹⁰ *Id.*

⁴⁹¹ *Disempowered, Dehumanised, Deported: Life Under the Kafala System*, *supra* note 460.

⁴⁹² NATASHA ISKANDER, DOES SKILL MAKE US HUMAN: MIGRANT WORKERS IN 21ST CENTURY QATAR AND BEYOND 150 (Princeton University Press, 2021).

⁴⁹³ Zachary R. Calo, *Labor Rights and Dispute System Design: Assessing the Legal Legacy of the 2022 Qatar World Cup*, 24 GER. L. J. 1729, 1733 (2023).

⁴⁹⁴ *Id.* at 1737.

⁴⁹⁵ Zoom Interview with Natasha Iskander, Associate Professor of Sociology & James Weldon Johnson Professor of Urban Planning and Public Service (Dec. 12, 2023).

⁴⁹⁶ *Id.*; Zoom Interview with Noora Lori, Associate Professor of International Relations at the Boston University Pardee School of Global Studies (Dec. 11, 2023).

whose nationals (particularly from the state of Kerala) make up nearly half of all *kafala* workers – mitigate some predatory practices by capping fees and standardizing contracts before departure.⁴⁹⁷

The absence of viable long-term residency pathways compounds vulnerabilities: despite years or even decades of contribution to Qatar’s economy, migrant workers have no route to permanent residency or citizenship, except in rare and discretionary cases.⁴⁹⁸

Qatar’s reservations to key provisions of the CRC and CEDAW and its failure to fully implement the provisions of both further weaken legal protections and create inconsistency between Qatar’s international obligations and its domestic legal framework.⁴⁹⁹ As a result, many children of migrant workers grow up without any secure or permanent legal status in Qatar.⁵⁰⁰ Although these children may attend local schools and access healthcare under their parents’ sponsorship, they remain fully dependent on their parents’ employment-linked residency permits.⁵⁰¹ When they reach adulthood, this dependent status expires. If they are unable to secure independent legal residency – typically through employment or university sponsorship – they become subject to deportation.⁵⁰²

The *kafala* system reinforces this precarity by linking residency rights to the employer-sponsor of the working parent.⁵⁰³ Children cannot remain in the country unless sponsored separately, and there are no protections for long-term integration or residency based on birth or upbringing in Qatar.⁵⁰⁴ This makes children born in Qatar especially vulnerable if born to migrant parents who separate or whose sponsor refuses to extend their permit.⁵⁰⁵ The lack of any dedicated nationality or residency pathway in Qatar poses a significant risk of statelessness for children who are unable to acquire their parents’ nationality due to legal, administrative, or political barriers in the country of origin. For example, Nepali workers have long comprised part of the *kafala* workforce, and

⁴⁹⁷ Zoom Interview with Natasha Iskander, Associate Professor of Sociology & James Weldon Johnson Professor of Urban Planning and Public Service (Dec. 12, 2023).

⁴⁹⁸ Eneze Modupe-Oluwa Imerion, *Transnational Labour Migration: Experiences of Mid-to-Highly Skilled African Migrant Workers in Doha, Qatar* (2017) (M.A. thesis, Brock University). The Permanent Residency Law (Law No. 10 of 2018) offers a limited number of permanent resident permits, prioritized for individuals with Qatari mothers, highly skilled professionals, or those deemed to have rendered exceptional service to the state. Law No. 10 of 2018, *supra* note 244. For the vast majority of workers, continued legal presence in Qatar is contingent on employment, reinforcing a cycle of dependency that leaves them susceptible to exploitation. Favour Ogburgo Offia, *Exploring the Links Between Racial Exclusion and Human Trafficking of Migrant Workers in Qatar*, 33 SOC. & LEGAL STUD. 927, 931 (2024).

⁴⁹⁹ *Qatar: Gender Justice & The Law*, United Nations Development Programme 10 (2018), <https://www.unescwa.org/sites/default/files/inline-files/qatar-adjusted.pdf>.

⁵⁰⁰ See Andrew Gardner et al., *The legal regulation of migrant workers, politics and identity in Qatar and the United Arab Emirates*, 3 J. ARABIAN STUD. 1 (Jun. 27, 2013).

⁵⁰¹ Qatar Submission to the UN Committee on the Rights of the Child, *supra* note 340.

⁵⁰² See Ray Jureidini, *Irregular Migration in Qatar: The Role of Legislation, Policies, and Practices*, in SKILLFUL SURVIVALS: IRREGULAR MIGRATION TO THE GULF (2017).

⁵⁰³ See Beaugrand & Thiollet, *supra* note 91, at 341.

⁵⁰⁴ See *id.*

⁵⁰⁵ Data in Qatar on this issue is sparse, but has been widely documented for children born to migrant workers in Lebanon’s *kafala* system. See Karen Block, *Immobilisation of migrant domestic worker women and their children born in Lebanon*, 50 J. ETHNIC & MIGRATION STUD. 1923, 1925-26 (2024)

were estimated to have accounted for almost fourteen percent of the total population in 2022.⁵⁰⁶ Nepalese law, though currently undergoing reform, has traditionally barred women from conferring nationality unless they can prove the father was Nepali or unknown.⁵⁰⁷ For mothers unable to provide such proof, their children may be at risk of statelessness if denied pathways to citizenship in Qatar.

Difficulty in accessing consular services can increase the risk of statelessness for children of migrant workers when combined with restrictive nationality laws in their home countries. Such risks can arise if: (1) their countries of origin lack diplomatic representation in Qatar; (2) the parents were trafficked and/or lost proof of their nationality; or (3) the parents are unaware that birth registration for nationality purposes requires a consular process or are unable to access it. Thus, if migrant worker parents are unable to return to their home country or access consular documentation and registration services – either because a lack of diplomatic representation or access to it in Qatar, loss of documents, or mobility restrictions that prevent them from leaving Qatar – they may be unable to register their children under the laws of their own country, which may also result in statelessness.

The cumulative result is a generation of children who, despite being born and raised in Qatar, are excluded from any long-term legal status. The absence of legal pathways to citizenship or permanent residence for these children runs counter to Qatar’s obligations under the Arab Charter, the CRCI, and the CRC, which call on states to ensure that all children are registered at birth and have the right to acquire a nationality.⁵⁰⁸

This structural framework – where employers exercise disproportionate power, enforcement is lax, and workers have no path to stability – places migrant workers in a position where their residency and associated rights are reliant on their employers, leaving them in a precarious legal and social position with minimal capacity to assert their rights or improve their conditions. By tying residency exclusively to employment, sponsors’ control extends to workers’ families. This deepens intergenerational statelessness among long-term residents.⁵⁰⁹ In this context, the *kafala* system does not merely regulate labor migration but entrenches a hierarchy that undermines core human rights and exacerbates risks of statelessness for workers and their children.

⁵⁰⁶ See Robinson, *supra* note 91. It was estimated that around 350,000 Nepali workers were in Qatar in 2022, primarily working in construction, agriculture, hospitality, and other jobs. See *Survey Analysis: Monitoring recruitment of Nepalese migrant workers to Qatar*, INTERNATIONAL TRADE UNION CONFEDERATION (Dec. 22, 2023), https://www.ituc-csi.org/IMG/pdf/mra_nepal_v5.pdf.

⁵⁰⁷ See *A mother’s struggle helps drive a national movement for legal identity in Nepal*, UNHCR (Oct. 9, 2024), <https://www.unhcr.org/news/stories/mother-s-struggle-helps-drive-national-movement-legal-identity-nepal>; *Citizenship bill eases process, but gender bias remains*, KATHMANDU POST (Jul. 9, 2025), <https://kathmandupost.com/national/2025/07/09/citizenship-bill-eases-process-but-gender-bias-remains>.

⁵⁰⁸ CRC, *supra* note , at art. 7.

⁵⁰⁹ Zoom Interview with Noora Lori, Associate Professor of International Relations at the Boston University Pardee School of Global Studies (Dec. 11, 2023).

iii. Palestinians in Qatar

As of 2017, there are estimated to be about 56,000 Palestinians in Qatar. This number has likely increased since the War in Gaza began in 2023.⁵¹⁰ Although Qatar's foreign policy has been consistently supportive of Palestinian sovereignty,⁵¹¹ the government is restrictive with respect to citizenship and other core rights that Palestinians are entitled to under regional agreements and international law.⁵¹² Palestinians in Qatar are generally unable to return to Palestine and have no dedicated pathway to acquire Qatari citizenship or travel documents.⁵¹³ Under the international definition of statelessness, these Palestinian refugees are stateless, because Israeli citizenship laws do not recognize them as citizens of Israel and they are not recognized as citizens under the laws of any other state⁵¹⁴ – including Qatar.

The treatment of Palestinians in Qatar during the Persian-Gulf War (1990-1991) illustrates the fragility of the population. During the war, the Qatari government engaged in a massive expulsion of Palestinians residing in Qatar under the pretext that the Palestinian Authority was supportive of the Iraqi regime.⁵¹⁵ The expulsions targeted highly positioned Palestinians who worked in the oil industry, in governmental positions and in security forces.⁵¹⁶ The Qatari government carried out these expulsions through the deliberate non-renewal of residency permits and termination of employment contracts, which forced Palestinians to leave, their residency permits being contingent on employment.⁵¹⁷

Today, most Palestinians in Qatar are subject to the *kafala* system, which exposes them to the harms and rights violations described above.⁵¹⁸ In one not uncommon experience, a Palestinian

⁵¹⁰ Majd Abuamer, *Palestinians Worldwide: A Demographic Study*, 4 AL-MUNTAQA 108, 112 (2021) (reviewing YOUSSEF COURBAGE & HALA NOFAL, *PALESTINIANS WORLDWIDE: A DEMOGRAPHIC STUDY* (2020)); *Qatar to provide care for 4,500 Palestinians from Gaza*, MIDDLE EAST MONITOR (Dec. 4, 2023), <https://www.middleeastmonitor.com/20231204-qatar-to-provide-care-for-4500-palestinians-from-gaza/>

⁵¹¹ For example, Qatar recognized Palestine as a state in 1988, with Jerusalem as its capital; created the Permanent Committee for the Support of Al Quds; and facilitated the adoption of the Doha Declaration in 2012, a conciliation agreement between Fatah and Hamas. *Countries that Recognize Palestine 2025*, WORLD POPULATION REVIEW, <https://worldpopulationreview.com/country-rankings/countries-that-recognize-palestine> (last visited Dec. 13, 2025); *Deputy Prime Minister and Minister of Foreign Affairs Meets Mufti of Al Quds, Palestinian Territories*, MINISTRY OF FOREIGN AFFAIRS, STATE OF QATAR (Sep. 6, 2025), [https://mofa.gov.qa/en/qatar/latest-articles/latest-news/details/1444/02/10/deputy-prime-minister-and-minister-of-foreign-affairs-meets-mufti-of-al-quds-palestinian-territories#:~:text=His%20Excellency%20reiterated%20the%20State, strategic%20interests%20of%20the%20State.](https://mofa.gov.qa/en/qatar/latest-articles/latest-news/details/1444/02/10/deputy-prime-minister-and-minister-of-foreign-affairs-meets-mufti-of-al-quds-palestinian-territories#:~:text=His%20Excellency%20reiterated%20the%20State, strategic%20interests%20of%20the%20State.;); Doha Declaration Between The PLO And Hamas, United Nations Peacemaker (May 2, 2012), <https://peacemaker.un.org/en/node/9953>.

⁵¹² See Bülent Aras, *Standing tall like Caesar? Qatar's unwavering voice for Palestine at the United Nations*, 45 THIRD WORLD Q. 1458 (2024).

⁵¹³ Nassar, *supra* note 487, at 27.

⁵¹⁴ See generally Susan Akram, *The Search for Protection for Stateless Refugees in the Middle East: Palestinians and Kurds in Lebanon and Jordan*, 3 INT'L J. REFUGEE L. 407 (2018).

⁵¹⁵ *Qatar: Current information on the treatment of Palestinians*, IMMIGRATION AND REFUGEE BOARD OF CANADA (Sep. 1994), <https://www.refworld.org/docid/3ae6ab8620.html>.

⁵¹⁶ *Id.*

⁵¹⁷ *Id.*

⁵¹⁸ Nassar, *supra* note 487, at 40-41.

who lived in Qatar for sixty-five years and provided service to Qatar as an employee of the Ministry of Education for forty years was unable to naturalize and was forced to rely on the restrictive *kafala* system to maintain residence in Qatar.⁵¹⁹ The gendered nature of the *kafala* system⁵²⁰ creates an additional layer of vulnerability for Palestinian women, many of whom are unable to gain residency through the *kafala* program and are forced instead to work under the sponsorship of their *kafala* worker husband or son.⁵²¹ Christian Palestinians within the *kafala* system may also face additional discrimination, as religion is one of several factors that determines salaries for *kafala* workers.⁵²²

Qatar's laws and policies – or lack thereof – concerning Palestinians within its territory violate its obligations under the Casablanca Protocol.⁵²³ Palestinians are treated like temporary, economic migrants within Qatar, barred from rights associated with citizenship, while facing unique problems of statelessness and its associated losses. They are not provided the rights to employment, residency, freedom of movement, and travel documents on an equal basis with citizens, as outlined in the Casablanca Protocol.⁵²⁴ Although the LAS' 1991 resolution made the legal status of Palestinians the responsibility of individual states, Qatar is still bound by the Casablanca Protocol's obligations, as the resolution undermined the treaty's operation, but did not revoke its obligations.⁵²⁵

VI. Stakeholder Efforts

International stakeholders, including the Human Rights Council (HRC) and the committees for the ICESCR, the International Labor Organization (ILO), the CRC, and CEDAW, have all published reports on ongoing human rights issues in Qatar.⁵²⁶ Their influence in advancing legal and policy

⁵¹⁹ *Id.* at 42.

⁵²⁰ Many workplaces do not employ women. *See* discussion *supra* Section V.C.ii.

⁵²¹ Working under the sponsorship of husbands or sons might limit the freedom and autonomy of Palestinian women. They may require approval from their husbands or sons in their capacities as sponsors to travel or work. Abusive husbands may use their status as sponsor to control the actions of their wives, threatening their legal status in an effort to exploit them. *See* Nassar, *supra* note 487, at 43-44.

⁵²² Alongside ethnicity, race, and nationality. *Id.* at 43.

⁵²³ It should be noted, however, that Qatar supports Palestinian sovereignty, and massively economically supports Palestine. The first Arab country to sign a multiyear support agreement with UNRWA, in 2024 Qatar was ranked sixth of the top twenty donors to UNRWA with contributions and pledges totaling over \$50 million USD. *See Qatar Renews Call for UNSC Security Council to Recommend Palestine as Full UN Member*, QATAR MINISTRY OF FOREIGN AFFAIRS: MINISTRY NEWS (May 14, 2024), <https://mofa.gov.qa/en/qatar/latest-articles/latest-news/details/2024/05/14/qatar-renews-call-for-unscc-security-council-to-recommend-palestine-as-full-un-member>; *Qatar Fund for Development Signs US \$20 Million Core Contribution Agreement to Support UNRWA*, UNRWA NEWSROOM (Jun. 17, 2025), <https://www.unrwa.org/newsroom/news-releases/qatar-fund-development-signs-us-20-million-core-contribution-agreement>; *Top 20 donors, Overall Ranking*, UNRWA DONOR CHARTS (Dec. 31, 2024), https://www.unrwa.org/sites/default/files/top_20_donors_overall_ranking_002.pdf.

⁵²⁴ Casablanca Protocol, *supra* note 179.

⁵²⁵ Abbas Shibliak, *Residency Status and Civil Rights of Palestinian Refugees in Arab Countries*, 25 J. PALESTINE STUD. 36, 42 (Spring 1996); *see also* discussion *supra* Section IV.B.i.

⁵²⁶ *See* HRC Qatar Report 2020, *supra* note 11; ICESCR Committee Conclusions 2023, *supra* note 141; CEDAW Report 2019, *supra* note 144; Committee on the Rights of the Child Concluding Observations 2025, *supra* note 339, at 4; *Labour Reforms in the State of Qatar*, ILO, at 21-22 (2022),

reforms in Qatar related to statelessness, nationality rights, and gender equality is evident, as the Qatari government has changed some of its policies and withdrawn certain treaty reservations. These stakeholders have pressed Qatar through monitoring, technical support, and formal recommendations to align its domestic laws with international human rights standards. While their efforts have prompted important dialogue and visibility around issues of exclusion and legal identity, Qatar's responses remain limited, often constrained by domestic legal interpretations and sociopolitical considerations.

Regional and transnational advocacy efforts have further been instrumental in shaping the discourse on nationality rights, labor protections, and migrant inclusion in Qatar and the broader Gulf region.⁵²⁷ While the domestic civic space remains tightly restricted, cross-border collaboration among regional organizations and Gulf-based human rights groups has created alternative platforms for legal advocacy, policy reform, and norm harmonization.⁵²⁸ These stakeholders have focused on promoting consistency in nationality laws, improving protections for migrant labor, and drawing attention to statelessness and gender-based legal exclusion through coordinated regional engagement.

However, Qatar's engagement with international and domestic stakeholders on issues of nationality, migrant rights, and legal reforms has been characterized by selective participation and limited substantive change. Despite sustained engagement from international and regional stakeholders, the Qatari government has retained tight control over the pace and scope of reforms. Still, external pressure has played a critical role in advancing incremental changes and drawing attention to ongoing gaps in legal protection.⁵²⁹

The Qatari government has implemented a series of promising initiatives aimed at expanding access to essential services, regulating labor practices, and addressing administrative barriers faced by stateless and marginalized populations. These include reforms to the *kafala* system, the establishment of a minimum wage, incremental improvements in access to documentation, and limited enhancements in women's legal autonomy. Such initiatives signal a commendable willingness to respond to international and domestic concerns raised by civil society. Yet, many are partial, ad hoc, discretionary, or weakly enforced.⁵³⁰ Gender-discriminatory nationality laws persist, protections for stateless persons are underdeveloped, and labor rights reforms are undermined by weak enforcement and ongoing exploitation. Domestic civil society continues to operate in a tightly constrained environment, limiting the space for grassroots mobilization and sustained rights-based advocacy. Meanwhile, Qatar's continued reservations to core human rights

https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@arabstates/@ro-beirut/@ilo-qatar/documents/publication/wcms_859843.pdf.

⁵²⁷ See *infra* text accompanying 546-547 and 554-556.

⁵²⁸ See generally *supra* Section IV.B.

⁵²⁹ GENERAL SECRETARIAT FOR DEVELOPMENT PLANNING, QATAR NATIONAL DEVELOPMENT STRATEGY 2011-2016 (2011), <https://www.npc.qa/en/planning/Documents/nds1/NDS%20Leaflet%20-%20English.pdf> (last visited Oct. 5, 2025).

⁵³⁰ HRC Qatar Report 2020, *supra* note 11.

treaties and its refusal to ratify key conventions on statelessness reflect an ongoing resistance to fully embracing international legal standards.

Despite these challenges, stakeholder engagement remains an important force for change. International and regional actors provide vital oversight, amplify marginalized voices, and help frame legal and policy debates in ways that center human dignity and inclusion. Moving forward, the effectiveness of Qatar's reform efforts will depend on its willingness to move beyond symbolic measures and commit to durable, rights-based legal frameworks. The sustained involvement of diverse stakeholders – working across borders and sectors – will be essential in ensuring that reforms lead not only to improved policies, but to meaningful and lasting protections for all individuals within Qatar's jurisdiction.

A. Nationality and Civil Documentation

UNHCR has been at the forefront of international efforts to address statelessness in Qatar, particularly by advocating for the ratification of the 1954 and 1961 Statelessness Conventions.⁵³¹ The Agency has also highlighted Qatar's failure to provide durable legal pathways to citizenship for long-term residents, members of denationalized tribes such as the al-Ghufran clan, and children born to Qatari mothers and non-Qatari fathers, who often face barriers to civil documentation.⁵³² UNHCR's technical assistance and ongoing advocacy have elevated the issue of statelessness in regional discussions and contributed to stakeholder-led initiatives encouraging Qatar to create more transparent, inclusive, and rights-based nationality laws.⁵³³

Other stakeholders – including UN treaty bodies like the Committee on the Rights of the Child – have consistently raised concerns about the barriers stateless persons, children of undocumented parents, and long-term migrants face in accessing basic social services that are dependent on proof of civil documentation and nationality.⁵³⁴

Despite these efforts from stakeholders, Qatar has maintained that nationality is a sovereign matter, resisting international pressure to liberalize its laws.⁵³⁵ Stakeholder advocacy – particularly from legal experts and human rights organizations – has brought attention to the plight of groups such as the al-Ghufran clan, the Bedoon population, and children born to undocumented, long-term migrant, or denationalized parents.⁵³⁶ In response, the Qatari government has taken tentative steps to assist select individuals in obtaining temporary documentation, such as residency cards or civil

⁵³¹ UNHCR Submission for the Universal Periodic Review – Qatar – UPR 33rd Session, *supra* note 411.

⁵³² *Id.*

⁵³³ *Id.*

⁵³⁴ U.N. Committee on the Rights of a Child, *supra* note 339, at 4.

⁵³⁵ BTI Transformation Index, *supra* note 215.

⁵³⁶ *Qatar: Families Arbitrarily Stripped of Citizenship*, HUMAN RIGHTS WATCH, *supra* note 84; Salma A. Al-Kaabi et al., *supra* note 318, at 2.

registration certificates.⁵³⁷ These measures, while limited, reflect growing acknowledgment of the problem.

The Qatari government has further streamlined birth registration and identity verification processes, introduced new categories of eligibility for permanent residency, and implemented modest changes to the *kafala* system.⁵³⁸ However, these measures are largely *ad hoc* and lack a formalized legal framework or procedural transparency. For example, while permanent residency reforms in 2018 granted eligibility to children and spouses of Qatari women married to non-Qatari men, only 100 individuals can obtain the status annually.⁵³⁹ Additional categories created by the 2018 reform only targeted high-net-worth investors,⁵⁴⁰ excluding much of the population without documentation. Eligibility is also contingent on steep requirements of years of residency, a clean criminal record, and stable income.⁵⁴¹ In practice, bureaucratic opacity and high fees deter most applicants, even as stateless individuals benefit from a parallel “humanitarian” track with relaxed documentation rules.⁵⁴²

In response to international criticism and recommendations regarding access to education and healthcare for vulnerable groups,⁵⁴³ Qatar has introduced some limited measures to expand access to these services. Non-Qatari children with parents employed in the private sector may access public schools, but only if there are available places, and often must pay tuition fees. In some cases, exceptions are made through specific programs, but these are limited in scope and not codified in law.⁵⁴⁴ Stakeholders have emphasized the need to codify these rights in legislation to ensure consistency and to protect against arbitrary denial of services.⁵⁴⁵

One of the most active regional actors in this space is the LAS, which has developed a set of legal instruments aimed at standardizing nationality protections and safeguarding against statelessness.⁵⁴⁶ Through binding agreements like the Arab Charter and non-binding declarations such as the Arab Declaration on Belonging and Legal Identity, LAS Member States – including Qatar – have committed to principles of non-discrimination, protection of legal identity, and gender equality in nationality laws. These instruments draw directly from international human

⁵³⁷ See Jureidini, *supra* note 502.

⁵³⁸ See Salma A. Al-Kaabi et al., *supra* note 318, at 2; De Bel-Air, *supra* note 324; Begum, *supra* note 331.

⁵³⁹ See *id.*

⁵⁴⁰ Ali Younes, *Qatar first Gulf nation to grant permanent residency to expats*, AL JAZEERA (Sep. 5, 2018), https://www.aljazeera.com/economy/2018/9/5/qatar-first-gulf-nation-to-grant-permanent-residency-to-expats#:~:text=The%20law%20also:%20*%20Allows%20most%20migrant,modern%20Qatar%20in%20the%20next%2010%20years.

⁵⁴¹ See Law No. 10 of 2018, *supra* note 244.

⁵⁴² Interview with Ray Jureidini, Former Professor of Migration Ethics and Human Rights at the Center for Islamic Legislation and Ethics (Feb. 20, 2024).

⁵⁴³ U.N. Committee on the Rights of a Child, *supra* note 339, at 4.

⁵⁴⁴ *Qatar: Non-State Actors in Education*, UNESCO, <https://education-profiles.org/northern-africa-and-western-asia/qatar/~non-state-actors-in-education> (last visited Dec. 14, 2025).

⁵⁴⁵ Qatar Submission to the UN Committee on the Rights of the Child, *supra* note 340.

⁵⁴⁶ See *supra* Section IV.B.i.

rights standards, including CEDAW and the CRC, and emphasize the rights of women to confer nationality on their children, as well as the need to eliminate arbitrary deprivation of citizenship.

However, regional enforcement mechanisms remain weak, and the implementation of LAS instruments is inconsistent. While Qatar ratified the Arab Charter in 2013, it has not adopted concrete legal reforms in response to its provisions on equal nationality rights or protections against statelessness. Nevertheless, regional advocacy groups continue to leverage these instruments to call for harmonized nationality frameworks across Arab states, and to pressure governments – including Qatar – to align domestic law with regional commitments. Conferences such as the 2017 First Arab Conference on Good Practices and Regional Opportunities to Strengthen Women’s Nationality Rights, and the subsequent 2018 conference that resulted in the Arab Declaration on Belonging and Legal Identity have been instrumental in this process.⁵⁴⁷

The lack of documentation in Qatar is not a minor administrative issue – it produces a profound and enduring form of legal and social exclusion. It deprives individuals of protection, opportunity, and dignity, while systematically reinforcing structural inequality. Although Qatar has taken incremental steps toward reform, these efforts fall short of what is needed to address the root causes of systemic exclusion. The absence of clear eligibility criteria, standardized application processes, and appeal mechanisms leaves many affected individuals in prolonged legal limbo. Stakeholders continue to advocate for the establishment of a comprehensive regularization program grounded in international human rights standards that would ensure durable legal status and protection for stateless persons residing in Qatar. Yet, until robust legal reforms materialize, these populations will remain vulnerable to rights violations and continued marginalization.

B. Gender Equality

The CEDAW Committee has been a consistent and vocal critic of Qatar’s gender-discriminatory nationality laws, which prevent Qatari women from conferring citizenship on their children and spouses on equal terms with Qatari men. In its Concluding Observations on Qatar’s second periodic report in 2019, the Committee expressed serious concern over the government’s reservation to Article 9(2) of the Convention, which guarantees women the equal right to pass nationality to their children.⁵⁴⁸ The Committee found that such reservations are incompatible with the object and purpose of the treaty, and urged Qatar to withdraw them and reform its legislation to eliminate gender-based discrimination.⁵⁴⁹ The United Nations Special Rapporteur on

⁵⁴⁷ UNHCR Submission for the Universal Periodic Review – Qatar – UPR 33rd Session, *supra* note 411.

⁵⁴⁸ CEDAW Report 2019, *supra* note 144, at ¶ 9; *see also* Stop Violence Against Women & Amnesty International, *Reservations to the Convention on the Elimination of All Forms of Discrimination Against Women: Weakening the protection of women from violence in the Middle East and North Africa region*, <http://amnesty.org/en/wp-content/uploads/2021/09/ior510092004en.pdf> (last visited Oct. 20, 2025).

⁵⁴⁹ CEDAW Report 2019, *supra* note 144, at ¶¶ 9-10.

Contemporary Forms of Racism likewise expressed concern about Qatar's gendered legislation and called for the government to withdraw its reservations to CEDAW.⁵⁵⁰

The CEDAW Committee further criticized Qatar's discriminatory laws relating to equality in marriage, inheritance, and family relations, noting that these undermine the full realization of women's rights.⁵⁵¹ It emphasized that gender equality in nationality laws is essential not only for women's legal autonomy but also for the prevention of statelessness in children, particularly in cases of paternal death, divorce, or abandonment.⁵⁵² Several international human rights actors have also sent submissions to CEDAW and the HRC, urging the UN bodies to place more pressure on Qatar to amend its discriminatory policies.⁵⁵³

Although Qatar has neither withdrawn its reservations to CEDAW nor amended its nationality law in response to the CEDAW Committee's recommendations, the recommendations continue to serve as a framework for advocacy by civil society actors, international organizations, and regional legal scholars. The Committee's guidance further reinforces the principle that legal reform is necessary to uphold Qatar's international and regional commitments and to ensure equal legal recognition for women and their children.

The LAS has also encouraged its members to remove their reservations to CEDAW, a recommendation codified in the Arab Declaration.⁵⁵⁴ It further recommended implementing the recommendations set forth in the 2017 First Arab Conference on Good Practices and Regional Opportunities to Strengthen Women's Nationality Rights,⁵⁵⁵ which thoroughly endorsed updating national laws to secure nationality rights without discrimination.⁵⁵⁶

The ICESCR Committee has also commented on Qatar's gender discriminatory laws and recommended that it both withdraw its reservations and align its laws with ICESCR obligations.⁵⁵⁷

Repeated efforts to reform Qatar's male guardianship system have also been shaped by stakeholder advocacy, with the CEDAW Committee, international human rights organizations, and civil

⁵⁵⁰ HRC Qatar Report 2020, *supra* note 11, at ¶¶ 52, 61.

⁵⁵¹ CEDAW Report 2019, *supra* note 144, at ¶ 14.

⁵⁵² *Id.* at ¶¶ 33-34.

⁵⁵³ See generally *Musawah Oral Statement: Bahrain and Qatar, 57th Session of the CEDAW Committee*, MUSAWAH (Feb. 10, 2014), <https://www.musawah.org/wp-content/uploads/2019/09/Bahrain-Qatar-Oral-Statement-CEDAW57-2014.pdf>; *Musawah Thematic Report on Article 16, Muslim Family Law and Muslim Women's Rights in Qatar (57th CEDAW Session)*, MUSAWAH (Jul. 2019); *Human Rights Watch Submission to the CEDAW Committee of Qatar's Periodic Report for the 73rd Session* (Jul. 1, 2019), <https://www.hrw.org/news/2019/07/01/human-rights-watch-submission-cedaw-committee-qatars-periodic-report-73rd-session>; Equality Now, Global Campaign for Equal Nationality Rights, & Institute on Statelessness and Inclusion, *Joint Submission to the Human Rights Council, Universal Period Review Qatar, 47th Session* (Apr. 8, 2024), https://files.institutesi.org/UPR47_Qatar.pdf.

⁵⁵⁴ Arab Declaration on Belonging and Legal Identity, *supra* note 185.

⁵⁵⁵ *Id.*

⁵⁵⁶ First Arab Conference on Good Practices & Regional Opportunities to Strengthen Women's Nationality Rights, *supra* note 184.

⁵⁵⁷ ICESCR Committee Conclusions 2023, *supra* note 141.

society making related recommendations.⁵⁵⁸ In response, Qatar has made policy-level changes to allow women greater autonomy in areas such as travel, education, and employment, removing the requirement for male guardian permission in many contexts.⁵⁵⁹ One such was the requirement for guardian permission in obtaining a driver's license, which was lifted in January 2020.⁵⁶⁰ However, these reforms have not been fully codified into law, and social and institutional practices continue to reflect underlying guardianship norms. Stakeholders have emphasized the need for comprehensive legislative reform and public education to ensure these changes are meaningful and sustainable.⁵⁶¹

Notably, domestic stakeholders continue to face risks in advocating against Qatar's discriminatory system. In 2019, less than a day after several Qatari women had posted on an anonymous Twitter (now called X) account details of their experiences with the guardianship system, the account was shut down and one of the women was summoned for interrogation.⁵⁶² Several women who have refused to comply with the restrictive guardianship rules have sought asylum in other countries.⁵⁶³

C. Refugees and Migrants

International stakeholders have long criticized Qatar's lack of a comprehensive refugee and asylum framework, including its failure to ratify the 1951 Refugee Convention and its 1967 Refugee Protocol.⁵⁶⁴ Partly because of this pressure, Qatar passed the 2018 Asylum Law, creating the state's – and the Gulf's – first legal framework for granting political asylum.⁵⁶⁵ Qatar also indicated to a UN Special Rapporteur in 2019 that it intends to ratify both the 1951 Refugee Convention and the 1967 Refugee Protocol.⁵⁶⁶ While these measures are important first steps towards providing protection to asylum seekers, critical gaps remain in the 2018 Asylum Law's construction and implementation, including a lack of transparent assessment or appeal processes and opaque determinations granting refugee status applications are resolved.⁵⁶⁷ Critically, the law

⁵⁵⁸ See generally Musawah Oral Statement: Bahrain and Qatar, 57th Session of the CEDAW Committee, *supra* note 553; Musawah Thematic Report on Article 16, Muslim Family Law and Muslim Women's Rights in Qatar (57th CEDAW Session), *supra* note 153; Human Rights Watch Submission to the CEDAW Committee of Qatar's Periodic Report for the 73rd Session, *supra* note 153; Equality Now, Global Campaign for Equal Nationality Rights, & Institute on Statelessness and Inclusion, *supra* note 153.

⁵⁵⁹ "Everything I Have to Do is Tied to a Man", *supra* note 487.

⁵⁶⁰ *Id.*

⁵⁶¹ CEDAW Report 2019, *supra* note 144.

⁵⁶² *Id.*; "Everything I Have to Do is Tied to a Man", *supra* note 487.

⁵⁶³ *Id.*

⁵⁶⁴ OHCHR, Press Release, *Committee on the Elimination of Racial Discrimination examines the report of Qatar* (Nov. 28, 2018), [https://www.ohchr.org/en/press-releases/2018/11/committee-elimination-racial-discrimination-examines-report-qatar?](https://www.ohchr.org/en/press-releases/2018/11/committee-elimination-racial-discrimination-examines-report-qatar?LangID=F&NewsID=23950); LangID=F&NewsID=23950; *For Qatar the Gulf Crisis is a Human Rights Opportunity*, Human Rights Watch (Aug. 3, 2017), <https://www.hrw.org/news/2017/08/03/qatar-gulf-crisis-human-rights-opportunity>.

⁵⁶⁵ 2018 Asylum Law, *supra* note 287.

⁵⁶⁶ HRC Qatar Report 2020, *supra* note 11, at ¶ 53.

⁵⁶⁷ 2018 Asylum Law, *supra* note 287.

does not provide a path to naturalization or permanent residency status for those granted asylum, leaving asylees vulnerable to uncertain legal status.⁵⁶⁸

International stakeholders also played a crucial role in advocating for the dismantling of Qatar's *kafala* system, long criticized for facilitating labor exploitation. This pressure in part led Qatar to adopt Ministerial Decree No. 95 of 2019, which allowed many workers to leave the country without an exit permit, and introduced measures that permit job transfers without prior employer consent.⁵⁶⁹ Such reforms are important steps towards dismantling the exploitative relationship between migrant workers and their employers within the *kafala* system, but fail to include many vulnerable groups, such as domestic workers.⁵⁷⁰ Stakeholders report that these reforms, in addition to excluding critical populations, suffer from inconsistent enforcement, limited access to complaint mechanisms, and ongoing retaliation against workers who attempt to exercise their rights.⁵⁷¹

Stakeholders such as the ILO, labor rights organizations, and migrant-sending countries have pressured Qatar to adopt stricter oversight of labor recruitment channels.⁵⁷² In response to mounting international criticism of exploitative labor recruitment practices, particularly the high costs and deceptive promises faced by migrant workers in their countries of origin, Qatar has introduced new measures to regulate recruitment agencies. These include the creation of Qatar Visa Centers in workers' countries of origin to help prevent contract deception.⁵⁷³ Nevertheless, enforcement of regulations remains inconsistent and recruitment agencies continue to charge deceptive recruitment fees with impunity.⁵⁷⁴ Continued pressure from international labor monitors and foreign governments remains critical to addressing these implementation gaps. These monitoring organizations have documented labor violations, publicized migrant worker testimonies, and disseminated legal guidance in multiple languages to reach affected communities.⁵⁷⁵ They have also worked closely with international organizations, including the ILO, to amplify migrant voices and push for structural reforms in the system, minimum wage laws, and dispute resolution processes.⁵⁷⁶

⁵⁶⁸ *Id.*

⁵⁶⁹ Ministerial Decree No. 95 of 2019, *supra* note 308.

⁵⁷⁰ *Qatar: End of Abusive Exit Permits for Most Migrant Workers*, HUMAN RIGHTS WATCH (Jan. 20, 2020) <https://www.hrw.org/news/2020/01/20/qatar-end-abusive-exit-permits-most-migrant-workers>.

⁵⁷¹ *Qatar 2024*, *supra* note 314.

⁵⁷² *Qatar: Country Portal*, ILO, <https://www.ilo.org/regions-and-countries/arab-states/qatar> (last visited Dec. 15, 2025); see also *Migrant Worker Rights Violations in Qatar: Briefing for the Universal Periodic Review Pre-Session 47 (2024)*, COALITION ON LABOR JUSTICE FOR MIGRANTS IN THE GULF, https://www.antislavery.org/wp-content/uploads/2024/08/Qatar-UPR-Advocacy-Brief_Coalition-on-Labor-Justice-for-Migrants-in-the-Gulf.pdf (last visited Dec. 15, 2025); *Qatar: Events of 2024*, *supra* note 473.

⁵⁷³ *Qatar: Country Portal*, *supra* note 572. Qatar has established Qatar Visa Centres in 6 countries, where employees are educated on Qatar labor laws to better and transparently explain the terms of employment to migrant workers using their services. See *Labour Reforms in the State of Qatar*, *supra* note 526, at 21-22.

⁵⁷⁴ Qatari law forbids charging recruitment fees, but 54% of low-wage workers report paying them. See *Migrant Worker Rights Violations in Qatar: Briefing for the Universal Periodic Review Pre-Session 47 (2024)*, *supra* note 572.

⁵⁷⁵ See *id.*

⁵⁷⁶ See *id.*

Transnational coalitions have similarly played an important role in holding governments accountable during major global events, such as the FIFA World Cup 2022.⁵⁷⁷ Their advocacy has led to labor reforms – albeit limited and not always uniformly enforced – that reflect international labor standards and the institutionalization of oversight mechanisms that protect migrant workers from exploitation and abuse.⁵⁷⁸

Despite measures taken to ease restrictions on movement and regulate exploitative employment relationships, Qatar still faces international criticism regarding the inaccessibility of permanent residency and its accompanying civil documentation to migrant workers.⁵⁷⁹ Those not eligible for prioritized permanent residency under Law No. 10 of 2018 – most migrant workers – must meet stringent requirements, including twenty years of continuous residency and an income threshold that is unachievable for many.⁵⁸⁰ Naturalization remains similarly inaccessible to migrant workers, as it is granted at the discretion of the Emir, limited to fifty cases per year, and requires twenty-five years of continuous residency.⁵⁸¹ As such, criticism from international stakeholders reveals that remedial measures made to Qatar’s *kafala* system are insufficient and continue to exclude migrant workers from access to permanent residency and civil documentation.⁵⁸²

Thus, international stakeholders stress that as long as access to documentation remains tied to exploitative employment relationships – without accessible avenues to permanent residency, naturalization, and civil documentation – migrant workers remain vulnerable to the risk of statelessness and other harms. Accordingly, stakeholders such as the ILO and labor rights groups continue to call for reform, including the establishment of residency systems independent of employment status to facilitate migrant workers’ access to documentation and better protect their rights.⁵⁸³

VII. Recommendations

This report examined Qatar’s legal and policy landscape concerning nationality laws, access to civil documentation, and migrant rights, highlighting challenges faced by stateless individuals, long-term residents, and children of Qatari mothers. The findings reveal that Qatar’s domestic laws respecting nationality remain rooted in a patrilineal framework that denies women equal rights to confer nationality on their children and spouses, contributing directly to intergenerational

⁵⁷⁷ See *World Cup 2022: How has Qatar treated foreign workers?*, BBC (Nov. 9, 2022), <https://www.bbc.com/news/world-60867042>.

⁵⁷⁸ Kellyn Wee, *Research Brief: Migrant Worker Recruitment Costs - Qatar*, TRANSIENT WORKERS COUNT TOO (Jul. 2016), <https://twc2.org.sg/wp-content/uploads/2017/04/Qatar-Recruitment-Fees.pdf>.

⁵⁷⁹ *Id.*

⁵⁸⁰ See discussion *supra* Section IV.C.i.1.b; Law No. 10 of 2018, *supra* note 244, at art. 1-2.

⁵⁸¹ Law No. 38 of 2005, *supra* note 15.

⁵⁸² *Qatar: Country Portal*, *supra* note 572; *Sponsorship reform and internal labour market mobility for migrant workers in the Arab States*, ILO (Jul. 23, 2023) <https://www.ilo.org/resource/other/sponsorship-reform-and-internal-labour-market-mobility-migrant-workers-arab>.

⁵⁸³ *Id.*

statelessness and gender-based legal exclusion.⁵⁸⁴ Access to civil documentation remains fragmented and discretionary, particularly for undocumented children, denationalized groups, and residents born outside formal marital or registration systems, thereby exacerbating their exclusion from public services, employment, and education.⁵⁸⁵ Migrant workers, who form the majority of the country's population, face systemic vulnerabilities despite recent labor reforms, including limited mobility, wage theft, and restricted access to legal remedies.⁵⁸⁶

These issues persist despite Qatar's international legal obligations under treaties such as the ICCPR, ICESCR, CRC, and CEDAW, and its participation in regional frameworks.⁵⁸⁷ Qatar's reservations to key treaty provisions and its failure to fully implement provisions to which it has already bound itself signal a critical gap between its formal commitments and domestic legal practices. In light of these shortcomings, there is an urgent need, first and foremost, for Qatar to reform its domestic framework to adhere more closely to the provisions of the Arab Charter, the Casablanca Protocol, the CRCI, and the international treaties to which it is a party.

The recommendations that follow are grounded in international best practices, drawing on guidance from UN treaty bodies, UNHCR's Global Action Plan to End Statelessness, and ILO labor standards.⁵⁸⁸ They are designed to provide Qatar with a clear, rights-based roadmap for legal and policy reforms to enhance equality, safeguard legal identity, and promote inclusive citizenship and labor protections for all individuals under its jurisdiction.

A. Expand International Cooperation and Form Internal Oversight

i. Deepen cooperation with UN bodies and migrant-sending countries

Strengthening bilateral and multilateral cooperation is essential to ensuring the long-term effectiveness of Qatar's legal and policy reforms concerning migrant rights, nationality, and civil documentation. Given the country's heavy reliance on migrant labor, partnerships with migrant-sending countries play a vital role in shaping recruitment practices, employment conditions, and the legal protections available to workers before, during, and after their time in Qatar. Additionally, enhanced collaboration with international human rights bodies is necessary to improve transparency, accountability, and alignment with international standards.

⁵⁸⁴ See Law No. 38 of 2005, *supra* note 15, at art. 7.

⁵⁸⁵ See Salma A. Al-Kaabi et al., *supra* note 318, at 14-21.

⁵⁸⁶ See *Disempowered, Dehumanised, Deported: Life Under the Kafala System*, *supra* note 460.

⁵⁸⁷ ICCPR, *supra* note 23; ICESCR, *supra* note 24; CRC, *supra* note 25; CEDAW, *supra* note 26.

⁵⁸⁸ See, e.g., *Global Action Plan to End Statelessness: 2014-2024*, UNHCR, at 20 (2014) <https://www.unhcr.org/us/media/global-action-plan-end-statelessness-2014-2024>; *Sponsorship reform and internal labour market mobility for migrant workers in the Arab States*, *supra* note 582; HRC Qatar Report 2020, *supra* note 11.

Qatar has made initial efforts to formalize labor migration through bilateral labor agreements with several migrant-sending countries, including Nepal, India, Bangladesh, and the Philippines.⁵⁸⁹ These agreements typically address recruitment procedures, dispute resolution, and worker protections. However, implementation has been uneven, and many workers continue to face illegal recruitment fees, contract substitution, and lack of legal recourse in cases of abuse.

Additionally, as illustrated above, gender discriminatory nationality laws – like those of Nepal⁵⁹⁰ – compounded by restrictions on mobility faced by those within the *kafala* system, can prevent parents from transmitting their nationality or obtaining the required documentation from their countries of origin, putting children at risk of statelessness. Citizenship laws which require regular registration for certain citizens outside of the country – such as in India and Bangladesh⁵⁹¹ – may be hindered by employer restrictions on worker mobility and workers’ ability to make effective use of consular services.⁵⁹² To address these shortcomings, Qatar should strengthen and expand bilateral agreements, ensuring they include enforceable commitments on ethical recruitment, employer accountability, and the mutual recognition of workers’ rights. Coordination with migrant-sending countries should also be improved to facilitate rapid response to labor violations and support access to consular assistance.

Qatar and migrant-sending countries should also deepen bilateral agreements to expand consular access to migrant workers to prevent risks of statelessness to children of migrant workers, which may arise when they are compounded by restrictive nationality laws in countries of origin.⁵⁹³ Such problems also arise when countries of origin lack diplomatic representation in Qatar, migrant parents were trafficked and/or lost proof of their nationality; migrant parents are unable to access

⁵⁸⁹ Qatari labor reforms include the establishment of 20 Qatar Visa Centres in nations including Nepal, India, Bangladesh, and the Philippines. See *Labour Reform*, GOVERNMENT COMMUNICATIONS OFFICE, <https://www.gco.gov.qa/en/media-centre/in-focus/labour-reform/> (last visited Oct. 7, 2025); Agreement on the Regulation of the Employment of Nepalese Manpower Signed on 21 March 2005 Between the Governments of the State of Qatar and Nepal, available at <https://mfasia.org/asianparliamentarians/wp-content/uploads/2017/08/nepal-and-qatar-2005.pdf> (last visited Dec. 15, 2025); Agreement concerning the organization of manpower employment between the State of Qatar represented by the Ministry of Labour and Social Affairs and the Republic of India, represented by the Ministry of Labour (Apr. 11, 1985), <https://www.ilo.org/resource/agreement-concerning-organization-manpower-employment-between-state-qatar#:~:text=11%20April%201985,International%20Labour%20Organization>.

⁵⁹⁰ See *supra* notes 506-507 and associated text.

⁵⁹¹ Indian law stipulates that naturalized citizens who have “been ordinarily resident out of India for a continuous period of seven years...” who have “not registered annually in the prescribed manner at an Indian consulate his intention to retain his citizenship of India” may be deprived of their citizenship. See Citizenship Act, 1955 § 10(2)(e) (Dec. 30, 1955). Bangladesh’s law allows for naturalized citizens to be deprived of their citizenship if they have “been ordinarily resident in a country outside Bangladesh for a continuous period of seven years...” and have not “registered annually in the prescribed manner at a Bangladesh Consulate or Mission...” See The Citizenship Act, 1951 (Act No. II of 1951) § 16(4)(ii).

⁵⁹² There have been reports of workers’ phones and passports being confiscated by employers, even after reforms to the *kafala* system. See 2024 Country Reports on Human Rights Practices: Qatar, *supra* note 14. Restrictions on movement, paired with limited access to information and limited time to navigate the logistics of maintaining compliance with their home states, might put certain individuals at risk of losing their citizenship. See *id.*; see also discussion *infra* Section VII.D.iii.

⁵⁹³ See discussion *supra* Section V.C.ii.

birth registration for nationality purposes through consular processes; or parents are unaware that consular registration of civil documents is required. Providing stronger access to consular services, decreased barriers for those without documentation to access consular services, and increased awareness of consular birth registration requirements for nationality purposes can help to prevent the risk of statelessness for children of migrant workers born in Qatar.

Qatar should also deepen its engagement with multilateral institutions, including the ILO, UNHCR, and relevant UN treaty bodies such as the HRC and the committees for CEDAW and the CRC. These partnerships have already contributed to important reforms – such as changes to the *kafala* system and the introduction of the Wage Protection System.⁵⁹⁴ Continued cooperation is crucial for monitoring implementation and addressing gaps. Qatar should also invite periodic country visits from UN special rapporteurs and human rights monitoring bodies, and commit to publishing detailed reports on the enforcement of labor and nationality laws.

Greater cooperation with international oversight mechanisms will help build trust in Qatar’s reform efforts by demonstrating its willingness to align national policy with global human rights and labor standards. By embedding international cooperation into its legal infrastructure, Qatar can ensure that its commitments translate into sustained, rights-based protections for all individuals under its jurisdiction, especially those most vulnerable to exclusion, exploitation, and statelessness.

ii. Improve local oversight bodies that grant procedural safeguards and ensure transparency

A recurring challenge in Qatar’s legal and policy landscape is the weakness of independent oversight and transparency in judicial and administrative processes, particularly in matters related to nationality, civil documentation, and the legal status of migrants and stateless individuals. Decisions regarding the granting or revocation of nationality and refugee status, issuance of residency permits, or access to social services are often made behind closed doors, with little to no explanation, no guaranteed right to appeal, and no publicly available criteria guiding determinations.⁵⁹⁵ This opaque and highly discretionary system undermines legal certainty, reinforces inequality, and leaves affected individuals with few avenues for redress.

In 2002, Qatar established the National Human Rights Committee (NHRC) with the aim of ensuring its international legal obligations were progressively realized.⁵⁹⁶ However, as the inequities enumerated in this report persist, this body will need to improve its operations and procedural safeguards. The recommendations in this report, echoing UN and civil society requests, inform the NHRC in its continued work to ensure Qatar’s compliance with its obligations and

⁵⁹⁴ See *Sponsorship reform and internal labour market mobility for migrant workers in the Arab States*, *supra* note 582.

⁵⁹⁵ See Equality Now, Global Campaign for Equal Nationality Rights, & Institute on Statelessness and Inclusion, *supra* note 153.

⁵⁹⁶ See Decree-Law No. 38 of 2002, *supra* note 107.

improve its human rights. The NHRC should also improve transparency through making its work visible, both to civil society and to the international community.

Similarly, Qatar must also improve transparency in administrative decision-making, particularly with respect to nationality applications and civil registration processes. This requires the development and publication of clear, objective criteria for granting nationality, refugee status, residence, and legal identity, along with procedural safeguards such as written decisions, the right to appeal, and access to legal counsel. Individuals affected by denials or delays should be informed of the reasons for those decisions and given a meaningful opportunity to contest them through independent review mechanisms. Silence on the part of a board or Minister should not be an automatic rejection, as then meritorious claims may be denied simply because they were lost, forgotten, or not assessed in time.

By embedding transparency and oversight into its legal infrastructure, Qatar can enhance the fairness and credibility of its institutions, reduce arbitrary governance, and move toward a more inclusive and rule-based system. These reforms would not only support the realization of fundamental rights for all individuals within Qatar's jurisdiction but also align the country's governance practices with international best practices in administrative justice and human rights protection.

B. Reform of Nationality and Citizenship Laws

i. Ratify the 1954 and 1961 Statelessness Conventions

Although Qatar has ratified numerous regional and international instruments protection nationality rights, its failure to ratify the international treaties on statelessness represents an ongoing gap in its commitments to the international legal framework on nationality and statelessness. In addition to fully implementing the provisions of the instruments to which it is already bound, and in response to UNHCR's urging, Qatar should ratify the two core international treaties on statelessness – the 1954 and 1961 Statelessness Conventions – and implement their provisions into its domestic law. Doing so alongside closer adherence to critical regional instruments – like the Arab Charter, the Casablanca Protocol, and the CRCI – would provide a more secure and rights-based legal foundation for addressing statelessness and protecting vulnerable populations within the country, and cement Qatar's place within the international rights-based order.

ii. Implement naturalization reform, expand access, and allow non-discriminatory nationality transmission to children

Qatar's current nationality law imposes strict limitations on access to citizenship, particularly for long-term residents, children born in Qatar to non-Qatari parents, and individuals seeking naturalization.⁵⁹⁷ Qatari law permits only fifty people to naturalize each year under stringent

⁵⁹⁷ Law No. 38 of 2005, *supra* note 15, at arts. 2, 17.

requirements.⁵⁹⁸ The quota remains unchanged despite the country's growing population and large non-citizen labor force. This restriction has created a backlog of eligible applicants, denying formal citizenship to individuals and families who have resided in Qatar for decades, many of whom were born and raised in the country and have no other national affiliation.

Moreover, Qatari law distinguishes between those who are nationals by right of blood and those who acquired citizenship through naturalization, treating the latter as having a less secure legal status with restricted access to rights.⁵⁹⁹ Under current law, naturalized citizenship cannot be transmitted to children and may be withdrawn on broader grounds than that of native-born citizens.⁶⁰⁰ This distinction institutionalizes second-class citizenship and increases the risk of arbitrary or politically motivated denationalization, especially for vulnerable groups such as the al-Ghufran clan and other historically marginalized communities.

To promote inclusive and sustainable legal status for all long-term residents, Qatar should expand the annual naturalization quota to reflect the actual number of eligible applicants and the realities of its current demographic composition. Increasing the quota would provide a viable pathway to full civic participation and access to state benefits for individuals who have long contributed to Qatari society but remain excluded under current law. Additionally, Qatar should amend its nationality law to ensure that naturalized citizenship can be transmitted, thereby eliminating discriminatory hierarchies within the citizenship regime and reducing the risk of arbitrary revocation across generations. These reforms would bring Qatar's policies into closer alignment with its regional and international obligations regarding equality, legal certainty, and the prevention of statelessness. Importantly, such commitments would affirm the principle that nationality should provide long-term, stable belonging into the community.

iii. Ensure universal birth registration and equal access to services for all children, regardless of parental status

The current legal and administrative framework does not guarantee universal birth registration for all children born in Qatar, and registration is often contingent on the legal status of the parents, formal marriage documentation, or employer cooperation. As a result, many children remain undocumented, leaving them vulnerable to long-term exclusion, statelessness, and social marginalization.⁶⁰¹

These practices are inconsistent with Qatar's obligations under the CRC and the CRCI, which guarantee every child's right to be registered at birth and to acquire a legal identity, regardless of parental nationality or status. The CRC further requires States Parties to prevent statelessness and to ensure that no child is denied the protections afforded by nationality and civil recognition.⁶⁰²

⁵⁹⁸ *Id.*

⁵⁹⁹ *Id.*; HRC Qatar Report 2020, *supra* note 11, at ¶ 55.

⁶⁰⁰ Law No. 38 of 2005, *supra* note 15, at arts. 11, 12.

⁶⁰¹ See Salma A. Al-Kaabi et al., *supra* note 318, at 14-21.

⁶⁰² CRC, *supra* note 25, at art. 7.

Since Qatar is a party to both the CRC and the CRCI, it should interpret the CRCI consistently with the CRC to adhere to its international obligations. The Committee on the Rights of the Child has previously expressed concern over Qatar's failure to ensure universal birth registration and has called for reforms to remove administrative and legal barriers to civil documentation.⁶⁰³

To comply with these obligations, Qatar must establish a non-discriminatory and accessible birth registration system that guarantees legal identity to all children born in its territory, irrespective of their parents' legal status, marital situation, or nationality. This should include simplified administrative procedures, clear timelines, and multilingual public outreach to inform migrant communities of their rights and responsibilities.

Relatedly, Qatar should also strengthen its anti-discrimination legal framework to protect ethnic, tribal, and socioeconomic minorities from exclusion and mistreatment in both public and private institutions. This entails adopting comprehensive legislation that explicitly prohibits discrimination on the basis of race, nationality, gender, or legal status in access to nationality, services, employment, and public accommodations. Mechanisms for reporting and addressing discrimination – such as independent oversight bodies and judicial remedies – should be established and made accessible to marginalized communities. Ensuring non-discriminatory access to public services is both a legal obligation under international law, as well as a foundational requirement for building a more inclusive and equitable Qatari society. Such reform would also signal Qatar's commitment to aligning its national policy with its regional and international legal obligations and protecting the dignity and well-being of all individuals within its territory.

iv. Simplify and standardize procedures to obtain civil documentation; create legal pathways for stateless people to obtain residency or nationality

Access to civil documentation remains a significant barrier for many individuals in Qatar, particularly stateless persons, long-term residents, and children born to undocumented or denationalized parents.⁶⁰⁴ Without essential documents such as Qatari identity cards or valid residence permits, these individuals face restricted access to healthcare, education, employment, housing, and legal protection.⁶⁰⁵ Qatar's civil documentation system is characterized by complex procedures, discretionary decision-making, and a lack of transparency, which disproportionately affect those already on the margins of legal recognition.⁶⁰⁶

Currently, the process for obtaining Qatari ID cards and renewing residence permits often depends on an individual's employment status, family background, or tribal affiliation.⁶⁰⁷ Stateless

⁶⁰³ Committee on the Rights of the Child Concluding Observations 2025, *supra* note 339, at ¶ 25.

⁶⁰⁴ See Salma A. Al-Kaabi et al., *supra* note 318, at 14-21.

⁶⁰⁵ See discussion *supra* Section V.A.iii.

⁶⁰⁶ See discussion *supra* Section V.A.

⁶⁰⁷ Law No. 37 of 2005 Amending Certain Provisions of Decree-Law No. 5 of 1965 on Identity Cards, *AL MEEZAN: MINISTRY OF JUSTICE*, <https://www.almeezan.qa/LawArticles.aspx?LawArticleID=39306&LawId=2590&language=en> (last visited Dec. 15, 2025) [hereinafter Law No. 37 of 2005].

individuals, like members of the al-Ghufran clan, face additional hurdles due to their absence of clear legal status or political sensitivities surrounding their denationalization.⁶⁰⁸ Moreover, administrative requirements, including marriage certificates, valid passports, or employer sponsorship, can create insurmountable obstacles for individuals lacking formal legal identity.⁶⁰⁹

To address these issues, Qatar should simplify the procedures for obtaining Qatari ID cards and residence permits, particularly for vulnerable populations. This requires establishing clear, standardized application criteria, reducing documentary requirements, and introducing transparent, appealable mechanisms for reviewing applications and renewals. Public awareness campaigns, multilingual support services, and legal aid should be expanded to ensure accessibility and accountability in the documentation process.

Qatar must create legal pathways for stateless individuals to acquire nationality or long-term residency status. This could include the establishment of a regularization process based on criteria such as length of residence, birth in Qatar, family ties, or humanitarian considerations. International best practices – as reflected in the 1954 and 1961 Statelessness Conventions and UNHCR’s Global Action Plan to End Statelessness – recommend the incorporation of safeguards against statelessness and the provision of durable legal status to affected individuals.⁶¹⁰ Although Qatar has not ratified these conventions, it can adopt their core principles to develop a rights-based framework for addressing statelessness within its jurisdiction.

By ensuring accessible civil documentation and legal identity for all residents, Qatar can fulfill its obligations under the regional and international frameworks to which it is already bound, while advancing social inclusion, legal protection, and human dignity for those who remain outside the boundaries of recognized citizenship.

v. Eliminate discretionary revocation of citizenship powers; establish independent review mechanisms as a replacement

Qatar’s nationality law grants the government broad discretionary powers to revoke citizenship, often without clear procedural safeguards or opportunities for appeal.⁶¹¹ These powers have been used in politically and socially sensitive contexts, most notably against members of the al-Ghufran clan, who were collectively denationalized following the attempted coup in 1996.⁶¹² Revocation of citizenship has disproportionately affected individuals deemed disloyal to the state or critical of government policies, raising serious concerns about due process, arbitrariness, and discrimination within Qatar.⁶¹³ The lack of transparency and absence of procedural protections in these decisions

⁶⁰⁸ See HRC Qatar Report 2020, *supra* note 11, at 15.

⁶⁰⁹ See Law No. 37 of 2005, *supra* note 607.

⁶¹⁰ See 1954 Statelessness Convention, *supra* note 4; 1961 Statelessness Convention, *supra* note 58; *Global Action Plan to End Statelessness: 2014-2024*, *supra* note 588.

⁶¹¹ See Law No. 38 of 2005, *supra* note 15, at arts. 11, 12.

⁶¹² See HRC Qatar Report 2020, *supra* note 11, at 15.

⁶¹³ See Law No. 38 of 2005, *supra* note 15, at art. 11.

leave affected individuals without meaningful recourse or legal remedy, often rendering them stateless and unable to access basic services, education, employment, or travel documentation.

The practice of revoking citizenship stands in direct contradiction to Qatar's obligations under international human rights law, including the ICCPR, which prohibits arbitrary deprivation of nationality.⁶¹⁴ Additionally, the 1954 and 1961 Statelessness Convention – neither of which Qatar has ratified – provide clear international standards for limiting and reviewing state powers concerning nationality revocation.⁶¹⁵

To ensure consistency with international best practices and protect individuals from statelessness and arbitrary exclusion, Qatar should eliminate discretionary provisions in its nationality law that allow for broad and unreviewable revocation of citizenship. Instead, the government should establish an independent, impartial review mechanism – such as a specialized administrative tribunal or judicial panel – to oversee revocation cases. This mechanism should guarantee procedural fairness, the right to legal representation, and the right to appeal. Implementing these reforms would not only enhance the rule of law but also uphold Qatar's human rights commitments, reinforcing the principle that nationality cannot be withdrawn as a tool of political or social exclusion.

C. Ensure Gender Equality

i. Ratify the Convention on the Nationality of Married Women and withdraw reservations to CEDAW, ICESCR, and ICCPR

Qatar's failure to ratify the Convention on the Nationality of Married Women and to withdraw its reservations to CEDAW, ICESCR, and ICCPR creates serious repercussions for women, children, and other vulnerable communities in the country. Ratification and implementation of the Convention on the Nationality of Married Women, which furthers women's protections against statelessness, would create a stronger foundation in Qatari law for guaranteeing a married woman's right to her nationality regardless of country of origin.⁶¹⁶ Withdrawal of Qatar's reservations to CEDAW, ICESCR, and ICCPR, and full implementation of their articles will more broadly enshrine the rights of a woman and her children to a nationality, documentation, and equality in society. These steps must be taken in conjunction with ensuring full implementation of the relevant regional and international provisions to which Qatar is already bound, which likewise call for gender equality with respect to nationality transmission.

⁶¹⁴ See ICCPR, *supra* note 23, at arts. 13, 12, 23-24.

⁶¹⁵ See 1954 Statelessness Convention, *supra* note 4, at arts. 3, 27, 31; 1961 Statelessness Convention, *supra* note 48, at arts. 5-9.

⁶¹⁶ See Convention on the Nationality of Married Women, *supra* note 133.

ii. Amend nationality laws to allow Qatari women to pass their nationality to their spouses and children on an equal basis with men

Qatar must implement legal reforms to eliminate gender-based discrimination in its nationality laws. Currently, only Qatari men have the automatic right to confer citizenship to their children, regardless of the mother's nationality. Qatari women, by contrast, are restricted to a narrow and discretionary naturalization process that does not guarantee citizenship for their children or foreign spouses.⁶¹⁷ Such legal disparity not only undermines the rights and autonomy of Qatari women but also contributes to statelessness and social marginalization among vulnerable populations. As a result, children born to Qatari mothers and non-Qatari fathers face restricted access to education, healthcare, and employment.

The CEDAW Committee has repeatedly expressed concern over Qatar's reservation to Article 9(2) of the Convention, which affirms a woman's equal right to confer nationality on her children.⁶¹⁸ Similarly, the CRC has called for Qatar to ensure that all children enjoy the right to a nationality without discrimination, emphasizing the risk of statelessness resulting from unequal nationality laws.⁶¹⁹ Qatar's reservations are inconsistent with the core objectives of both conventions, contradicting its obligations under international law to uphold the principles of gender non-discrimination and the best interests of the child. The LAS has further recommended its Members States withdraw their reservations to international treaties and allow women to confer nationality to their children on an equal basis.⁶²⁰

To comply with international human rights standards and eliminate structural gender inequality, Qatar should amend its nationality law to allow Qatari women to confer nationality to their children and spouses on an equal basis with Qatari men. Doing so would align Qatar's domestic legal framework with its commitments under CEDAW and the CRC, prevent statelessness among affected children, and promote gender equality in the legal status and rights of families. This reform would also reflect international best practices adopted by a growing number of states in the MENA region that have amended their nationality laws to ensure equal citizenship rights for women.⁶²¹

⁶¹⁷ See Law No. 38 of 2005, *supra* note 15, at art. 7.

⁶¹⁸ See CEDAW Report 2019, *supra* note 144.

⁶¹⁹ See Committee on the Rights of the Child Concluding Observations 2025, *supra* note 339, at ¶ 26.

⁶²⁰ Arab Declaration on Belonging and Legal Identity, *supra* note 185; First Arab Conference on Good Practices & Regional Opportunities to Strengthen Women's Nationality Rights, *supra* note 184.

⁶²¹ Morocco, Algeria, Egypt, and Tunisia have implemented reforms within the past twenty years to allow men and women equal rights to confer citizenship on their children. See *Press Release: Nationality Law Reforms Needed Across the Middle-East North Africa Region to Uphold Women's Equal Citizenship*, WOMEN'S REFUGEE COMM'N (Mar. 20, 2023) <https://www.womensrefugeecommission.org/press-releases/nationality-law-reforms-needed-across-the-middle-east-north-africa-region-to-uphold-womens-equal-citizenship/>.

D. Strengthen the Rights Extended to Refugees and Migrants

i. Ratify the relevant international conventions on refugees and migrants

There are significant gaps in Qatar's commitments to the international legal framework respecting refugees and migrants, which can be addressed by ratifying and fully implementing the Migrant Workers Convention, the 1951 Refugee Convention, and the 1967 Refugee Protocol. would provide a clear legal framework for safeguarding migrant workers' and refugees' rights, including with respect to protecting against the risk of statelessness.

ii. Create a dedicated refugee status determination procedure to align with the 1951 Refugee Convention and 1967 Refugee Protocol; provide transparent data and determination procedures to protect populations at risk of statelessness

Qatar passed the Gulf's first asylum law in 2018, marking significant progress towards protecting the rights of refugees and migrants within its territory.⁶²² Though the law stipulates that applications for asylum are received through UNHCR and defines a political refugee in line with the provisions of the 1951 Refugee Convention, the process by which the Qatari government assesses the validity of an asylee's claim is not outlined within the law, leaving the determination at the discretion of the Minister of the Interior.⁶²³ Similarly, appeals related to rejected applications are decided by the Minister, for which no clear criteria are outlined in the law.⁶²⁴

In December 2025, Qatar's Ministry of Interior signed a Memorandum of Understanding (MoU) with UNHCR to advance the operationalization of the asylum law.⁶²⁵ The MoU envisions the development of national asylum procedures, capacity building for relevant government offices, and improved implementation aligned with international principles. This is an important step toward addressing the gaps outlined above.

In line with this vision, Qatar should amend its domestic law to create a dedicated procedure for refugee status determination (RSD) – including a transparent and accessible mechanism for appeal – that aligns with the 1951 Refugee Convention and 1967 Refugee Protocol. Implementing a clear, publicly available RSD will help to ensure that asylum decisions are made in a fair and efficient manner, facilitating the provision of protections associated with refugee status are afforded to those meeting criteria established under international law.⁶²⁶

⁶²² See 2018 Asylum Law, *supra* note 287.

⁶²³ See *id.* at arts. 1, 7.

⁶²⁴ *Id.* at art. 8.

⁶²⁵ *UNHCR and Qatar Sign Landmark MoU to Implement National Asylum Law*, UNHCR (Dec. 7, 2025), <https://www.unhcr.org/qa/en/news/press-releases/unhcr-and-qatar-sign-landmark-mou-implement-national-asylum-law>.

⁶²⁶ See *Refugee Status Determination*, UNHCR, <https://www.unhcr.org/us/what-we-do/protect-human-rights/protection/refugee-status-determination> (last visited Dec. 10, 2025).

Qatar should similarly provide transparent and comprehensive statistics identifying populations seeking and receiving protection within the state. Statistics on total numbers of applications and acceptances are not provided by the Qatari government, and identification of populations seeking protection are only provided by UNHCR.⁶²⁷ Clear identification of asylum-seeking populations, paired with a transparent RSD, will better ensure asylum decisions comply with international standards and Qatar's own domestic law, protecting the rights of vulnerable populations. In the case of asylum-seekers from Iraq and Syria,⁶²⁸ such amendments may expedite their application process, ensure fairer, more transparent decisions, and protect them from the risks of statelessness that may accompany a rejected application.⁶²⁹

iii. Establish renewable residency permits not tied to employment

A central vulnerability in Qatar's legal framework for migrant workers is the continued linkage of residency status to employment through the *kafala* system, which allows for exploitative relationships between migrant workers and employers that impact nationality rights.

Despite recent changes, aspects of the *kafala* system and uneven enforcement of its reforms⁶³⁰ can impede workers' ability to fully enjoy important aspects of exercising their citizenship rights in their country of origin, as illustrated above. Without the freedom of movement to return to their countries of origin, and given the logistical challenges of confirming or renewing citizenship documentation in their home countries from abroad due to hour regulations and limited access to communication and information, migrant workers in Qatar may be unable to meaningfully access their citizenship rights in their home countries. Those with children may be unable to register them in accordance with the nationality laws of their countries of origin, putting them at risk of statelessness.

At the same time, residency permits are issued and renewed at the discretion of employers.⁶³¹ This structure leaves migrant workers vulnerable to retaliation, arbitrary dismissal, and exploitation. Loss of employment often results in the immediate loss of legal residency, placing workers at risk of detention, deportation, or becoming undocumented.⁶³² Thus, employers also retain control over migrant workers' legal status and within Qatar, discouraging workers from making use of protections afforded to them for fear of retaliation.⁶³³ Denied the ability to fully document or renew

⁶²⁷ See 2022 Country Reports on Human Rights Practices: Qatar, *supra* note 14; *Refugee Data Finder, Country: Qatar*, *supra* note 438.

⁶²⁸ *Refugee Data Finder, Country: Qatar*, *supra* note 438.

⁶²⁹ Gender discriminatory citizenship laws and loss of civil documentation may place these individuals at risk of statelessness in their countries of origin. See discussion *supra* Section V.C.i.

⁶³⁰ See 2024 Country Reports on Human Rights Practices: Qatar, *supra* note 14; See *Qatar: Events of 2024*, *supra* note 473.

⁶³¹ Recent reforms have removed exit permit and NOC requirements for migrant workers, increasing mobility both geographically and between employers. See Decree-Law No. 19 of 2020, *supra* note 99; Ministerial Decree No. 95 of 2019, *supra* note 308.

⁶³² See Calo, *supra* note 493, at 1737.

⁶³³ See 2024 Country Reports on Human Rights Practices: Qatar, *supra* note 14.

their nationality in their countries of origin or access pathways to citizenship or naturalization in Qatar, migrant workers might be unable to access nationality rights anywhere.

It is possible for a migrant worker program like the *kafala* system to coexist with an open and inclusive citizenship regime. Stakeholders, including the ILO and regional labor rights groups, have called for residency systems that are independent of employment status, in line with international labor and human rights standards. One proposed solution is the implementation of pilot programs granting renewable residency permits not tied to a single employer, particularly for long-term residents who have demonstrated continuous lawful presence and contribution to Qatari society.⁶³⁴ Such initiatives could focus on specific sectors or categories of workers in a pilot program, such as domestic workers, caregivers, or skilled laborers, who often face the greatest restrictions under the current system.

In addition to pilot programs, Qatar should establish clear and accessible legal pathways for long-term migrant residents to obtain permanent residency, regardless of their employment status. While Qatar introduced a permanent residency permit system in 2018, its implementation remains limited, and eligibility criteria are narrow and discretionary.⁶³⁵ Expanding and codifying this system – based on transparent, objective, and rights-based standards – would allow long-term residents greater legal stability, reduce dependency on employers, and foster greater social and economic inclusion. Decoupling residency from employment would also reduce the risk of labor exploitation and align Qatar’s legal framework with international best practices on migrant rights and sustainable residency governance.

Importantly, Qatar’s current immigration laws cap the number of permanent residency applications to 100 per year. Furthermore, permanent residency does not grant full or naturalized citizenship, nor does it provide a path to achieving it.⁶³⁶ Thus, in addition to decoupling employment from residency status, Qatar should enact legal reforms to expand pathways to naturalization specifically for permanent residents and migrant workers.

iv. Enhance migrant worker protection within the *kafala* system

As illustrated, the *kafala* system and an open and inclusive citizenship regime do not have to be mutually exclusive. Rather than dismantling the *kafala* system entirely, Qatar should prioritize strengthening regulatory safeguards and closing implementation gaps.

First, the government should expand labor protections to sectors currently excluded from core legal frameworks, especially domestic workers. The informal nature of these workers’ employment exposes them to the greatest risk of exploitation and retaliation tied to their legal status.

⁶³⁴ *Sponsorship reform and internal labour market mobility for migrant workers in the Arab States*, *supra* note 582.

⁶³⁵ Law No. 10 of 2018, *supra* note 244, at art. 4.

⁶³⁶ *See id.*

Implementing labor protections would safeguard workers not only from occupational harm, but also from punitive actions targeting their associated residency or citizenship status.

Second, enforcement of existing labor laws must be enhanced through increased funding for labor inspections, streamlined access to labor courts, and multilingual public outreach to inform workers of their rights. Protection against retaliation, particularly for those pursuing complaints or changing jobs, must be formalized through procedural guarantees and monitored closely.

Third, Qatar should continue to regulate and oversee recruitment practices more aggressively. Despite the introduction of stricter licensing requirements and penalties for recruitment violations, enforcement remains inconsistent. The government should develop a centralized monitoring system to oversee recruitment agencies and reduce illegal fees, misleading job offers, and contract substitution – which, by pinning workers under debt and employment insecurity, can also limit their ability to meet legal and other requirements for residency or naturalized citizenship processes.

Incremental reforms that preserve the existing sponsorship model while improving legal protections, oversight, and enforcement capacity can provide a pragmatic path forward. These steps would align with Qatar’s recent commitments to labor reform, as supported by its cooperation with the ILO, and would promote greater fairness, dignity, and legal security for migrant workers across all employment sectors.

Qatar’s partnership with the ILO has produced several noteworthy reforms, including the introduction of a minimum wage and the removal of some restrictions under the *kafala* system.⁶³⁷ However, full implementation of ILO conventions and standards remains incomplete, particularly in areas such as enforcement, migrant mobility, and protection against forced labor and wage exploitation. Continued collaboration with the ILO, paired with stronger national enforcement mechanisms and legal reforms, will be essential to closing these gaps and protecting the rights of Qatar’s large migrant workforce.

v. Ensure Palestinian rights as stateless nationals and dual citizens

While Qatar provides outspoken support of Palestinian sovereignty, the state still has domestic gaps which fail to adequately protect Palestinians living within its borders. These gaps highlight (1) the disparity between Qatar’s perception of Palestinians as temporary economic migrants and the reality that Palestinians are long-term residents who remain categorically unable to return to their homeland; and (2) the inconsistency between Qatar’s rhetoric on Palestinian sovereignty and its actions vis-à-vis Palestinians in its territory.

Bridging the discrepancy between Qatar’s view of Palestinians as economic migrants and the reality of Palestinians as long-term residents requires a fundamental shift in perspective across

⁶³⁷ See *Qatar/UN: Agreement to tackle migrant labour abuse offers path to reform*, AMNESTY INTERNATIONAL (Oct. 26, 2017), <https://www.amnesty.org/en/latest/press-release/2017/10/qatar-un-agreement-to-tackle-migrant-labour-abuse-offers-path-to-reform/>; see discussion *supra* Section V.C.ii.

political and social spheres. Qatar should adopt a formal stateless status determination for Palestinian refugees that aligns with their stateless status under international law. It should affirm its commitments under the Casablanca Protocol, and guarantee them through additional agreement with all other Arab states about their heightened obligations toward Palestinians as stateless nationals, with respect to the implementation of their rights as such.

To resolve the inconsistency between Qatar's rhetoric and actions – and to give meaningful content to the recommended stateless status determination – Qatar must fully implement the Casablanca Protocol to guarantee basic rights for Palestinians who do not have Qatari citizenship. Doing so would ensure that Palestinian refugees in Qatar have access to fundamental rights and services, including the right to employment and freedom of movement, on par with Qatari nationals. Qatar's ratification of the Casablanca Protocol binds it to all its guarantees, in addition to those provided by international treaties.⁶³⁸ Full implementation of the Casablanca Protocol is the best means of ensuring Palestinians in Qatar have access to core rights.

VIII. Final Conclusion

Qatar stands at a crossroads in its legal and human rights development. This report has demonstrated that while the country has taken initial steps toward reform, its legal frameworks continue to fall short of international standards in key areas, including gender equality in nationality laws, protection against arbitrary deprivation of citizenship, access to civil documentation, and the treatment of stateless persons and migrant communities. These deficiencies persist despite Qatar's ratification of several major human rights treaties and its public commitments to modernization and inclusion.

Bringing Qatar's nationality and labor laws into alignment with international human rights standards is not only a legal obligation – it is a moral and practical imperative. The path forward requires not only legal reform, but a fundamental shift in institutional practices and governance. The recommendations outlined in this report provide a practical and rights-based roadmap for Qatar to create a more inclusive and equitable legal system: one that ensures nationality is not denied on the basis of gender, that protects individuals from statelessness and arbitrary revocation, and that guarantees civil documentation and public services to all residents without discrimination. It also calls for strengthening enforcement mechanisms, ratifying international conventions, and enhancing bilateral and multilateral cooperation to align domestic practices with global standards.

Implementing these reforms would demonstrate Qatar's genuine commitment to upholding the dignity and rights of all individuals under its jurisdiction. More importantly, it would lay the foundation for a legal and policy framework that promotes social cohesion, strengthens the rule of law, and ensures that no individual is left without identity, protection, and the full benefits of

⁶³⁸ Susan Akram, *The Search for Protection for Stateless Refugees in the Middle East: Palestinians and Kurds in Lebanon and Jordan*, 3 INT'L J. REFUGEE L. 407, 443-444 (2018).

nationality. Only then can Qatar ensure that all individuals within its territory, regardless of origin or status, enjoy equal access to dignity, justice, and opportunity.

IX. Appendix: Glossary

Asylum-seeker refers to an individual who: “is claiming or applying for protection as a refugee and who has not yet received a final decision on his or her claim”; or “has not yet submitted an application for refugee status recognition (has not yet formalized the administrative requirements in national law) but may nevertheless be in need of international protection.”⁶³⁹

Bedouin refers to indigenous nomadic pastoralist tribes which often dwelled in and traveled across Qatar’s desert interior for at least part of the year, migrating from Saudi Arabia, Bahrain, and Oman.⁶⁴⁰

Bedoon or “*bedoon jinsiyya*” (literally, “without nationality”) refers to a lack of civil and nationality documentation and legal statelessness.⁶⁴¹

Citizenship refers to the relationship between an individual and a state. Citizenship “entitles the individual to the protection of the state and provides a legal basis for the exercise of many civil and political rights.”⁶⁴² For the purposes of this Report, citizenship is used to refer to having identity documents and recognition by a State as a citizen under its domestic laws. Civil registration refers to the registration of life events, including birth, marriage, divorce, and death.⁶⁴³ Civil registration is required in Qatar to obtain identity documents proving citizenship.

Civil society organizations are community-based organizations that operate independently of any government. Civil society organizations may include those that are registered as NGOs but do not include those registered as international NGOs. International non-governmental organizations (INGOs) are NGOs that carry out programming in multiple countries.

De facto statelessness refers to citizens who are effectively stateless. De facto statelessness has not been formally defined by any international or binding instrument.⁶⁴⁴

⁶³⁹ UN AND EUROSTAT, EXPERT GROUP ON REFUGEE AND INTERNALLY DISPLACED PERSONS STATISTICS – INTERNATIONAL RECOMMENDATIONS ON REFUGEE STATISTICS 22 (Mar. 2018), <https://ec.europa.eu/eurostat/documents/3859598/9315869/KS-GQ-18-004-EN-N.pdf/> [hereinafter International Recommendations on Refugee Statistics].

⁶⁴⁰ See Williams, *supra* note 77, at 309.

⁶⁴¹ Charlie Dunmore & Edith Champagne, *Citizenship hopes become reality for Iraq’s Bidoon minority*, UNHCR USA (Oct. 10, 2019), <https://www.unhcr.org/us/news/stories/citizenship-hopes-become-reality-iraqs-bidoon-minority>.

⁶⁴² UNHCR, THE STATE OF THE WORLD’S REFUGEES: A HUMANITARIAN AGENDA, Chapter 6, 1 (1997).

⁶⁴³ *Id.*

⁶⁴⁴ See Massey, *supra* note 39.

De jure statelessness refers to legal statelessness, or individuals who meet the definition of statelessness provided in the 1954 Statelessness Convention.⁶⁴⁵

Jus sanguinis, or “right of blood” refers to citizenship transmitted via a parent’s bloodline.⁶⁴⁶

Jus soli, or birthright citizenship, refers to citizenship determined by a child’s place of birth.⁶⁴⁷

Kafala refers to a migrant worker sponsorship model in which citizen or entity sponsors, licensed by the Qatari government, contract foreign workers.⁶⁴⁸

Migrant is any person “who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person’s legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is.”⁶⁴⁹

Migrant worker, according to the Migrant Workers Convention, is “a person who is to be engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.”⁶⁵⁰

Nationality is broadly defined under international law as “membership in a nation or sovereign state.”⁶⁵¹ This definition is used in international and regional treaties and does not attach to a particular State’s domestic laws. Outside of international and regional treaties, nationality is alternatively defined as the overarching idea of the legal bond between an individual and a territory.⁶⁵²

Naturalization refers to the process by which a person becomes a national of a given state.

Non-governmental organizations (NGOs) are non-profit organizations, operating independently of any government.

Palestine refugees (as defined by UNRWA) are those “persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means

⁶⁴⁵ See 1954 Statelessness Convention, *supra* note 4, at art. 1(1); UNHCR, *Handbook on the Protection of Stateless Persons Under the 1954 Convention Relating to the Status of Stateless Persons*, *supra* note 33, at 5.

⁶⁴⁶ *jus sanguinis*, MERRIAM-WEBSTER, <https://www.merriam-webster.com/dictionary/jus%20sanguinis> (last visited Dec. 3, 2025).

⁶⁴⁷ *jus soli*, MERRIAM-WEBSTER, <https://www.merriam-webster.com/dictionary/jus%20soli> (last visited Dec. 3, 2025).

⁶⁴⁸ Alloul & Kathiravelu, *supra* note 93. The *kafala* system also traces its roots to the treatment of foreign workers and indentured servants in Qatar’s pearling industry. See Hobbs, *supra* note 61; Robinson, *supra* note 91.

⁶⁴⁹ IOM Definition of “Migrant”, IOM, <https://www.iom.int/who-is-a-migrant> (last visited Dec. 16, 2023).

⁶⁵⁰ See Migrant Workers Convention, *supra* note 125, at art. 2(1).

⁶⁵¹ *Nationality: international law*, ENCYC. BRITANNICA, <https://www.britannica.com/topic/nationality-internationallaw> (last visited Dec. 3, 2025).

⁶⁵² Citizenship and Nationality, INT’L JUSTICE RESOURCES CTR., <https://ijrcenter.org/thematic-researchguides/nationality-citizenship/> (last visited Dec. 1, 2025).

of livelihood as a result of the 1948 conflict [and] descendants of Palestine refugee males, including legally adopted children.”⁶⁵³

Registered refugee refers to a refugee who is registered with either UNHCR’s registration system, or UNRWA’s registration system. Based on their respective mandates, UNRWA registers Palestine refugees, whereas UNHCR registers non-Palestine refugees.⁶⁵⁴

Stateless persons, according to the 1954 Statelessness Convention, are those who are “not considered as a national by any State under the operation of its law.”⁶⁵⁵

Unperfected citizenship refers to individuals without the ability to fully prove their nationality or complete legal registration of citizenship, often because of lack of required documentation.⁶⁵⁶

X. Appendix II: Stakeholders

The Ministry of Interior (MOI) is the Qatari government entity responsible for public security in Qatar. Within the MOI is the Committee for Political Refugee Affairs, which is responsible for evaluating applications referred to it by individual departments or UNHCR under the 2018 political asylum law.⁶⁵⁷

Hamad Bin Khalifa University (HBKU) is a public university operating as part of the Qatar Foundation for Education, Science and Community Development, a state-led non-profit organization in Qatar. Since 2019, it has been cooperating with UNHCR in Qatar on initiatives to raise awareness about refugees and forcibly displaced persons globally.⁶⁵⁸

United Nations High Commissioner for Refugees (UNHCR), also known as the UN Refugee Agency, is the organization in charge of registering non-Palestinian refugees, with the aim of providing humanitarian assistance and, where resettlement to a third country is viable, making a refugee status determination that enables such resettlement. UNHCR in Qatar provides technical support and specialized training to relevant Qatari government entities on asylum processes,⁶⁵⁹ and is one of the entities that refers asylum applications to the MOI.⁶⁶⁰

International Labor Organization (ILO) is an organization that promotes labor standards, policies, and decent work. In 2018, Qatar and the ILO began a technical cooperation program aimed at carrying out extensive labor reforms to address complaints of forced labor of migrant

⁶⁵³ International Recommendations on Refugee Statistics, *supra* note 639, at 21-22.

⁶⁵⁴ *Id.*

⁶⁵⁵ See 1954 Statelessness Convention, *supra* note 4.

⁶⁵⁶ HUNTER, *supra* note 45, at 5.

⁶⁵⁷ 2018 Asylum Law, *supra* note 287, at art. 4.

⁶⁵⁸ UNHCR, *UNHCR, Hamad Bin Khalifa University renew their partnership on refugee advocacy* (Oct. 7, 2025), <https://www.unhcr.org/qa/en/news/press-releases/unhcr-hamad-bin-khalifa-university-renew-their-partnership-refugee-advocacy>.

⁶⁵⁹ *UNHCR and Qatar Sign Landmark MoU to Implement National Asylum Law*, *supra* note 625.

⁶⁶⁰ 2018 Asylum Law, *supra* note 287, at art. 5.

workers and to bring Qatar into compliance with ILO Conventions.⁶⁶¹ The program is now in its third phase.⁶⁶²

⁶⁶¹ *The background to the ILO-Qatar technical cooperation programme*, ILO (Feb. 20, 2023), <https://www.ilo.org/resource/brief/background-ilo-qatar-technical-cooperation-programme>.

⁶⁶² *Qatar: Country Portal*, *supra* note 572.