

The Answers of the National Human Rights Committee (NHRC) in the State of Qatar to the Guide Questions

Regarding the Thematic Focus Areas of the 13th Session of the Open-Ended Working Group on Ageing (OEWGA)

Firstly: The Right to Health

The First Question:

To date and despite the NHRC's requests, there is no specific law for the protection of the elderly in the State of Qatar although the Qatari constitution stipulates in Article 21 the protection of ageing by the law, and health legislations guarantee the right to health for the elderly as they apply to all citizens and residents, especially since health insurance is mandatory and treatment is free in the public medical sector. Furthermore, the State of Qatar has adopted policies and programs to guarantee the right to health for the elderly whereby the National Vision 2030 has stressed on the fact that one of its goals is to build an effective social protection system for all Qataris that respects both their rights and dignities. The demographic policy of the State of Qatar, the First National Development Strategy 2011–2016, the Second National Development Strategy 2018–2022, the National Health Strategy, the Social Protection Strategy, the Qatar National Dementia Plan and the Doha Declaration on Development of Palliative Care all include measures that ensure the right to health for the elderly.

The Second Question:

As indicated in the first question, health laws and resolutions, particularly Law No. 22 of 2021 on regulating health care services within the country, Law No. 7 of 1996 organizing medical treatment and health services within the State, and the Minister of Public Health's Decision No. (17) of 2022 on determining health insurance premium of health care services for visitors regulate the provision of free and non-discriminatory health services to the elderly, and also allow all those residing on Qatari soil to be subjected to the provisions of compulsory health insurance whether they are citizens, residents, or visitors and whether they are working in the public or private sector as compulsory health insurance for visitors is (50) riyals.

The Third Question:

There is no comprehensive statistical information available on the elderly that is disaggregated by gender, age, and other indicators, but there is data provided by the Center of Empowerment and Elderly Care (Ehsan) that has been responsible since 2002 for working with the elderly in Qatar (over the age of 60). Moreover, the Planning and Statistics Authority provides general statistical data on the right to health.

The Fourth Question:

The NHRC and the Ministry of Health participated in programs that raise awareness on the protection of the elderly's right to health. This resulted in numerous achievements in this field such as opening clinics that specialize in memory and geriatrics in health centers, launching consultancy services in geriatrics in emergency departments and opening a geriatric clinic in public hospitals. Moreover, and during the COVID-19 pandemic, the Elderly Daycare Unit, the Acute Care

Unit, the Monitoring Unit and virtual clinics were opened. National helplines that help the elderly and their caregivers and virtual services that specialize in natural treatment were also launched. A medication delivery service was also made available to the elderly. In addition to that, a website for healthy ageing was launched; it contains information on common medical problems among the elderly and instructions that contribute to raising awareness of healthy lifestyles.

The Fifth Question:

Public spending on health per person per annum in Qatar is estimated at about 1807 US dollars for the year 2019, and public spending on health represents 2.9% of the total GDP. Life expectancy at birth has increased to 80.4 years for each individual with the improved levels of the various health and development services in the country.

The Sixth Question:

2% of the population in Qatar consists of Qatari citizens who are over the age of 65. Retirees over the age of 60 who were government employees are entitled to receiving pension. Elderly citizens may also apply for assistance from the Ministry of Social Development and Family. It is worth noting the following when it comes to the problems faced by the elderly Qatari citizens:

- The steady increase in the number of the elderly requires centers, associations, and advanced, scientifically based treatments to find out the positive and negative effects of ageing on the elderly.
- The problems the elderly face are limited to physical, psychological, social and cognitive issues. This requires an increase in the number of teams that handle the problems of the elderly, the inclusion of all regions of the State of Qatar, the

provision of services to both the Qatari and non-Qatari elderly and the provision of psychological counselors, nutritionists and doctors specializing in old age diseases.

- Natural disasters and unexpected emergency crises such as the Coronavirus pandemic affect the elderly more than any other age group.
- Raising awareness and community education regarding the rights of the elderly for all members of society, especially the elderly is extremely important.

The Seventh Question:

The Qatari constitution and legislation affirm the principle of the equality of citizens in rights and duties; therefore, all citizens enjoy civil, political, economic, social and cultural rights regardless of age, especially since Arab culture is based on respecting the elderly and significantly honoring their dignity.

The Eighth Question:

Health legislation in Qatar emphasizes the patient's free consent in treatment options as Article 3 of the Minister of Public Health's Decision No. (9) of 2022 specifying the rights and duties of patients that must be taken into account when receiving health care services stipulates the following:

- the necessity of obtaining the patient's consent when receiving health care services;
- the prohibition of any individual's access to the medical file except with the consent of the patient, their guardian or trustee if the patient's will cannot be considered, or by order of the court or the Public Prosecution;
- the patient's right to choose a particular treatment when more than one option is available;

- the patient’s right to refuse any experimental treatments;
- the patient’s right to choose or request to change their health service provider;
- the patient’s right to get more than one opinion on the treatment method;
- the patient’s right to have the treatment plan clarified before proceeding with the treatment procedures; and
- the patient’s right to obtain educational guidelines that commensurate with their age and level of understanding and awareness.

The Ninth Question:

The right of access to justice is guaranteed to the elderly and to every human being in order for them to enjoy their right to health. The Ministry of Health receives complaints from citizens and residents regarding its health services and the NHRC also receives health-related complaints from the elderly.

The Tenth Question:

It is through Ehsan, the NHRC and the media that civil society plays a role in representing the elderly and in expressing their interests in planning, designing, implementing and evaluating legislation, policies, programs and health services that are provided to them.

Secondly: Social Integration

The First Question:

Cabinet Resolution No. 26 of 2019 was issued to establish the National Committee for the Affairs of Women, Children, the Elderly and People with disabilities which aims to protect and promote the rights of these priority care groups. To that end, it

has the right to monitor the conditions of these groups and suggest the necessary means to follow up on the attainment of the goals contained in the international conventions and covenants that are related to them, to study relevant legislation and propose its amendment so it complies with international conventions, to coordinate with State authorities that are concerned with these categories to enhance work within a unified and organized national framework, and to contribute to the preparation of national reports to be submitted by the State to the concerned international bodies.

With the exception of Law No. 2 of 2004 in respect of People with Special Needs, there is no specific law in Qatar for the protection of women, children or the elderly despite the committee's recommendations in this regard. Moreover, the law on special needs needs to be aligned with the Convention on the Rights of Persons with Disabilities.

The Second Question:

There is no age that prevents the elderly from participating in the political, economic, social and cultural spheres, but the approved retirement age is 60 years according to Law No. 15 of 2016 Promulgating the Civil Human Resources Law.

The Third Question:

Pursuant to Article 24 of Law No. 3 of 2009 on the Regulation of Penal and Correctional Institutions, prisoners are judicially classified into categories, and each category is divided into grades according to their age, the type of crimes they have been sentenced for, the gravity and recurrence of the crimes, the duration of the sentence, and other grounds that facilitate the extent to which they can be reformed and the way they are treated and corrected.

The executive regulations of this law determine the categories and grades of classification of the prisoners judicially, the rules to be followed in the treatment of the prisoners of each grade and their transfer from one grade to another, and also allocate special places in the institution for each category.

The Fourth Question:

Qatar spends about 4.1% of its GDP on education; this is the highest rate in the region. It also spends 2.9% of the total GDP on health, i.e., the share of every Qatari citizen regardless of age is extremely high. Qatar also spends money on all service delivery institutions and elderly welfare programs.

Thirdly: The Elderly's Contribution to Sustainable Development

The First Question:

The elderly participate in setting national development plans concerned with the implementation of the goals of sustainable development, particularly with regard to Goal No. 16 that promotes peace, justice and strong institutions. The elderly are also the subject of interest of sectoral strategies in education, health and gender equality, especially since they participated in their preparation.

The Second Question:

As previously mentioned, there is no law for the protection of the human rights of the elderly; therefore, all legislation on the protection of rights applies to them without discrimination on the basis of age. When the elderly rights protection bill is

passed, the law will provide comprehensive and integrated protection for all rights and freedoms.

The Third Question:

- We suggest adopting a law to protect the rights of the elderly and developing a national, regional and international strategy on the rights of the elderly.
- We propose using the Paris Principles of 1993 to establish a national institution that is concerned with protecting the elderly and their rights.
- We suggest that there be an international convention to protect the elderly and that this category receives more attention from international and regional human rights treaty bodies.

The Fourth Question:

Qatar has resorted to the following best practices:

- positive participation in the global dialogue on the adoption of a comprehensive and integrated international legal instrument to protect the rights and dignity of the elderly;
- integrating the rights of the elderly into all development plans and enabling their right to social security and an adequate standard of living that supports their health and well-being, especially for women who work at home and in the informal sectors;
- using new electronic technologies and artificial intelligence in the field of elderly care and helping the elderly to enjoy their human rights; and
- building a general culture in society that is based on the knowledge of the rights of the elderly.

As for the challenges, they consist of the following:

- building and analyzing a national level statistical database on the elderly in order to formulate evidence-based policies on ageing;
- approving education and training programs that are appropriate for the elderly throughout their lives, thus enabling them to access information and lifelong learning, to actively interact with their environment and their public and social life, and to participate in the process of developing legislation, policies and programs that affect their rights; and
- establishing an independent and impartial body that looks into the complaints of the elderly in accordance with its mandate.

Fourthly: Economic Security

The First Question:

State legislation provided economic security through social security and retirement for all those who have reached the age of sixty and encouraged those who were interested in developing their own business to do so. It is expected that the adoption of a law for the elderly will lead to greater economic security.

The Second Question:

For instance, Law No. 38 of 1995 concerning Social Security, Law No. 2 of 2022 on Military Retirement, Law No. 1 of 2022 issuing the Social Security Law, Law No. 24 of 2002 on Retirement and Pensions and Law No. 2 of 2007 on the Housing System all guarantee economic security for the elderly as well as their economic, social and cultural rights.

The Third Question:

- To pass legislation that is concerned with the protection of the human rights of the elderly so that dealing with the elderly shifts from a welfare model to a legal system of rights that guarantees them dignity, equality, freedom of action and lifelong participation in society on an equal basis with others;
- to ensure their participation in the process of developing legislation, policies and programs that affect their rights; and
- to allocate State budgets that take into account the issues of ageing.

The Fourth Question:

Given that the State of Qatar is considered a high-income country with a small population compared to its total output, the challenges it faces are of a different nature as Qatar depends on the fluctuation of prices and on the prices of raw materials that it sells in the global market which necessitate the diversification of its economy to ensure the sustainability of development that is based on the human rights approach. Hence, the best practice to protect the rights of the elderly is based on the sustainability of modern education that is based on economic participation in the labor market as well as understanding and developing modern technology.