

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Dist .
GENERAL

E/CN.4/1984/56/Add.3
18 November 1983

ENGLISH
Original: ARABIC

COMMISSION ON HUMAN RIGHTS
Fortieth 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

Annexum

QATAR 1/

[22 July 1983]

1. In the State of Qatar, legislative acts and, primarily, the Amended Constitution, which, like the constitutions of all countries, represents the highest form of legislation, are in conformity with the principles embodied in the Charter of the United Nations and the Universal Declaration of Human Rights. Most important of all, however, the Holy Quran and the Islamic Shari'a are the principal sources of the human rights on which all laws in Qatar are based. The Islamic Shari'a strongly advocates the propagation of justice and equality among mankind and sanctifies the principle of human freedom.

2. Islam has played a pioneering and exemplary role with regard to the elimination of racial discrimination and segregation. For the first time in the history of humanity, we encounter a code of law and an ideology which is intended for mankind as a whole and under which every individual is regarded as capable of exercising rights and assuming responsibilities without any legal distinction on grounds of origin, race or colour. God addressed mankind with the words: "We created you from male and female and divided you into peoples and tribes so that you may know each other. In the sight of God, the most noble of you is the most pious". At the Pilgrimage of Farewell, the Apostle of God told the people: "You have one God and one father. All of you are descended from Adam and Adam was created from dust. There is no superiority of Arab over non-Arab or of white over brown except in terms of their piety".

1/ The initial and second reports submitted by the Government of Qatar (E/CN.4/1415/Add.1 and E/CN.4/1505/Add.4) were considered by the Group of Three at its 1981 and 1982 sessions respectively.

3. The principles of human rights are deeply rooted in the Constitution of the State of Qatar, article 9 of which stipulates that: "All persons shall enjoy equal public rights and shall be subject to equal duties without distinction on grounds of race, religion or colour". The State of Qatar can confirm that, since it attained its independence, no case relating to racial segregation or discrimination has ever been brought before its courts.

4. Article 5 (a) of the Constitution stipulates that: "The State of Qatar shall adhere to the principles of the Charter of the United Nations which aim to support the right of peoples to self-determination". In keeping with General Assembly resolution 32/122, the State of Qatar confirms its support for persons detained as a result of their struggle against apartheid. The State believes in the development of international co-operation on a basis of equality and mutual respect with a view to the elimination of the causes of war, the promotion of tolerance and opposition to all forms of injustice and persecution. The State of Qatar also believes that the policy pursued by South Africa, as described in article II of the Convention, constitutes a crime against humanity, represents a flagrant violation of the provisions of the Charter of the United Nations and the principles of public international law and poses a threat to international peace and security. Accordingly, in fulfilment of its international obligations, the State of Qatar acceded to the International Convention on the Suppression and Punishment of the Crime of Apartheid. In accordance with the provisions of that Convention and its own domestic laws, Qatar promulgated Decree No. 130/73 imposing economic sanctions on South Africa by suspending petroleum exports to that country. The State of Qatar also promulgated Decree No. 140/73 which provided for the severance of all economic, trade and cultural relations with South Africa. The competent State authorities have been applying the provisions of this Decree ever since its promulgation. Furthermore, as can be seen from the results of the two OAU Ministerial Conferences held at Algiers in June 1980 and at Kuwait in 1981, the State of Qatar is working in close co-operation with other Arab petroleum-producing countries to strengthen the oil embargo through the adoption of effective measures designed to close loopholes and prevent fraudulent circumvention. In this respect, the State of Qatar wishes to draw attention to the endeavours that OAU has made to strengthen the oil embargo.

5. The State of Qatar participated in the International Conference on Economic Sanctions against South Africa, held in Paris from 20 to 27 May 1981, at which our delegation stressed the State's firm commitment to this important African cause. The State of Qatar also condemns the relations existing between the two racist regimes at Pretoria and Tel Aviv.

6. The State of Qatar supports the just struggle that is being waged by the African peoples against the white minority regime and condemns the occupation of Namibia by the racist regime in South Africa, as well as the barbaric aggression that it is committing in southern Africa.

7. 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 should be convened with a view to the formation and establishment of such a tribunal, the statutes of which would be drafted subsequently by committees of experts. In the field of information, the State of Qatar has made every endeavour to publicize the crime of apartheid and to combat the propaganda spread by the racist regime with a view to misleading international public opinion and thwarting international efforts to combat apartheid. In the opinion of the State of Qatar, any propaganda in favour of the racist regime is highly detrimental to the principles of the United Nations and the rules of public international law.

8. In its internal and external policy, the State of Qatar is committed to the prevention and punishment of acts of racial discrimination. To this end, the State has promulgated the following legislative acts:

The Provisional Constitution of the State of Qatar stipulates that the Islamic Shari'a is the principal source of legislation (art. 1), that all citizens enjoy equal opportunities (art. 7) and that all persons are equal with regard to their public rights and duties without distinction on grounds of race, sex or religion (art. 9). It is well known that the Islamic Shari'a forbids acts of racial discrimination, which Muslims are urged to combat in accordance with the statement of the Prophet: "The advocate of bigotry is no true Muslim" and the words of Almighty God "There is no superiority of Arab over non-Arab or of white over brown, except in terms of their piety".

Legislative Decree No. 2 of 1967 provided for an economic boycott of Southern Rhodesia.

Decree No. 130 of 1973 provided for the cessation of oil exports from Qatar to South Africa.

Decree No. 140 of 1973 provided for the severance of all economic, trade and cultural relations with South Africa, Portugal and Rhodesia.

9. The State of Qatar has acceded to the following conventions:

The International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the United Nations on 21 February 1965; accession took place on 23 July 1976 and the Convention became applicable to Qatar on 21 August 1976;

The International Convention on the Suppression and Punishment of the Crime of Apartheid, adopted by the United Nations on 30 November 1973; accession took place on 19 March 1975 and the Convention became applicable to Qatar on 18 July 1976.

Following accession, these Conventions acquired the binding force of internal law and must be applied by the courts in the event of the occurrence of any crime of racial discrimination, segregation, exclusion or preference in the country. This is in keeping with article 24 of the Amended Provisional Constitution of the State of Qatar which stipulates that all treaties, irrespective of their subject, acquire the force of law following their ratification, the exchange or deposit of the instruments of ratification or accession and the publication of the said instruments in the Official Gazette, with no need for promulgation in the form of internal law or for approval by the legislative authority.

10. No private or public person, organization or institution engages in any such acts of discrimination in the territory of the State of Qatar. This is most clearly indicated by the fact that no case of this type has ever been brought before the shari'a or secular courts. Consequently, the State believes that the existing legislation fully covers its needs.

11. It should be noted that the State of Qatar participated effectively in the Second World Conference to Combat Racism and Racial Discrimination, held at Geneva from 1 to 13 August 1983.

Our press and information media take every opportunity to expose and deplore crimes of racial discrimination. Numerous programmes to commemorate international days are broadcast and published by radio, television, the press and other media. Furthermore, in all of his political statements, particularly those made before the Advisory Council of our country, H.H. the Amir of the State personally condemns acts of racial discrimination and commends the principles advocated by the Charter and resolutions of the United Nations, the Universal Declaration of Human Rights and the Commission on Human Rights which call for measures to combat acts of racial discrimination. Such statements, printed in the form of pamphlets, are distributed to embassies and brought to the attention of the public through the various information media.

This can be illustrated by the following examples:

The text of the message of H.H. the Amir, on the occasion of the independence of the State of Qatar on 3 September 1971, affirming the State's commitment to the purposes and principles of the Charter of the United Nations and its acceptance of the obligations specified therein.

The text of statements made by H.H. the Amir at the opening meetings of the regular annual sessions of the Advisory Council, especially the fourth, sixth and seventh sessions on 16 December 1975, 29 November 1977 and 2 November 1978 respectively, affirming the State's commitment to the purposes and principles of the Charter of the United Nations and, in particular, the right of peoples to self-determination, freedom, independence, sovereignty over their national wealth and the utilization of their natural resources in the manner that they deem conducive to the advancement of their development and the furtherance of their interests, support for every struggle aimed at the elimination of all forms of colonialism, the cessation of all types and forms of racial discrimination and segregation and opposition to zionism with a view to putting an end to this disastrous and dangerous basic manifestation of racial discrimination and segregation in their most blatant and odious forms.

The text of the message of H.H. the Amir, on the occasion of the International Day for the Elimination of Racial Discrimination on 19 March 1976, in which he condemned the practices of the fascist, racist regime in South Africa, as well as the practices of the tyrannical, racist Zionist occupation authorities in the Arab land of Palestine and other Arab territories, and called upon the entire international community to form a united front in opposition to acts of racial discrimination and segregation throughout the world. The message called for concerted efforts to combat and finally eliminate such acts, which constitute odious crimes of great detriment to individual dignity and human rights and flagrantly violate all moral, religious and legal principles. The message also called for an intensification of efforts to put an end to such acts and to protect the human family from their ominous consequences by all ways and means, especially those provided for in the Charter and in numerous United Nations resolutions condemning racial discrimination and segregation in all their forms, including zionism.

The text of two messages from H.H. the Amir to the General Assembly of the United Nations, on the occasion of the International Days of Solidarity with the Palestinian People on 29 November 1978 and 1979, in which he appealed to all leaders in the world and, in particular, the leaders of the super-Powers to

use all ways and means to combat racist Zionist occupation practices aimed at the displacement and destruction of the Palestinian people, the usurpation of their land and the violation of their legitimate right to self-determination and to the establishment of their free and independent sovereign State in their land; to put an end to Israel's persistent defiance of the will of the international community, which firmly believes in the justice of the Palestinian cause; to remove this horrendous racist blot from the pages of modern civilized history; and to eradicate the odious forms of racial segregation that it represents.
