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THE AMENDED PROVISIONAL CONSTITUTION  
OF THE STATE OF QATAR<sup>1</sup>

April 19, 1972

We, Khalifa Bin Hamad Al-Thani, the Amir of Qatar State.

Whereas our great aspiration, for whose realization we have pledged to God to exert every possible effort, declaring before our people that we will devote ourselves for it, is the advancement of our dear country in its present stage of progressive setting-out towards the building-up of a better society wherein all citizens will enjoy greater welfare, justice, equality, learning and health, and wherein both they and the public authorities shall together practice their rights and carry out their duties in the best manner that guarantees the realization of this aspiration;

And whereas the former Provisional Constitution was laid down at a time when the State of Qatar was a member of the Union of Arab Emirates, and had not attained complete independence and full sovereignty, and whereas these factors necessitated the amendment – by addition, deletion and substitution – of the provisions of aforesaid constitution so that they may – through the stage of gradual development requisite and convenient for the transitional period conform with the wide and deep changes resultant from both the country's attainment of full independence from one side and the rise of the new era of comprehensive reformist renaissance from the other side.

And whereas the laying down of sound bases for the desired comprehensive reform through the transitional period requires the re-organization of the state by the execution of convenient measures, and the enactment of suitable legislation, regulations and decisions at the proper speed, especially as we are determined to reduce the aforesaid transitional period to the minimum time necessitated by the State's higher interest and imposed by its needs, therefore the amendment included the provisions organizing the Advisory Council, stipulating its formation, for the first time, of twenty members appointed by an Amiri Edict with the possibility of adding four other members by a similar edict should His Highness find out that public interest justifies such step. The amendment did not alter the Council's authority which shall remain the same. It provided that the Council's term of office shall in principle be for one year. It also simultaneously stipulated the setting up of a new Advisory Council at the end of the First Advisory Council's term of office. The new Council shall be elected by direct secret ballot in compliance with the regulations that shall be issued in a Special Law organizing such public ballot and issued within thirty days following the end of aforesaid interval. The electoral procedure shall be completed within thirty days following the issuance of aforesaid Special Law. There is no need to confirm that fact that the principle of members appointment applicable to the First Advisory Council of the sort that the country has ever known is generally applicable in all countries of newly-introduced constitutions especially in the earlier stages of such constitutions application.

<sup>1</sup> Provided by the Ministry of Foreign Affairs, Doha, in September 1981. Ed.

For all said considerations, we take pleasure to proclaim this Amended Provisional Constitution revising the former Provisional Constitution for Qatar State for the sake of its application in pursuance of same previously stipulated basic principles governing the State's general policies in economical, social and cultural fields through the transitional period. This Amended Provisional Constitution shall continue to be in force until the issuance of a thorough and permanent constitution to be laid down in the light of the first factual experience of applying such constitution in our country. The thorough and permanent constitution shall be applicable immediately after the expiry of the transitional period.

We pray to God to enable us to adopt best methods that secure with the assistance and support of our people the realization of our mutual expectations of positive and fruitful participation, for the accomplishment of the strong edifice of our new state on most modern and sound bases.

Such steps, we hope, shall lead to the securement of the high position which our country deserves to occupy in the Arab World in particular, and the world community in general, in such a manner that qualifies the country to play its full role in collaboration with sister Arab States, and in such a fruitful and efficient method as may realize what we all look for, namely, the advancement and strength of our immortal Arab people and the peace and security of the whole world at large.

## PART ONE

### THE FORM OF GOVERNMENT

*Art. 1.* Qatar is an independent sovereign Arab State. Its religion is Islam, and Islamic Shari'a Law shall be the fundamental source of its legislation. Its regime is democratic and its official language is Arabic.

The people of Qatar are a part of the Arab Nation.

*Art. 2.* The Capital of Qatar is the City of Doha.

The sovereignty of the State extends over all lands and territorial waters lying within its international boundaries.

The State may not relinquish its sovereignty, or cede any part of its territory or its waters.

*Art. 3.* The flag, emblem, official medals and national anthem of the State shall be determined by law.

*Art. 4.* Citizenship of the State shall be determined by law.

Citizenship may not be taken away or withdrawn from a citizen save in the cases prescribed by law.

## PART TWO

## ESSENTIAL GUIDING PRINCIPLES OF STATE POLICY

*Art. 5. Political Principles.*

- (a) The State shall preserve its integrity, and shall maintain its safety, security and stability, and repel any aggression against it by all possible means within its power.
- (b) The State believes that the Union or Arab State in the region is a fatal requirement necessitated by high Arab mutual interests of the region in particular, and the whole Arab World in general. The State shall devote all possible efforts to supplement such Union and shall strive to have it realized in the best mode that unites it with those Arab States to whom it is tied by deeply-rooted, most strong and genuine relations.
- (c) The State believes in the brotherhood of all Arabs, and shall direct its efforts to the strengthening of ties of solidarity with sister Arab States, and shall endeavor to consolidate the unity of the Arab Nation, and support with all its power the joint effort to serve and promote Arab causes and interests. The State fully supports the League of Arab States and the ideals which the charter of the League aims at realizing.
- (d) The State shall direct its efforts in all fields to the consolidation of a proper basis for the establishment of true democracy, and the creation of a proper administrative organization that will ensure justice, tranquillity and equality for its citizens, and respect for public order, and shall safeguard security, stability and the best interests of the country.
- (e) The foreign policy of the State shall aim at strengthening the ties of friendship with all Islamic States and peoples in particular, and with all peace-loving States and peoples in general, on a basis of mutual respect, common interests and non-interference in internal affairs.

The State shall adhere to the principles of the United Nations Charter which aim at supporting the right of peoples to decide their own future, promoting international co-operation for the good of all mankind, spreading peace and security in all parts of the worlds, adherence by states to the principle of settling their disputes by peaceful means and establishing their relations with each other on a basis of justice and equality in accordance with the principles of international law.

*Art. 6. Economic Principles:*

- (a) Property, capital and labor shall be basic elements in the social structure of the State, and they are individual rights serving social ends as prescribed by law.
- (b) The State shall guarantee free enterprise within the limits of public interest.

The State shall have the right to supervise the national economy in a manner that will ensure its safety for the good of the country. Such supervision shall be regulated, and its limits shall be defined by law, as may be required in the public interest.

- (c) The State shall direct economic advancement through scientific planning and technical co-operation with specialized international organizations, in a manner that will realise such prosperity in the country as will ensure honorable life for its citizens.

*Art. 7. Social Principles:*

- (a) The basis of society is the family, based on religion, morality and patriotism. The law shall prescribe the means for the protection of the family against such elements as may weaken its ties, and for supporting its structure, and strengthening its bonds and fostering motherhood and child care within the family.
- (b) The State shall endeavor to instil proper Islamic religious principles in society, and to purify it from all manifestations of moral disintegration.
- (c) The State shall provide care and guidance for the rising generations, and shall protect them from immorality and corruption, exploitation and the evils of physical and spiritual neglect.
- (d) The State shall endeavor to provide equal opportunities for all citizens, and to make it possible for them to exercise the right to work under laws that will ensure social justice.
- (e) The State shall do everything in its power to protect its citizens against the causes of ignorance and poverty.
- (f) The State shall provide means for the care of the health of its citizens.
- (g) The State shall adopt a social security plan that will ensure assistance to citizens in case of old age, sickness, disasters and other causes of disability.

*Art. 8.*

- (a) Education is a basic factor in the progress and well-being of society, and is the right of every citizen. The State shall endeavor to realize the implementation of compulsory general education, free of charge at all levels.
- (b) Education is the means to culture. It shall be guaranteed and fostered by the State.
- (c) The goal of education is the creation of citizens who are strong in body, mind and character believing in God, possessing good morals, proud of their Arab-Islamic heritage, enlightened with knowledge, aware of their responsibilities and mindful of their rights.
- (d) The State shall foster, preserve and assist in the spreading of the cultural heritage of the nation, and shall promote science, arts, literature and scientific research.

### PART THREE

#### PUBLIC RIGHTS AND DUTIES

*Art. 9. All persons shall enjoy equal rights and shall be subject to equal public duties without distinction on grounds of race, sex or religion.*

*Art. 10.*

- (a) The provisions of the laws shall only apply to acts or events which take place on or after the date on which such laws come into effect, and they shall not affect any acts or events which take place prior to that date. However subject to the provisions of the next following paragraph, a law may contain a provision to the contrary.
- (b) No act may be considered a criminal offence, and no criminal penalty may be imposed except under a law that has been previously enacted.

*Art. 11.* A person who is accused of a criminal offence shall be considered innocent until he is proven guilty. He shall have the right to be fairly tried before a court, and to defend himself either personally or through an attorney.

*Art. 12.* The sanctity of homes shall be guaranteed and entry thereto without the permission of the persons residing therein shall be prohibited except in the cases determined by law, and in the manner prescribed therein.

*Art. 13.* The freedom of publication and the press shall be guaranteed in accordance with the law.

*Art. 14.* The holding of public office is a national service to be rendered by the office holder. The goal of a civil servant in the discharge of the duties of his office shall be the promotion of the public interest exclusively.

*Art. 15.* Maintenance of public order and respect of public morals is the duty of every person living in the State.

*Art. 16.* Individual and collective ownership of property shall be respected, and this right of ownership may not be taken away except in the public interest and in accordance with the law.

## PART FOUR

### THE AUTHORITIES

#### Chapter I. General Provisions

*Art. 17.* The Amir shall promulgate laws on the basis of the recommendations of the Council of Ministers, and after taking the opinion of the Advisory Council in the manner prescribed by this Provisional Constitution.

*Art. 18.* The executive power shall be vested in the Amir, who shall be assisted by the Council of Ministers, in the manner prescribed by this Provisional Constitution.

*(There is no Article 19 in the published text. Ed.)*

#### Chapter II. The Head of the State

*Art. 20.* The Amir shall be the Head of the State. His person shall be accorded inviolability and it shall be a duty to respect him.

*Art. 21.* The rulership of the State is hereditary in the family of Al-Thani.

The heir apparent shall be nominated during a maximum interval of one year

following the issuance of this Provisional Constitution. His appointment shall be effected by an Amiri Edict following consultations with responsible notables in the country and their majority's acceptance of said nomination.

The provisions regulating accession to the reign of the state shall be defined in a Special Law to be issued within an interval not exceeding one year as from the issuance date of this constitution. This Special Law shall not be subjected to any revision other than that stipulated in its text.

*Art. 22.* In cases of the Amir's absence outside the State he appoints by an Amiri Edict a deputy who exercises his authorities by deputization during the Amir's absence. Such an Amiri Edict can detail limitations of said authorities and organization of their practice.

*Art. 23.* The Amir exercises the following powers:

1. He represents the State internally and towards other states in all international relations.

2. He ratifies and promulgates the laws and decrees. Such laws and decrees shall not come into effect until they are published in the official Gazette. Such publication following their ratification and promulgation shall come into effect after one month from the date of their publication in the Official Gazette unless another date is stipulated in the law itself.

3. He presides over the Council of Ministers.

4. He assumes supreme command and supervision of the Armed Forces.

5. He appoints and dismisses civil and military servants in accordance with the law.

6. He accepts the credentials of the heads of diplomatic and consular corps.

7. He may waive or reduce any penalty by decree.

8. He bestows medals of honor in accordance with the law.

9. Any other powers with which he is vested under this Provisional Constitution or with which he may be vested under the law.

*Art. 24.* The Amir concludes treaties by a decree and communicates same to the Advisory Council attached with appropriate explanation. Such treaties shall have the power of law following their conclusion, ratification and publishing in the Official Gazette.

In no case shall such treaties include secret provisions in contradiction with their declared provisions.

*Art. 25.* The Amir shall by a decree declare a defensive war. Offensive war shall be prohibited.

*Art. 26. (a)* The Amir will be assisted in the discharge of the duties referred to in paragraph 4 of Article 23 by a Defence Council, which shall come directly under him.

*(b)* The Defence Council shall be established by a decree.

*(c)* The Defence Council shall be prescribed for the duties of submitting opinion and advice for the Amir on all matters relating to defence, the preservation of the integrity and the security of the State, the preparation, training, equipment and development of the armed forces and the siting of their location and camps.

*Art. 27.* In exceptional circumstances which require the adoption of urgent measures without delay, and which require the promulgation of laws at a time when the Advisory Council is not in session, the Amir may issue decrees, which shall have the force of laws, regarding such matters provided that such decrees do not conflict with the essential guiding principles of State Policy.

Such decrees shall be submitted to the Advisory Council for its opinion, at its first meeting.

### Chapter III. The Council of Ministers

*Art. 28.* A Council of Ministers shall be formed to assist the Amir in the discharge of his duties and the exercise of his powers in accordance with this constitution and with the law.

*Art. 29.* The Amir shall appoint the ministers and relieve them of their posts by an Amiri decree.

*Art. 30.* No person may assume a ministerial post unless he is a citizen of Qatar originally.

*Art. 31.* The formation of the Council of Ministers shall be effected by an Amiri Edict.

The law shall determine the authority of the ministers and the powers of ministers and other Government organs.

*Art. 32.* The Ministers shall take the following oath before the Amir prior to assuming office.

'I swear by the Almighty God to be loyal to the State of Qatar and the Amir, and to respect the Islamic Shari'a Law and this Provisional Constitution and the laws of the country, and to discharge my duties as a minister faithfully, conscientiously and honorably, and to look after the interests of the people fully, and to safeguard completely the safety and territorial integrity of the State.'

*Art. 33.* The Amir, in his capacity as Prime Minister, shall preside over the meetings of the Council, and shall direct the activities of the ministers and supervise the coordination of work among all ministries and Government organs, and ensure the unity of these organs, and issue general instructions for the direction of the Government. He issues directives to the Government and signs in the name of the Council, and on its behalf, the decisions which it promulgates.

*Art. 34.* The Council of Ministers, in its capacity as the highest executive organ of the State, shall be responsible for the administration of all the internal and external affairs which fall within its competence in accordance with this basic constitution and the law.

1. The preparation of a comprehensive plan which secures for the State the utmost possible economical, social, cultural and administrative revival and in accordance with the basic principles directing the State's policy as stipulated in this constitution.

2. Propose draft laws and decrees. Draft laws shall be submitted to the Advisory Council for discussion and for its opinion with regard thereto prior to their sub-



mission to the Amir for ratification and promulgation in accordance with this Provisional Constitution.

3. Ratification of regulations and decisions prepared by ministries, each in its own field for the implementation of laws in accordance with the provisions prescribed therein.

4. Supervise the implementation of laws, decrees, regulations, orders and court judgments.

5. Establish and organize, in accordance with the provisions of the law, the organs and departments of the Government.

6. Higher supervision of the financial and administrative system of the government.

7. Appointment and discharge of government officials where such measures do not lie within authority of the Amir or concerned ministries in accordance with law.

8. Supervise the external interests of the State, and conduct its international relations and external affairs in general, in accordance with the provisions of the law.

9. Formulate the general principles that will ensure the maintenance of internal security, and the preservation of public order in all parts of the State, in accordance with the provisions of the law.

10. Administer the finance of the State and prepare the draft of the general budget of the State in accordance with this Provisional Constitution and the provisions of the law.

11. Exercise supreme supervision over the conduct of civil servants, and the progress of State work in general.

12. The preparation of a report at the beginning of every financial year, including a detailed report on the major work accomplished internally and externally, together with a plan detailing the best means of ensuring the realization of the comprehensive advancement of the State and ensuring its progress and prosperity and the maintenance of its security and stability.

13. Any other powers with which it may be vested under this Provisional Constitution or the law.

*Art. 35.* The Council of Ministers shall be jointly responsible politically to the Amir for the implementation of the general policy in the State.

Every minister shall be individually responsible to the Amir for the manner in which he discharges his duties and exercises his powers in his ministry.

*Art. 36. (a)* The discussions of the Council of Ministers shall be held in camera. No decision shall be adopted unless a majority of its members are present and unless the majority of votes of those present are in its favor. Should a tie happen the Prime Minister shall have a casting vote. The opinion of the majority shall be binding on the minority.

The Council shall lay down its own internal rules, necessary for the regulation of its work and all its other procedures.

*(b)* A General Secretariat for the Council of Ministers shall be established, comprising the necessary number of employees.

*Art. 37.* The Office of a minister shall become vacant in the following cases:

- (a) On the death of the office-holder.
- (b) If he is relieved of his post or if his resignation is accepted by the Amir.
- (c) If he is convicted of a moral crime.

*Art. 38.* The Ministers may not, while holding office, practice any profession, or engage in any commercial business, or enter into any commercial transaction with the State.

The personal conduct of each of them must be aimed at upholding the public interest and the complete renunciation of self-interest. They may not exploit their official positions in any manner for their personal benefit, or for the benefit of persons with whom they may be connected by a special relationship.

The law defines those acts performed by the Ministers during their term of office which would call for an enquiry and it stipulates the way in which this enquiry shall be carried out.

*Art. 39.* The emoluments of ministers shall be determined by law.

#### Chapter IV. Advisory Council

*Art. 40.* An Advisory Council shall be established to assist, through the expression of its opinions, the Amir and the Council of Ministers in the discharge of their respective duties. This Council shall be known as 'The Advisory Council', and it shall express its opinions in the form of recommendations.

*Art. 41.* The Advisory Council shall be composed of twenty members, appointment of whom shall be effected by an Amiri Edict.

The Amir may issue a decision to appoint not more than four additional members if he deems this necessary in the public interest.

*Art. 42.* A member of the Advisory Council must possess the following qualifications:

- (a) His original citizenship must be that of the State of Qatar.
- (b) His age should not be less than twenty-four solar years on the date of his appointment.
- (c) He should not have been previously convicted for normal crime, unless he has been rehabilitated in accordance with the law.

*Art. 43.* In selecting the members of the Advisory Council consideration shall be given to the fact that they should be persons of respectable social standing, of good judgment and of competence in various fields.

*Art. 44.* The Advisory Council shall elect annually from among its members, by secret ballot, and on the basis of a proportional majority, a President and a Vice-President, at the first meeting in its ordinary annual session. The senior member by age shall preside at this first meeting.

The President and the Vice-President of the Advisory Council may be re-elected after the expiry of their terms of office.

*Art. 45.* The term of office of the Advisory Council shall be one calendar year

commencing from the date of its first meeting. The term of office may be extended if necessary in the public interest.

*Art. 46.* On the expiry of the term of office of the Advisory Council in accordance with the provision of the previous Article, a new Advisory Council shall be formed by direct secret ballot in accordance with the provisions of a Special Law to be issued regulating such ballot. Such Special Law shall be issued within thirty days following the expiry of the Advisory Council's term of office referred to in the previous Article. The electoral procedure shall be executed within sixty days from the date of issuance of the Special Law.

*Art. 47.* If the seat of an elected member of the Advisory Council becomes vacant prior to the expiry of his term of office, for any reason whatsoever, the Amir, shall appoint another member to that vacant seat within one month from the date on which the Council announces such vacancy. The term of office of the new member shall be up to the end of his predecessor's term.

If the vacancy occurs during the last two months preceding the expiry of the term of office of the Council no substitute member shall be appointed to such vacancy.

*Art. 48.* A member of the Advisory Council shall take the following oath before the Council at an open meeting, prior to assuming office:

'I swear by the Almighty God to be loyal to the State of Qatar and the Amir, and to preserve the safety of the State and look after the interests of the people, and to respect the constitution and the laws of the country, and to discharge my work in the Council and its committees faithfully and honestly'

*Art. 49.* The Advisory Council shall have a bureau that shall consist of the President, the Vice-President and two controllers. A general secretariat for the Council shall also be established, and to which the necessary number of employees shall be appointed.

*Art. 50.* The Amir opens the annual session of the Advisory Council, and delivers a speech at the opening meeting which includes a statement regarding the state of affairs in the country, the major achievements, and the projects and reforms which the State intends to implement during the coming year.

*Art. 51.* The Advisory Council shall have the power to:

1. Debate the draft laws proposed by the Government before their submission to the Amir for ratification and promulgation.

2. Debate the general policy of the State on such political, economic, cultural, social or administrative affairs as may be referred to it by the Government.

3. Debate the draft budget of the major public projects.

4. Submit recommendations regarding the matters mentioned in the above-preceding paragraphs of this Article.

5. Request statements regarding any of the aspects mentioned in paragraphs 1, 2, 3, of this article from the Council of Ministers, if the matter relates to the general policy of the Government; or from the Minister concerned if the matter relates to the affairs falling within the competence of his Ministry.

*Art. 52.* The Advisory Council shall hold its meetings in the Capital. The Amir

may, however, convene a meeting of the Council at any other place. Any meeting of the Advisory Council that is held at a place other than the legally prescribed place shall not be legal, and its proceedings shall be considered automatically null and void by operation of the law.

*Art. 53.* The Advisory Council session duration shall be eight months at least, during which period it shall hold monthly meetings.

*Art. 54.* The Amir convenes the first meeting of the first Advisory Council within a period not exceeding thirty days from the date of publication in the Official Gazette of the Amiri Edict announcing the names of the members of the Advisory Council.

*Art. 55.* The Amir may postpone, by decree, the meeting of the Advisory Council for a period not exceeding one month.

*Art. 56.* The Amir shall convene an extraordinary meeting of the Advisory Council in case of necessity, or on the basis of a request signed by a majority of the members of the Advisory Council.

The Advisory Council may not hold any meetings without an invitation, except when it is in session, otherwise such meeting shall not be legal, and any recommendation adopted thereat shall be considered null and void by operation of the law.

The Advisory Council may not consider at an extra-ordinary session any matters other than those which it was convened to consider.

*Art. 57.* The Advisory Council shall form the necessary committees for conducting its work from among its members, within the first week of its annual session. Such committees may carry out their functions when the Council is not in session in order to submit the results to the Council when it meets.

*Art. 58.* No subject whatsoever may be submitted or discussed at any meeting of the Advisory Council unless it has been included in the agenda of that meeting which has been approved by the Council.

*Art. 59.* The presence of a majority of the members of the Advisory Council at any of its meetings is necessary to constitute a legal quorum. If a majority of the members is not present, the meeting shall be postponed for a period that is not less than two days and not exceeding eight days. Resolutions shall be adopted by an absolute majority of the votes of the members who are present. Should a tie occur, the President shall have a casting vote.

*Art. 60.* The ministers shall attend the meetings of the Advisory Council wherever the agenda includes any subject related to the matters falling within the competence of their respective ministries.

*Art. 61.* The Amir may dissolve the Advisory Council if the highest interest of the Station so require, and he shall state the reasons therefor.

If the Advisory Council is dissolved, a new Council shall be formed provided that the first meeting of the new council shall be held within a period not exceeding one month from the date of dissolution of the outgoing council.

*Art. 62.* If a member loses confidence and respect, the Amir may decide to terminate his membership.

*Art. 63.* The members of the Council, shall be remunerated; the amount of such

remuneration shall be determined by law, and shall start to accrue as from the date on which the oath is taken by a member before the Council.

*Art. 64.* The Advisory Council shall formulate and adopt its own internal rules, which shall prescribe the procedure to be adopted in the conduct of its work, and the work of any committees which it may form, as well as the rules of procedure for debates, voting, submission of motions and the conduct of meetings.

#### Chapter V. The Judiciary

*Art. 65.* Judicial justice is a fundamental principle of Government in the State.

Judges shall be independent in the exercise of their power, and no party whatsoever may interfere in the administration of justice.

*Art. 66.* The general organization of the Judiciary in the State shall be determined by law in accordance with the provisions of this Provisional Constitution.

### PART FIVE

#### GENERAL AND TRANSITIONAL PROVISIONS

*Art. 67.* The Amir may revise this Provisional Constitution by amendment, deletion or addition if he deems such revision necessary in the public interest.

*Art. 68.* All matters prescribed by the laws, regulations, decrees and orders that are in force on the date of coming into effect of this Provisional Constitution, and that do not conflict with any of its provisions shall continue to be in effect unless amended or revoked in accordance with the principles prescribed by this Provisional Constitution.

Where this Provisional Constitution provides that a specific matter shall be determined by law and where no such law is actually in force on the date of coming into effect of this Provisional Constitution, the existing Administrative procedures on that date regarding such matters, shall continue to be adopted until such time as the necessary law is enacted.

The laws required under this Provisional Constitution shall be promulgated within a period of two years from the date on which it comes into effect, unless otherwise expressly provided in this Provisional Constitution.

*Art. 70.* This Provisional Constitution shall remain in force until the date on which the complete Permanent Constitution which is referred to in the previous Article of this Provisional Constitution come into effect.

With the exception of provisions for which a stipulation fixing a specific date for their application is hereby mentioned, this Provisional Constitution shall come into effect as from the date of its publication in the Official Gazette, and it shall be published in the Official Gazette within a period of one week from the date of its promulgation.