

POLICY BRIEF



Qatar

Narrow interpretation of freedom of religion

Qatar is an oil-rich nation in the Arabian Peninsula and has been ruled by an absolute monarch since its independence from Great Britain in 1971.¹ The country has been ruled by the al-Thani family for almost 150 years. Emir Tamim ben Hamad al-Thani exercises full executive power as per the provision laid down in Article 62 of the Constitution of Qatar.² Once a poor (pearl) fishing nation, Qatar has developed into a prosperous and modern country, as a result of development of its oil and gas resources since the 1940s.³

The Constitution of Qatar designates Islam as the state religion with Sharia Law as the main source of legislation.⁴ The Constitution prohibits discrimination based on religion and in Article 50 guarantees the “freedom to practice religious rites” to all persons but these freedoms are framed within limits based on Sharia Law and “morality concerns”.⁵

Qatar and Saudi Arabia are the only two countries in the world that follow Wahhabism, a puritan version of Islam.

¹ “A Guide to the United States’ History of Recognition, Diplomatic, and Consular Relations, by Country, since 1776: Qatar”. Available at <https://history.state.gov/countries/qatar>.

² “Qatar’s Constitution of 2003”. Available at https://www.constituteproject.org/constitution/Qatar_2003.pdf?lang=en.

³ “Qatar: Country Dossier”, World Watch Research, February 2022. Available at Full Country Dossier Qatar 2022 (opendoorsanalytical.org) (password: freedom).

⁴ “Qatar’s Constitution”, *Ibid.*, pp 3. Available at https://www.constituteproject.org/constitution/Qatar_2003.pdf?lang=en.

⁵ Qatar - Freedom of Thought Report, Humanists International, October 2021. Available at <https://fot.humanists.international/countries/asia-western-asia/qatar/>.

However, since the 1990s, Qatar has adopted a less strict version of Wahhabism. In contrast to its neighbor Saudi Arabia, Qatar has been relatively lenient towards the growing Christian expatriate community and has provided land to build churches.⁶ Although still officially a Wahhabi state, the religious sphere in Qatar is not bureaucratized, with no institutionalized form of state religious authority in the form religious scholars.⁷ Most of Qatar's clerical staff, such as the Ulamas are expats and bring with them different religious traditions and influences to the state. This critical difference in the composition of clergy has granted Qatari society, to a large extent, a more secular character than that of Saudi Arabia. Nevertheless, the Qatari government holds considerable power in religious matters.⁸ This means in practice that Islam is the dominant religion and Christians have to operate carefully not to cross (unwritten) boundaries.

Converts from Islam to other religions are forced to hide their faith to avoid dire consequences of either being prosecuted or suffer social stigma, police monitoring or intimidation.

Ninety percent of Qataris are Sunni and only ten percent Shiites. Apart from Islam, Christianity and Judaism are the only legally recognized religions in Qatar. Other religious communities such as the expatriate Hindu and Buddhist communities have no official recognition but their gatherings are generally tolerated. The small Shia community faces some routine discrimination⁹ such as some Sunni clerics making public calls to take up arms against the Shias. Members of Baha'i community have also been facing severe discrimination which has in many instances resulted in expulsion from the country.¹⁰

Freedom to have or adopt one's religion

Qatar follows the Hanbali school of jurisprudence in interpreting Sharia Law and therefore, apostasy is punishable by death. Likewise, the penal code



Man sitting on doorstep in streets of Souq Waqif bird market in Doha.

also mentions a range of other offense, such as misinterpreting the Quran, offending Islam or insulting any of the prophets.¹¹ Hence, Muslims in Qatar do not enjoy their inherent right and liberty to change their religion. Due to the huge influence of tribalism in the Qatari society, conversion from Islam to other religion is also interpreted as betraying one's family and family's honor.¹² Converts from Islam to other religions are forced to hide their faith to avoid dire consequences of either being prosecuted or suffer social stigma, police monitoring or intimidation. Male converts from Islam often lose their jobs or their avenues to financially provide for their families are cancelled. Women converts from Islam are additionally vulnerable due to the

⁶ "Qatar: Country Dossier", *Ibid.*, pp. 12.

⁷ "Religious Authorities in Wahhabi States", Baker Institute for Public Policy, June 2019. Available at <https://www.bakerinstitute.org/media/files/files/d699be8b/bi-brief-050619-cme-luce-freer.pdf>.

⁸ "Mapping Religious Authority in Wahhabi States: An Examination of Qatar and Saudi Arabia", Baker Institute for Public Policy, March 2019. Available at <https://www.bakerinstitute.org/media/files/files/e249b50f/cme-pub-luce-freer-031119.pdf>.

⁹ "Qatar: Country Dossier", *Ibid.*, pp. 38.

¹⁰ "Qatar expelling and blacklisting Baha'is could indicate pattern of religious cleansing", Bahá'í International Community, March 2021. Available at <https://www.bic.org/news/qatar-expelling-and-blacklisting-bahais-could-indicate-pattern-religious-cleansing>.

¹¹ The Sharia Law classifies apostasy as a hudud offense. Fatwa no. 85488 states that capital punishment is the remedy for punishment for apostasy in Qatar. Available at <https://www.islamweb.net/emainpage/PrintFatwa.php?lang=E&Id=85488>. In addition, Qatar's Law 11 of 2004 incorporates Sharia Law into various offenses. Furthermore, Articles 256 to 265 of the Qatari Penal Code (Law No. 11/2004) defines crimes related to religion which includes offenses such as offending or misinterpreting the Quran, offending Islam or any of its rites or beliefs, insulting any of the prophets, or defaming, desecrating, or committing blasphemy against Islam, Christianity, or Judaism. Punishment for the offenses could range from prison terms ranging from six months to ten years.

¹² "Qatar: Country Dossier", *Ibid.*, pp. 23.

patrilineal inheritance practices and lower employment rates. Both women and men who convert from Islam could lose custody of their children.¹³

As per international human rights standards, the *forum internum* (internal aspect) component of the freedom of religion or belief (FoRB) gives the right not only have or hold a religion or belief but also the right to reject or to change a religion or belief. This right is non-derogable meaning that under no circumstances, including laws that make apostasy and proselytization criminal offenses, can this freedom be justifiably violated or broken.

Freedom to manifest one's religion and freedom of assembly

The law restricts public worship for non-Islamic faiths. The only religions registered to have their own places of worship are Islam and nine Christian denominations.¹⁴ Unregistered religious groups are restricted from operating and cannot lawfully worship in private spaces. Expatriate non-Muslim religious groups must apply to register with the Ministry of Foreign Affairs. Unregistered groups that engage in worship activities are illegal and individuals from such groups are subject to deportation.¹⁵ Registered non-Muslim religious groups are allowed to worship in buildings only within the confines of the Mesaymeer Religious Complex, located on government owned land, heavily monitored and under constant surveillance. The law restricts non-Muslim religious groups from displaying religious symbols outdoors where they are visible to the public. Visitors from a Muslim background are strictly forbidden to enter this religious compound.¹⁶

Personal communications are monitored by security forces and noncitizens often self-censor to avoid endangering their work and residency status.

In September 2020, the government sent a letter to nearly 150 unofficial house churches under the umbrella

of the Evangelical Church Alliance in Qatar (ECAQ) temporarily banning any worship outside the Mesaymeer Religious Complex. Sixty one unofficial house churches were scheduled to be opened by the end of 2020 but are yet to receive permissions from the government.¹⁷

Freedom of expression

Personal communications are monitored by security forces and noncitizens often self-censor to avoid endangering their work and residency status.¹⁸ Laws such as the Cybercrime Prevention Law (No. 14 of 2014) or the recent amendment to the penal code with the introduction of Article 136(bis) sets criminal penalties for "malicious or false publications or news which is intended to harm national interests or incite public opinion or disturb the social or public order of the state", further restricting the already narrow space for freedom of expression.¹⁹ The government censors or bans print and social media religious material it considers objectionable. In July 2020 four longtime resident Indian-national Christians and their families were deported because of their religious activities.²⁰

The law restricts public worship for non-Islamic faiths.

Restriction on publication, importation and distribution of religious materials

All publication, importation, and distribution of religious books and materials are regulated by the government. The Ministry of Culture and Sports approves the import of any religious materials. Propagation on behalf of an organization, society or foundation of any religion other than Islam is a criminal offense and possessing written or recorded material which promotes missionary activity attracts imprisonment of two years and fine of 10,000 riyals (USD 2,700). Religious groups can publish and distribute newsletters internally within their respective communities without government censorship.²¹

¹³ *Ibid.*, pp. 14.

¹⁴ "United States Department of State 2020 Report on International Religious Freedom: Qatar", US State Department (IRFR 2020), May 2021, pp 4. Available at <https://www.state.gov/wp-content/uploads/2021/05/240282-QATAR-2020-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ Qatar: Freedom in the World 2021 Country Report, Freedom House. Available at <https://freedomhouse.org/country/qatar/freedom-world/2021>.

¹⁹ Qatar: 5-Year Prison Sentence Set for 'Fake News', Human Rights Watch, January 2020. Available at <https://www.hrw.org/news/2020/01/22/qatar-5-year-prison-sentence-set-fake-news>.

²⁰ US State Department (IRFR 2020), *Ibid.*, pp. 6.

²¹ US State Department (IRFR 2020), *Ibid.*, pp. 4.

Recommendations:

1 Freedom to adopt or change one's religion or belief is a fundamental part of the right to freedom of religion or belief, without which such right would be emptied of any significance:

- The Qatari Government should cease considering apostasy as a criminal offense and ensure that freedom of religion or belief, including freedom to change one's religion, is fully respected;
- Emir Sheikh Tamim bin Hamad al-Thani should, through a royal decree, amend the Penal Code by removing the provisions that prosecute individuals for their peaceful exercise of the right to freedom of religion, including freedom to have or adopt a religion or belief; and condemn any act of discrimination and intolerance against individuals who decide to change their religion or belief;
- The Qatari Government should issue a law guaranteeing protection from discrimination on the basis of someone's religion and preventing employers or business owners from rendering someone unemployed based on the individual's choice of religion;
- Finally, the Qatari Government should promote and set up initiatives that involve individuals at the local level and educate the wider population on the value of religious tolerance and inter religious harmony.

2 To ensure the full respect of freedom to manifest one's religion or belief, freedom of assembly and freedom of expression, the Qatari Government should:

- Considering the overcrowding of the Mesaymeer Religious Complex, allow for the establishment of places of worship outside such area;
- Urgently open the 150 unofficial house churches;
- Allow religious organizations without official registration to operate freely and peacefully, in accordance with the right to freedom of religion or belief as laid out in Art. 18 ICCPR;
- Allow free access to all Qataris and expats to such places of worship;
- Allow places of worship to carry out their peaceful religious activities without monitoring and interference;
- Allow the sale and publication of non-Muslim religious material in the country;
- Define what constitutes "malicious or false" publication or news under Article 136 (bis) of the Qatari Penal Code in accordance with Arts. 19 & 20 of the ICCPR;
- Emir Sheikh Tamim bin Hamad al-Thani should continue to encourage interfaith dialogue via the Doha International Centre for Interfaith Dialogue (DICID).

Any questions? Please email advocacy@od.org