The Permanent Mission of the State of Qatar to the United Nations Office and other international organizations in Geneva presents its compliment to the Office of High Commissioner for Human Rights (OHCHR) – Special Procedures Branch, and has the pleasure to refer to the Joint Communication sent by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Working Group on Arbitrary Detention; and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, dated 19 October 2020, concerning the Qatari citizen Sheikh Talal Al-Thani (REF: AL QAT 2/2020).

In this connection, the Permanent Mission has the pleasure to attach herewith the response by the Government of the State of Qatar to the Joint Communication and unofficial translation of this response in English.

The Permanent Mission of the State of Qatar to the United Nations Office and other international organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights (OHCHR) – Special Procedures Branch, the assurances of its highest consideration.

Geneva, 15 January 2021

Office of the United Nations High Commissioner for Human Rights (OHCHR)
Special Procedures Branch
Fax: +41 22 917 9008
E.mail: registry@ohchr.org

Signed: A.S.
DATE: 19 October 2020

A/TO: His Excellency Mr. Ali Khalfan Al-Mansouri
Ambassador Extraordinary and Plenipotentiary
Permanent Representative
Permanent Mission of the State of Qatar to the United Nations Office and other international organizations in Geneva

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DE/PROM: Beatriz Balbin
Chief
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REF: AL QAT 2/2020

PAGES: 9 (Y COMPRIS CETTE PAGE/INCLUDING THIS PAGE)

OBJET/SUBJECT: JOINT COMMUNICATION FROM SPECIAL PROCEDURES

Please find attached a joint communication sent by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Working Group on Arbitrary Detention; and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

I would be grateful if this letter could be transmitted at your earliest convenience to His Excellency Sheikh Mohammed bin Abdulrahman bin Jassim Al-Thani, Minister for Foreign Affairs.
السيد/ نيلز ميلر المحرر
المقر الخاص المعني بالتحذير وغيره من ضروب المعاملة أو العقوبة القاسية أو اللاإنسانية أو المهينة
الدكتورة/ إيلينا شتاينرزة المحترمة
نائبة رئيس الفريق العام المعني بالاحتجاج التعسفي
الدكتورة/ تلالنج موفونكينج المحترمة
المقرة الخاصة المعنية بحق كل فرد في التمتع بأعلى مستوى يمكن بلوغه من الصحة البدنية والعقلية
مكتب المفوضية السامية
تحية طيبة وبعد.

بالإشارة إلى خطابكم المؤرخ 19/10/2020 والموجه إلى سعادة الشيخ/ محمد بن عبد الرحمن بن جاسم
ال ثاني، نائبه رئيس مجلس الوزراء ووزير الخارجية بشأن الشيخ/ طلال بن عبد العزيز آل ثاني، المحتجز
منذ فبراير 2013 بإلغ رقم 2/2020

اسمحوا لي إفادتكم بالتيالي:

نشر إلى أن القضايا المدان فيها المذكور هي قضايا جنائية بتهمة (الاستيلاء والترويج) و قضايا
جنائية بتهمة (الإبلاء بصيغة قاتلة) وقضية جنائية بتهمة (احتجاز جواز سفر مكمل).

المذكر مسجل بحجة (75) قضية، عبارة عن (65) قضية شبكات بدون رصيد، 8 قضايا مدنية، 2
قضايا جنائية.

ومقر تحويل للمحكمة، جميعها في تهمة إعطاء شيك لا يقابله رصيد قائم وقابل للسحب والملاذ
عليا بموافقة المدة (357) من قانون العقوبات بالحبس عن مدة لا تقل عن ثلاثة أشهر ولا تتجاوز
ثلاث سنوات وبالغرامة التي لا تقل عن ثلاثة آلاف ريال ولا تزيد على عشرة آلاف ريال، أو بإحدى

وزرعة الخارجية
مكتب الأمين العام

هاتيف: 004111800 (974); فاكس: 44434453 - ص. ب: 250 الدوحة - قطر
لأحكام المادتين (65) و (66) من القانون رقم (3) لسنة 2009م بتنظيم المؤسسات العقابية والإصلاحية.

- توفر دولة قطر أعلى معايير الخدمات الطبية والصحية في جميع سجون الدولة دون تمييز بين الأفراد المعتقلين. كما تقوم اللجنة الوطنية لحقوق الإنسان بزيارات دورية للسجون للتأكد من صحة وسلامة الموقوفين في هذه السجون وعدم تعرضهم لأي نوع من سوء المعاملة وال刑.

يعاقب على القانون القطري.

د. أحمد بن حسن الحمادي
الأمين العام
Unofficial translation

Qatar Ministry of Foreign Affairs
Secretary General Office

Date: 13 January 2021

Honorable rapporteurs,

Dr. Elina Steinerte (Vice-Chair),
Working Group on Arbitrary Detention

Mr. Nils Melzer,
UN Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

Dr. Tlaleng Mofokeng,
UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health
OHCHR

Greetings,

With reference to your letter dated October 19th, 2020 addressed to His Excellency Sheikh Muhammad bin Abdul Rahman bin Jassim Al Thani, Deputy Prime Minister and Minister of Foreign Affairs, regarding Sheikh Talal bin Abdulaziz Al Thani, who has been in detention since February 2013, Reference: AL QAT 2/2020.

Allow me to inform you of the following:

- We note that the cases in which the aforementioned person is convicted are criminal charges for (seizure and forgery), (making false statements), and (confiscation of his employee’s passport).
- Among the 75 cases brought against the said person, 65 cases relate to issuing uncovered cheques, 8 civil cases, and 2 criminal cases. 17 cases were referred to the competent courts that delivered judgement thereon which have not been carried cut to date. 3 cases are still pending in the court, and 3 others are in the process of being referred to the court, all of which are cases of writing a check without sufficient funds to cover its value which is punishable under article 357 of the Criminal Code by a term of from three months to three years’
imprisonment and/or a fine of from 3,000 to 10,000 Qatar riyals, taking into consideration the rights of people being victims of such fraudulent financial transactions.

- All cases of checks and financial claims against the said person are filed by companies and individuals.

- He is serving a custodial sentence (imprisonment) of 37 years, four months and twenty days, and a fine of ten thousand riyals. His imprisonment began on 31st March 2013 and will end on 9th December 2050. The total amounts claimed for others is approximately ($41,909-130)

- He was also brought before the criminal court for fraud. The competent court sentenced him in absentia to six months' imprisonment and a bail of five thousand riyals for suspension of action. He was also referred to criminal court for confiscating his worker's passport, which is a crime punishable by Qatari law.

- The last complaint lodged against the said person was registered in Communication No. 105 of 2016 - Al-Rayyan Security Department, in which the court sentenced him to 3 years’ imprisonment: from 24 September 2019 to 24 September 2022 for “forgery in official documents and fraud”.

- All the procedures legally applicable have been taken in dealing with these cases that were dealt with before the competent courts where the said person enjoyed all his rights according to the law. As for the appointment of a lawyer for him by the Qatari government, the Qatari law authorizes the competent court to assign a lawyer to defend the accused as a legal guarantee for him in the event that he is financially unable to appoint one.

- The convicted was released for health grounds on the basis of the medical committee's report dated 8th June 2020, and by order of His Excellency the Attorney General, who is responsible for taking necessary action for the release of the said person for health reasons, in accordance with the rule of law, and for postponing the carrying out of the sentences against him in all the judgements that have not been served. But he did not comply with the health release regulation. And when he was summoned after a month, he stalled at first before being brought back to prison in penal and correctional institutions on 9th August 2020, to complete the rest of the custodial sentence, in
accordance with the provisions of Articles 65 and 66 of Law No. 3 of 2009 on the Regulation of Penal and Correctional Institutions.

- The State of Qatar provides the highest standards of medical and health services in all prisons in the State, without discrimination between detainees. The National Human Rights Committee also conducts periodic visits to prisons to ensure the health and safety of detainees in these prisons and that they are not subjected to any kind of ill-treatment, which is a crime punishable by Qatari law.

Dr. Ahmad Bin Hassen Al-Hammadi
Secretary-General