

OPINION No. 3/2005 (QATAR)

Communication addressed to the Government on 3 August 2004.

Concerning Mr. Hashem Mohamed Shalah Mohamend Al Awadi.

The State has not signed or ratified the International Covenant on Civil and Political Rights.

1. (Same text as paragraph 1 of opinion No. 20/2004.)

2. The Working Group conveys its appreciation to the Government for having provided the requested information.

3. (Same text as paragraph 3 of opinion No. 20/2004.)

4. In the light of the allegations made, the Working Group welcomes the cooperation of the Government. The Working Group transmitted the reply provided by the Government to the source, which did not make comments on it. The Working Group believes that it is in a position to render an opinion on the facts and circumstances of the case, in the context of the allegations made and the response of the Government thereto.

5. According to the information submitted by the source, Mr. Hashem Mohamed Shalah Mohamend Al Awadi, president of the Foundation for Projects of a Charitable Character, was arrested on 3 March 2003 by the General Intelligence Police of Qatar. Neither upon arrest nor later was any ground justifying his deprivation of liberty provided to him. For approximately two months he was held in incommunicado detention. He was not given an opportunity to be heard by a judicial authority, and he was not allowed to appoint a defence lawyer. While the source is not aware of any reason why the authorities should have arrested and held him in detention, it is assumed that his detention is linked to his activities as president of a charitable foundation.

6. The allegations of the source have been brought to the attention of the Government. In a statement made on 31 March 2005 the Government announced to the Working Group that Mr. Al Awadi had been released from detention on 6 March 2005. On 25 April 2005 the Working Group invited the source to submit, by 17 May, observations concerning the reply of the Government.

7. Since the source did not rebut the statement of the Government, the Working Group, on the basis of paragraph 17 (a) of its revised methods of work, decided to file the case.

Adopted on 24 May 2005