

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL
E/CN.4/1505/Add.4
30 September 1981
ENGLISH
Original: ARABIC

COMMISSION ON HUMAN RIGHTS
Thirty-eighth session

IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE
SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID

Reports submitted by States parties under
article VII of the Convention

Addendum

QATAR^{1/}

[15 September 1981]

Legislation in the State of Qatar and, primarily, the amended Constitution which, like the constitutions of all States, is the supreme legislative text, embodies the principles laid down in the Charter of the United Nations and in the Universal Declaration of Human Rights. Even more significantly, the Holy Quran and the Islamic Shariah, which are the principal sources of the human rights on which the laws in Qatar are based, advocate the promotion of justice and equality for all mankind and consider human freedom as sacrosanct.

The distinction made elsewhere between "church and State" does not apply in Islam, the teachings of which are contained in the Holy Quran and the traditions of the Prophet and embody provisions that are legally binding not only with regard to religious ritual, but also in all spheres of life such as personal status, systems of government, financial transactions and criminal justice. These provisions, together with the penalties for their contravention, are applied by various administrative and judicial means, as appropriate.

Islam has proclaimed human rights and duties, established a balance and guaranteed their continuity and protection by stipulating that every individual must always do his utmost to promote good and not tolerate evil acts. This is both an individual and a collective responsibility ("Indeed, each of you is a shepherd and each of you is responsible for his flock ..."). Islam will continue to constitute the principal source of legislation in the State of Qatar. If the positive law does not make provision for a particular circumstance, the legal precepts contained in the verses of the Holy Quran and in the traditions of the Prophet must be consulted in

^{1/} The initial report submitted by the Government of Qatar (E/CN.4/1415/Add.1) was considered by the Group of Three at its 1981 session.

order to determine which juridical principle should be followed in such a case. The Islamic Shariah affirms, in accordance with the words of the Prophet, that "the only distinction between an Arab and a non-Arab lies in the extent of their piety". In this context, the basic meaning of "piety" is obedience to the commands of God and the avoidance of all actions forbidden by Him, with a view to the establishment of justice and equality for all mankind. It is not surprising, therefore, that the basic legislation in Qatar stipulates that there shall be no racial discrimination or distinction between one person and another on the grounds of colour, race or religion.

The principles of human rights have long been embodied in the Constitution of the State of Qatar, article 9 of which stipulates that "all persons are equal in public rights and duties, without distinction as to race, religion or colour". The State of Qatar also wishes to emphasize that, since it attained its independence, no case relating to racial segregation or discrimination has ever been brought before its courts.

Article 5 of the Constitution provides that: "The State shall embrace the principles of the Charter of the United Nations which support the right of peoples to self-determination." In keeping with General Assembly resolution 32/122, the State of Qatar attaches particular importance to the protection of persons detained or imprisoned as a result of their struggle against racial discrimination. The State of Qatar also believes in the establishment of international co-operation on a basis of equality and mutual respect with a view to eliminating the causes of war, promoting tolerance and combating all forms of oppression and persecution. The State of Qatar believes that the policy pursued by South Africa, as defined in article II of the Convention, is a crime against humanity, violating the principles of international law and, in particular, the purposes and principles of the Charter of the United Nations and constituting a serious threat to international peace and security. In fulfilment of its international obligations, the State of Qatar therefore acceded to the International Convention on the Suppression and Punishment of the Crime of Apartheid. Pursuant to the provisions of that Convention and in accordance with the internal laws of the State, Qatar promulgated Decree No. 130/73, which imposed economic sanctions on South Africa by halting the export of petroleum to that country. The State of Qatar also promulgated Decree No. 140/73, which severed all economic, trade and cultural relations with South Africa; the competent authorities of Qatar have been applying the provisions of this Decree since its promulgation. With regard to article V of the Convention concerning the establishment of an international penal tribunal, the State of Qatar believes that an international diplomatic conference could be convened with a view to establishing such a tribunal, whose statutes would then be drafted by committees of experts. In the field of information, the State of Qatar has made every effort to publicize crimes of racial discrimination and to counter the propaganda that the racist régime is disseminating with a view to misleading international public opinion and thwarting international endeavours to combat racial discrimination. The State of Qatar also believes that any propaganda in favour of the racist régime constitutes a flagrant violation of the principles of the United Nations and of the rules of international law.
