

DOI <https://doi.org/10.30525/978-9934-26-526-6-48>

**SOME THOUGHTS REGARDING IMPLEMENTATION
OF REFORMS IN GUARDIANSHIP LAWS IN QATAR**

**ДЕЯКІ МІРКУВАННЯ ЩОДО ІМПЛЕМЕНТАЦІЇ РЕФОРМ
У ЗАКОНОДАВСТВО ПРО ОПІКУНСТВО У КАТАРІ**

Taylor A. V.

*Postgraduate Student at the Department
of International and European Law
of the National University "Odesa Law
Academy"
Odesa, Ukraine
Protection from Violence Officer
at Norwegian Refugee Council*

Тейлор А. В.

*аспірантка кафедри міжнародного
та європейського права
Національний університет «Одеська
юридична академія»
м. Одеса, Україна
Співробітник з питань захисту
від насильства Норвезької ради
у справах біженців*

Guardianship laws play a significant role in shaping gender relations and individual autonomy within Qatar's legal and cultural framework. Rooted in Sharia principles, these laws historically regulated a range of personal and societal interactions, often placing women under the authority of male relatives. In recent years, Qatar has undertaken reforms aimed at redefining the role of guardianship to align with modern views of equality and international human rights standards. This article overviews the implementation of these reforms, focusing on their practical application, challenges, and alignment with Qatar's development strategies and international commitments.

Qatar's guardianship reforms are part of a larger effort across Gulf countries to update their laws, influenced by both local goals and international expectations. By signing the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 2009, Qatar showed its commitment to promoting gender equality. However, the country's exceptions to some parts of CEDAW, which it sees as conflicting with Islamic law, highlight the difficulties of balancing global standards with local legal traditions.

In 2018, Qatar introduced amendments to its legal framework that eased some restrictions traditionally associated with guardianship. One notable change was the lifting of certain travel restrictions for Qatari women over the age of 25, who no longer require a male guardian's approval to travel

internationally. This reform, though limited in scope, reflects a shift toward individual autonomy [5]. Additional reforms have focused on expanding women's access to education and employment. The legal system now provides clearer protections against gender-based discrimination in the workplace, and women are represented more in educational institutions, with less barriers to their participation in traditionally male-dominated fields.

In 2021, after interviewing 50 women living in Qatar and analyzing 27 of its laws, Human Rights Watch (HRW) published a comprehensive report on discrimination in the country [1]. The HRW report highlighted that despite legal reforms, many women continue to face restrictions in areas like travel, marriage, and access to certain services due to traditional guardianship practices. These findings emphasize the need for stronger enforcement mechanisms and public awareness to ensure the reforms have a meaningful impact [4].

The establishment of family courts has also streamlined procedures related to guardianship disputes, granting women a formal avenue to challenge decisions that may infringe upon their rights. While these reforms are aligned with Qatar's National Vision 2030, which emphasizes inclusivity and equality, their implementation remains uneven, highlighting the need for institutional support and societal awareness [6].

Despite these positive changes, the application of guardianship reforms has faced some significant obstacles. A key issue lies in the discretionary powers of judicial and administrative authorities. In many cases, local interpretations of Sharia principles influence how reforms are applied, leading to inconsistencies in outcomes. For example, while travel restrictions have been officially relaxed, evidence suggests that some women still face informal barriers from male family members or community leaders [7].

Cultural beliefs and societal traditions make it harder to put reforms into practice. Strongly held ideas about family roles and gender often stop women from using their newly given rights. For example, many women avoid challenging guardianship rules because they worry it might harm family relationships.

Another issue is that many women don't know about the legal reforms or their rights. Without proper education and information, they are unaware of the legal help available to them. This shows the importance of public awareness campaigns to help people understand and use the changes in the law.

Also, the opening of the UN House in Doha on March 4, 2023, is an important step that enhances the diplomatic presence and cooperation

between Qatar and the United Nations, representing the culmination of decades of dynamic relations between both sides [2].

The State of Qatar and UN Women signed a memorandum of understanding (MoU) in Doha on women's empowerment. The MoU primarily aims to forge cooperation to empower women and advance their rights, in addition to highlighting their role through strengthening women's economic and social engagement as set out in the Qatar National Vision 2030 and reinforcing the shared efforts to empower women through crafting sustainable development policies and programs in support of the Qatar National Vision 2030 [3].

We can make conclusions that Qatar has made important progress in improving women's rights, but there is still work to be done to achieve full equality. Cultural and social traditions can sometimes make it harder to fully enforce new laws, showing the challenges of balancing change with tradition. Even so, there are many opportunities for further progress. Strengthening laws and supporting local initiatives can help Qatar overcome these challenges and move closer to gender equality.

The steps Qatar has taken to protect women's rights and encourage their participation in society show its commitment to change. While challenges remain, the country's efforts to meet international standards and build a more inclusive society show that real progress is being made.

References:

1. Junquera N. J. How are women treated in Qatar? EL PAÍS. 2022. URL: <https://english.elpais.com/society/2022-12-14/how-are-women-treated-in-qatar.html> (date of access: 05.12.2024).
2. Chaoui P. Qatar: empowering women. UN Today. 2023. URL: <https://untoday.org/qatar-empowering-women/> (date of access: 05.12.2024).
3. Qatar, UN join forces for women empowerment. UNited Women of Influence Magazine. 2024 URL: <https://www.unwomenmag.com/qatar-un-join-forces-for-women-empowerment/> (date of access: 05.12.2024).
4. Human Rights Watch calls on Qatar to dismantle male guardianship. Reuters. 2021. URL: <https://www.reuters.com/article/world/human-rights-watch-calls-on-qatar-to-dismantle-male-guardianship-idUSKBN2BL0KM/> (date of access: 05.12.2024).
5. Kassem LM. Qatari Family Law, When Custom Meets Shari'a. Family Law and Gender in the Middle East and North Africa: Change and Stasis since the Arab Spring. Cambridge University Press. 2023. Pp. 187–206.

6. Qatar National Vision 2030. URL: <https://www.gco.gov.qa/en/about-qatar/national-vision2030/>

7. Everything I have to do is tied to a man. Human Rights Watch. 2021. URL: <https://www.hrw.org/report/2021/03/29/everything-i-have-do-tied-man/women-and-qatars-male-guardianship-rules> (date of access: 05.12.2024).