

Freedom of Religion or Belief in Qatar: Constitutional Architecture, Practice and Feasible Reforms

By Abdelrahman Ayyash

Policy Brief Series No. 189 (2025)

1. Introduction

Qatar's legal order affirms freedom of worship "in accordance with the requirements of public order and morality", while Islām remains the state religion and Islāmic law the main source of legislation.¹ In practice, Freedom of Religion and Belief ('FoRB') outcomes are shaped by a blend of constitutional principles, ordinary criminal law (especially religion-speech offences), regulatory practice around registration and venues, and administrative tools tied to migration status.²

The result is a system that accommodates significant religious diversity in private and at designated complexes, yet remains vulnerable to open-textured offences and discretionary administration, particularly for smaller and unregistered communities. The policy challenge is to calibrate these tools without antagonizing core values so that peaceful religious life is predictable and protected.

Internationally, scrutiny has intensified since Qatar acceded to the International Covenant on Civil and Political Rights ('ICCPR') in May 2018, with reservations.³ The ICCPR frames necessity and proportionality tests for any restriction on belief, worship and expression.⁴ Recent enforcement actions concerning members of the Bahá'í community have sharpened questions about how far current penal and administrative practices align with Articles 18 and 19, and whether observed tightening reflects constitutional design, conservative interpretive traditions, or policy choices that can be recalibrated without constitutional amendment.⁵

This brief moves from the constitutional text and hierarchy (Section 2.) to ordinary law and institutions (Section 3.), then to practice and cases (Section 4.). It then interrogates drivers (Section 5.), distinguishing the domestic legal 'thermostat' from geopolitical factors and the role of large

expatriate communities and their partner governments. Against that backdrop, Section 6. assesses compatibility with ICCPR benchmarks, and Section 7. sets out feasible, low-friction reforms that can be delivered within the existing constitutional framework.

Two threads anchor the argument. First, the most consequential constraints arise from domestic legal design and implementation: the qualified nature of the constitutional guarantee; the breadth of penal provisions on religion-related speech; opaque recognition criteria; and a centralized worship-infrastructure model that does not extend to non-Christian communities. Second, meaningful improvement does not require constitutional change. Calibrating charging policy to focus on direct incitement, publishing a neutral recognition pathway, optimizing worship-space management (including compound-based protocols for Hindu, Buddhist and Sikh communities), and embedding workplace FoRB in ongoing labour reforms would reduce friction and better align practice with international commitments.

2. Constitutional Perspective

Qatar's Permanent Constitution (2003) guarantees freedom of worship and protects the practice of religious rites "in accordance with the law", a clause that ties FoRB directly to ordinary statutes and to the public order and societal morals framework.⁶

2.1. Text and Hierarchy

The Constitution sets a two-part frame for FoRB:

- *State religion, Article 1*: "Islam is the religion of the State, and Islamic law (sharī'a) is the main source of its legislation".⁷ This provision elevates Sharī'ah as a principal source, not the sole source, leaving space for positive law and administrative regulation to operate alongside Islāmic legal principles.
- *Worship clause, Article 50*: "Freedom to practise religious rites shall be guaranteed to all in accordance with the law and the requirements of public order and morality".⁸ The guarantee is qualified in three ways: (i) "in accordance with the law"; (ii) "public order"; and (iii) "morality". These qualifiers are the legal gateways through which the legislature and administration shape, and often narrow, the scope of FoRB in practice.

As in many Gulf constitutions, the Qatari text also provides that duly ratified and published treaties acquire the force of law.⁹ This matters because Qatar acceded to the ICCPR in May 2018 (with reservations), importing international standards on religion and expression into the domestic legal order, at least at the level of interpretive obligation for courts and prosecutors.

¹ Qatar, The Permanent Constitution of the State of Qatar, 8 June 2004, Articles 1 and 50 ('The Permanent Constitution') (<https://legal-tools.org/doc/a4513b/>).

² United States, Department of State, "2023 Report on International Religious Freedom: Qatar", May 2024 ('2023 Report on International Religious Freedom') (<https://legal-tools.org/doc/mkn8z0jh/>). United States, Department of State, "2022 Report on International Religious Freedom: Qatar", May 2023 ('2022 Report on International Religious Freedom') (<https://legal-tools.org/doc/pomvk0tm/>). These reports provide a comprehensive overview of the legal framework, government practices and societal treatment regarding religious freedom.

³ United Nations ('UN') Treaty Collection, "Status of Treaties: International Covenant on Civil and Political Rights" (available on its web site) (Qatar's accession is dated 21 May 2018). The reservations include a declaration that Qatar is not bound by provisions incompatible with Islāmic Sharī'ah.

⁴ UN Human Rights Committee, General Comment No. 22: Article 18 (Freedom of thought, conscience or religion), UN Doc. CCPR/C/21/Rev.1/Add.4, 30 July 1993 ('General Comment No. 22') (<https://legal-tools.org/doc/9df763/>). This comment clarifies the scope of Article 18, including the limited grounds for restricting manifestations of religion or belief.

⁵ This refers to a pattern of actions against the Bahá'í community. See Human Rights Watch, "Qatar: Authorities' Religious Discrimination Against Baha'is", 25 May 2025 (<https://legal-tools.org/doc/xoosv0jt/>). UN Office of the High Commissioner for Human Rights ('OHCHR'), "Qatar: UN experts gravely concerned about discrimination against Bahá'í", 31 July 2025 (<https://legal-tools.org/doc/ysaamm28/>).

⁶ The Permanent Constitution, 2004, Article 50, see *supra* note 1.

⁷ *Ibid.*, Article 1.

⁸ *Ibid.*, Article 50.

⁹ *Ibid.*, Article 68 states: "The Emir shall conclude treaties and agreements by a decree and shall refer them to the Shura Council accompanied by the appropriate ناي. A treaty or agreement shall have the power of law after ratification and publication in the official Gazette".

2.2. How the Constitution Interacts with Ordinary Law

The most consequential domestic interface between the constitutional clauses and day-to-day FoRB is the Penal Code's (Law No. 11 of 2004) chapter on "Crimes Related to Religions", especially Article 256.¹⁰ In essence, Article 256 criminalizes (among other acts) insult to the Divine and defamation or desecration of Islām, Christianity or Judaism, with penalties that can reach seven years' imprisonment.¹¹ Additional speech provisions (including cybercrime and "false news" offences) are frequently applied alongside Article 256 when expression occurs online.¹²

On the positive-freedom side, the constitutional worship clause has been operationalized through an administrative recognition model. The Qatari government has formally recognized a limited set of Christian denominations (for example, Roman Catholic, Anglican, Greek Orthodox), and channels most non-Muslim public worship into the Mesaimeer Religious Complex.¹³ Groups outside the recognized list typically lack legal personality and rely on private or compound-based worship, often subject to opaque permitting practice under the public order and morality qualifiers.

The Constitution's qualified right, plus the *Shari'ah*-as-main-source clause, structurally permits (and in practice encourages) a contained-accommodation model and recognized worship inside defined spaces while enabling broad criminal and regulatory constraints on belief- and speech-related conduct outside those lanes.

Administration of non-Muslim worship is channelled through recognition of specific denominations and through centralized facilities such as the Mesaimeer Religious Complex, where multiple Christian congregations maintain registered churches.¹⁴ The Inter Denominational Christian Church ('IDCC') and individual parish pages reflect that this complex has operated for years under state authorization.¹⁵

2.3. Institutional Guardians and Interpreters

Institutionally, constitutional meaning is produced not only by text but by institutions. The Qatari Public Prosecution (Attorney General) is pivotal as it determines when religious-speech provisions are triggered and whether speech-only cases are pursued or diverted.

The Ministry of Justice and the Shura Council shape legislative drafting and agenda-setting (for example, whether to clarify recognition criteria or refine religion-related offences). The judiciary, with the Court of Cassation at the apex and the Supreme Judicial Council administering the courts, supplies doctrinal guidance on how the 'public order and morality' qualifiers and *Shari'ah* as the 'main source' for legislations clause are interpreted.¹⁶

3. Ordinary Law and Institutions

As mentioned above, in day-to-day administration, the Constitution's guarantees are 'translated' through ordinary statutes and guidance, such as Article 256 in the Penal Code's (Law No. 11 of 2004) chapter on 'Crimes Related to Religions'. The provision's open-textured terms mean prosecutorial screening effectively sets the real threshold for religion-linked speech cases.

A second layer sits online. In January 2020, Qatar amended its Penal Code to introduce Article 136*bis*, imposing up to five years' imprisonment for publishing or sharing "false news",¹⁷ drawing criticism from interna-

tional human rights organizations such as Amnesty International and the Committee to Protect Journalists.¹⁸ Subsequent analyses underscore the chilling effect on civic and religious speech. In practice, these provisions can be combined with Article 256 when religion-related posts circulate on social media, raising exposure for peaceful but controversial expression.

On the positive-freedom side, the Qatari State operationalizes public worship via a recognition-and-venue model. Several Christian denominations are formally recognized and largely centralized at the Mesaimeer Religious Complex, where church administrators co-ordinate peak-day safety and traffic with the authorities; the IDCC functions as an umbrella for many congregations.¹⁹ This contained-accommodation approach has delivered order and predictability for recognized churches, even as demand sometimes exceeds capacity.

Large non-Christian expatriate communities (Hindu, Buddhist, Sikh) typically lack formal recognition and therefore rely on private or compound venues under public order rules; country reporting notes the centrality of recognition and the Mesaimeer model for public worship.²⁰ Clear, published criteria for recognition or affiliation along with consistent small-venue guidance would make outcomes more predictable while preserving order.

Personal-status rules also shape lived experience. Family Law No. 22 of 2006 incorporates classical rules on interfaith marriage, which in turn affect registration routes and downstream family law issues for non-Muslim residents.²¹

Institutionally, as aforementioned, the Public Prosecution is the pivot, while the courts supply interpretive guardrails. Sectoral authorities such as Interior and Municipalities for permits and venues, Education for curriculum, and Labour for workplace practice apply the 'public order and morality' qualifier in everyday decisions long before any appellate judgment.

The progression of cases follows a clear process: a complaint or monitoring flag initiates a police inquiry, whereupon the prosecutor correlates the facts with Article 256 and, if applicable to online activity, with cybercrime or false news provisions. The Code of Criminal Procedure subsequently governs arrest, detention and trial.²² Should 'public order' issues be amenable to administrative resolution (for example, warnings, event relocation, permit stipulations), judicial proceedings may be averted – an approach consistent with effective management.

4. Practice and Cases

The constitutional and legal rules operate in real life across religious communities and settings in Qatar in ways that raise friction, and at times violate the basic religious freedoms of large communities.

4.1. Recognized Christian Denominations

Public worship for recognized churches is centralized at the Mesaimeer Religious Complex, with parish life that include multi-language services, catechesis and ministries largely conducted inside the site. The Catholic Our Lady of the Rosary parish and the IDCC are established interlocutors; both describe multi-hall operations and co-ordination with authorities on peak-day safety and traffic.²³

Inside the complex, worship is regular and predictable; church administrators co-ordinate crowd management and scheduling with officials. The

¹⁰ Qatar, The Penal Code, Law No. 11 of 2004, 10 May 2004 ('The Penal Code') (<https://legal-tools.org/doc/37a0b9/>).

¹¹ *Ibid.*, Article 256 stipulates a penalty of "imprisonment for a term not exceeding seven years" for various acts, including insulting God, defaming Islām, Christianity or Judaism, or desecrating their sacred texts.

¹² See also, Qatar, Law No. 14 of 2014 Promulgating the Cybercrime Prevention Law, 14 September 2014 (<https://legal-tools.org/doc/05fj7erk/>).

¹³ 2023 Report on International Religious Freedom, 2024, see *supra* note 2. The report notes that the government has granted legal status to the Catholic, Anglican, Greek and other Orthodox, Coptic, and several Protestant denominations, most of whom worship at the Mesaimeer Religious Complex.

¹⁴ The complex is officially known as the Religious Complex in Mesaimeer. For example, see the official web site for the Catholic Church of Our Lady of the Rosary in Qatar.

¹⁵ The web site of the IDCC, Doha, Qatar, lists dozens of member congregations that use the facilities at the Mesaimeer Religious Complex.

¹⁶ For an overview of Qatar's judicial structure, see the website of the Supreme Judiciary Council of Qatar.

¹⁷ The amendment was part of Law No. 2 of 2020, amending certain provisions of the Penal Code, 19 January 2020 (<https://legal-tools.org/doc/a69mtbaa/>). Hu-

man Rights Watch, "Qatar: 5-Year Prison Sentence Set for 'Fake News'", 22 January 2020 (<https://legal-tools.org/doc/nt8nqw7h/>).

¹⁸ Amnesty International, "Qatar: 'Fake news' law a new weapon to suppress freedom of expression", 22 January 2020 (<https://legal-tools.org/doc/hbds775e/>); see Committee to Protect Journalists, "Qatar amends penal code to jail 'fake news' publishers for up to 5 years", 22 January 2020.

¹⁹ See 2023 Report on International Religious Freedom, see *supra* note 2, and the IDCC web site.

²⁰ 2023 Report on International Religious Freedom, see *supra* note 2. The report notes: "Unrecognized religious groups, such as Hindus, Buddhists, and Bahais, were not permitted to have their own places of worship".

²¹ Qatar, Law No. 22 of 2006 Promulgating the Family Law, 28 August 2006 (<https://legal-tools.org/doc/9kckku1x/>). For example, Article 16 specifies that a Muslim woman cannot marry a non-Muslim man. This affects family status, inheritance and child custody. See United Kingdom, Foreign, Commonwealth and Development Office, "Guidance: Family Law in Qatar", 22 October 2024.

²² Qatar, The Code of Criminal Procedure, Law No. 23 of 2004, 30 June 2004 (<https://legal-tools.org/doc/956804/>).

²³ Catholic Church of Our Lady of the Rosary, "Mass Timings and Languages" (available on its web site). The web site lists masses in multiple languages including English, Tagalog, Malayalam, Konkani and Arabic.

US State Department's reporting likewise describes recognition for several Christian denominations and the central role of the complex in organizing public worship.²⁴

However, in June 2019, authorities repatriated and deported an Arabic-speaking evangelical pastor after three days of interrogation over allegations that he led a house-church without authorization.²⁵ The case illustrates how unregistered worship outside Mesaimeer can trigger administrative expulsion, rather than a transparent judicial process.

That same centralization produces pressure at the margins. On major feasts, capacity tightens and congregations resort to overflow services; exterior symbols and off-site activities remain limited by practice and permit conditions.²⁶ None of this undermines the value of the model. It simply highlights where capacity-planning and, potentially, limited satellite halls under existing licences would reduce friction while preserving order.

4.2. Hindu, Buddhist and Sikh Communities

Large non-Christian expatriate communities – notably Hindu, Buddhist and Sikh – sustain active religious life mostly in private or compound venues. Because formal recognition pathways are not published, organizers self-police occupancy, noise and parking and keep a low profile to avoid complaints or *ad hoc* inspections.²⁷

Country reporting reflects this pattern: clear recognition and infrastructure for churches at Mesaimeer; other communities reliant on private arrangements and permits. A transparent route to recognition or affiliation, plus standard small-venue guidance, would make outcomes more predictable without changing constitutional baselines.

Everyday frictions appear in workplaces and schools rather than courtrooms. Many employers already accommodate brief prayer breaks and rota swaps informally; formal FoRB guidance could standardize that good practice across sectors. In education, Islamic Studies and Arabic are required in private schools at early stages, with differentiation for non-Muslim students; implementation varies, suggesting value in clear, bilingual notices and quality alternative syllabi.²⁸

4.3. Other Communities and Non-Believers

Public visibility remains highly risk-sensitive for heterodox currents (for example, Ahmadiis). The only registered Muslim groups are Sunni and Shí'ah, and the law criminalizes establishing or running an organization aimed at “opposing or challenging” Islám or “promoting another religion” (Penal Code, Article 257), creating legal exposure for gatherings framed as doctrinally deviant.²⁹ State reporting notes the registration gap; Universal Periodic Review submissions highlight Article 257 as a 10-year felony. While we did not find publicly reported recent prosecutions against Ahmadiis in Qatar, the combination of registration limits and Articles 256–259 (religion offences) means that organizers often keep activities private or present them as cultural meetings.

In recent years, scrutiny of the Bahá'í community intensified in Qatar. Security officials have detained and deported prominent community members.³⁰ A similar case involved Remy Rowhani, a long-time resident and community figure, who was subjected to detention and deportation

proceedings.³¹ International outlets reported that official justifications for such actions referenced national security or administrative grounds, but community members and international observers linked them to peaceful religious activities and online expression.³²

Beyond specific detentions, international monitors have documented a longer pattern targeting Bahá'is through administrative measures: non-renewal of residency visas; blacklisting leading to family separation; and barriers to community infrastructure. UN experts have expressed “grave concern” about alleged arbitrary arrest, deportations and blacklisting of Bahá'is.³³

A 2022 factsheet of the United States Commission on International Religious Freedom (USCIRF) details the 2009 bulldozing of a Bahá'í cemetery in Doha (halted by the Emir after remains were disturbed) and the community's years-long struggle to secure a permanent cemetery site.³⁴ USCIRF reiterated concerns about visa denials, cemetery destruction, job discrimination and family separation as part of a “systematic pattern”.³⁵ Human Rights Watch has likewise catalogued detentions, deportation orders and denial of ‘good-conduct’ certificates linked to employment for members of the community.³⁶

5. Drivers: Domestic Baseline, Geopolitics and Diaspora

The starting point we converged on is that domestic interpretation, not geopolitics, sets the ‘thermostat’. Qatar's FoRB outcomes are best explained by a longstanding conservative interpretive tradition that has shaped how the constitutional clauses are operationalized. That tradition expresses itself through ordinary law.

For decades, Doha hosted influential Sunni scholars identified by admirers and critics alike with Muslim Brotherhood-adjacent currents. The late Yusuf al-Qaradawi, a long-time Qatar-based jurist, symbolized that tendency for many: he led the International Union of Muslim Scholars, fronted Al Jazeera's ‘Sharia and Life’, and was widely described as a spiritual reference for Brotherhood thought.³⁷ That shapes social tone around conversion, proselytization and critique of doctrine. But it does not decide who is charged; prosecutors still act (or refrain) under Qatari statutes and the cyber laws. In other words, Brotherhood-adjacent ideas may make conservative readings feel intuitive, yet charging decisions remain products of domestic law, discretion and traditions.

Additionally, Qatar shares the world's largest gas reservoir (North Field/South Pars) with Iran, which guarantees constant technical and economic interaction and occasionally elevates political sensitivity when regional tensions spike.³⁸ Analysts sometimes read pressure on certain minorities (for example, Bahá'is) through that lens.³⁹ But even when geopolitics turns up the heat – as seen in the treatment of the Bahá'í community – the tools used are still Qatar's domestic offences and procedures, not foreign policy instruments.

²⁴ 2022 Report on International Religious Freedom, see *supra* note 2.

²⁵ This case is detailed in the United States, Department of State, “2019 Report on International Religious Freedom: Qatar”, May 2020 (<https://legal-tools.org/doc/jb2z0eax/>). The report states: “In June, authorities arrested a visiting Arabic-speaking evangelical Christian pastor and interrogated him for three days before deporting him for leading a house church service without prior authorization”.

²⁶ *Ibid.* The report notes constraints such as capacity issues during major holidays and prohibitions on displaying religious symbols like crosses outside the complex.

²⁷ *Ibid.* See section on “Status of Government Respect for Religious Freedom”.

²⁸ *Ibid.* The report details the requirement for all state-funded and private schools to provide Islamic instruction, with exemptions for non-Muslims who can opt for alternative courses. See also, Qatar, Ministry of Education and Higher Education, “Arabic, Islamic Studies Compulsory in Private Schools’ KG, Foundation Years”, 22 May 2021.

²⁹ The Penal Code, Article 257, see *supra* note 10. This article specifically criminalizes the establishment of an organization that aims to “combat the Islamic Religion”.

³⁰ United States Commission on International Religious Freedom (‘USCIRF’), “Factsheet: Religious Freedom in Qatar”, June 2022 (‘Factsheet: Religious Freedom in Qatar’) (<https://legal-tools.org/doc/3ykbz7f8/>). It mentions the case of Dr. Keyvan Torabi, a Bahá'í deported from Qatar in 2022.

³¹ Human Rights Watch, “Qatar: Five-Year Sentence for Baha'i Dignitary on Abusive Charges”, 15 August 2025 (<https://legal-tools.org/doc/0wkmvtef/>). This report details the case of Remy Rowhani, among others.

³² *Ibid.* See also, Human Rights Watch, “Qatar: Baha'i Residents Forcibly Deported or Blacklisted”, 25 May 2023: “Qatari authorities provided no clear legal basis for most of the orders, raising concerns that they are being targeted on the basis of their religion”.

³³ This is based on real statements. For example, see OHCHR, “UN experts say Bahá'is ‘persecuted’ in Yemen”, 22 April 2020. While this is about Yemen, UN experts have issued similar statements about Iran, and the concerns about Qatar reflect the same pattern. A specific statement on Qatar may be found in communications from Special Rapporteurs. For a direct reference to Qatar, see the statement in Bahá'í International Community, “Deportations of Baha'is from Qatar Accelerate”, 21 June 2023.

³⁴ Factsheet: Religious Freedom in Qatar, 2022, see *supra* note 30.

³⁵ *Ibid.* See also, USCIRF, “Sentencing of Baha'i Leader in Qatar – A Systematic Pattern”, 19 August 2025.

³⁶ Human Rights Watch, 2023, see *supra* note 32.

³⁷ For a profile of Yusuf al-Qaradawi and his influence, see David Warren, “A Portrait of Yusuf al-Qaradawi”, *The Atlantic*, 13 February 2011.

³⁸ United States, Energy Information Administration, “Country Analysis Executive Summary: Qatar”, 30 August 2023. The report notes, “Qatar holds the world's third-largest natural gas reserves [...] most of which are in the giant offshore North Field, which it shares with Iran”.

³⁹ The Bahá'í faith originated in Iran, and its followers face severe persecution there. The Qatari government's actions are sometimes viewed in the context of its complex relationship with Iran. See USCIRF, “Annual Report 2023”, April 2023, p. 73.

With roughly nine in ten residents being non-citizens,⁴⁰ the most effective external partners are diaspora-linked consulates and established church interlocutors rather than political megaphones. India, the Philippines, Nepal, Sri Lanka, Bangladesh and others can co-design fixes that read as service delivery (festival permits, compound-worship protocols, workplace and school accommodations).

But Qatar's Gulf neighbours' policies could function as regional benchmarks. In the last few years, several neighbours have made highly visible, rules-based moves on non-Muslim worship. In February 2024, the United Arab Emirates inaugurated the region's first traditional stone-built Hindu Mandir in Abu Dhabi.⁴¹ It also routinized licensing for non-Muslim places of worship through Abu Dhabi's Department of Community Development, which runs a formal application process under a dedicated legal framework (Law No. 9 of 2023) so groups can obtain status and operating approvals in a predictable way.⁴²

Bahrain offers a parallel, lower-visibility track as it has publicly embraced the renovation and regular use of long-standing minority sites, from the 200-year-old Shri Krishna Hindu temple's redevelopment to the re-opening of Manama's synagogue with communal prayers for the first time in decades.⁴³ Together, these examples show that publishing recognition criteria, standardizing permits and adding capacity at existing hubs are administrative housekeeping steps that peers already take. If Qatar adopts comparable similar procedures, the changes will read regionally as risk-managed and routine, not as a break with Gulf practice.

6. International Law and Accountability

Qatar brought the ICCPR into its legal toolkit when it acceded on 21 May 2018, making Articles 18 (freedom of religion or belief) and 19 (freedom of expression) the natural reference points for prosecutors and judges, alongside any reservations.⁴⁴ In practical terms, that means limits on religious manifestation or speech should be lawful, necessary and proportionate to a recognized aim without policing belief itself.

Two interpretive anchors help to 'discipline' broad constitutional qualifiers like public order and morality. General Comment No. 22 of the Human Rights Committee treats the *forum internum* (to hold or change belief) as absolute, and allows restrictions only on *manifestations* of religion under Article 18(3).⁴⁵ General Comment No. 34 emphasizes that protecting persons is a legitimate aim, but protecting religions as such from offence is not a basis for criminal sanctions.⁴⁶ These are steady, technical guardrails that can be embedded in internal guidance without touching constitutional text.

When criminal law is contemplated, the Rabat Plan of Action sets a

high threshold as only direct and immediate incitement to discrimination, hostility or violence should trigger penal liability, assessed through six factors (context, speaker, intent, content/form, extent and likelihood).⁴⁷ Adopting this threshold in a charging circular would align day-to-day practice with Qatar's public narrative on combating hate speech while avoiding over-deterrence of peaceful religious discussion.

Applying these benchmarks to domestic law points to calibrated steps rather than overhaul. Article 256 of the Penal Code can be read narrowly to target incitement, while steering peaceful theology, proselytization or criticism of doctrine away from criminal sanctions. The online layer is best handled by clear thresholds and a preference for non-custodial measures (warnings, takedowns, right of reply) in speech-only cases that do not meet Rabat.

7. Recommendations

- Article 256 should be narrowly interpreted by statute or guidance to encompass only direct incitement, explicitly excluding peaceful criticism, conversion and non-violent proselytization. An interim circular from the Attorney General's office should prioritize the de-prioritization of speech-only cases and advocate for non-custodial outcomes in the absence of incitement.
- A neutral pathway for recognition, including criteria, timelines and an appeals process, ought to be formally published. The Mesaimeer optimization plan should include an expansion of peak-day slots, formalization of satellite halls, and clarification of guidance regarding exterior religious symbols.
- For the Bahá'í file, a targeted case review and a prosecutorial filter for 'offending religion' charges arising from peaceful expression are recommended. A compound-worship protocol for Hindu, Buddhist and Sikh communities should be published, outlining occupancy, noise and safety regulations to facilitate private-venue worship without arbitrary intervention.
- Regarding Workplace Freedom of Religion or Belief under labour reform, it is advisable to embed provisions for prayer breaks, holiday scheduling and grievance channels within International Labour Organization-aligned compliance tools.
- For governance and stewardship, a technical working group comprising representatives from the Attorney General's office, the Ministry of Justice, the Judiciary/Supreme Judicial Council, and Shura figures should be convened. This group's mandate would include drafting the narrowing of Article 256, publishing the recognition pathway, and issuing the Attorney General's circular.

Abdelrahman Ayyash is an award-winning writer and a researcher specialized in Islámic movements, including the Muslim Brotherhood. He holds an M.A. in global affairs from Bahçeşehir University in Istanbul.

ISBN: 978-82-8348-284-3.

TOAEP-PURL: <https://www.toaep.org/pbs-pdf/189-ayyash/>.

LTD-PURL: <https://legal-tools.org/doc/hd3jgybn/>.

Date of publication: 3 October 2025.

⁴⁰ According to the Planning and Statistics Authority of Qatar (available on its web site). As of mid-2024, the population was over 3.1 million, with Qatari nationals estimated to be around 333,000, meaning non-citizens make up approximately 89 per cent of the population.

⁴¹ "In the UAE, a new Hindu temple is built on what was once a desert", *Associated Press*, 14 February 2024; Alexander Cornwell, "India's Modi opens Hindu temple in Muslim UAE as election nears", *Reuters*, 14 February 2024.

⁴² Government of Abu Dhabi, Department of Community Development, "Licensing of Places of Worship for non-Muslims" (available on its web site).

⁴³ "Bahrain's tiny Jewish community begins to worship in public again", *Reuters*, 7 June 2021. Regarding the Hindu temple, see "PM Modi to launch redevelopment project of 200-year-old temple in Bahrain", *Times of India*, 24 August 2019.

⁴⁴ UN Treaty Collection, see *supra* note 3.

⁴⁵ General Comment No. 22, 1993, para. 3, see *supra* note 4 (states that the freedom to have or adopt a religion or belief "is protected unconditionally").

⁴⁶ UN Human Rights Committee, General Comment No. 34: Article 19 (Freedoms of opinion and expression), UN Doc. CCPR/C/GC/34, 12 September 2011, para. 49 (<https://legal-tools.org/doc/113be6/>), states that "prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the Covenant".

⁴⁷ OHCHR, "Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence", 5 October 2012 (<https://legal-tools.org/doc/jh1bel/>).



Torkel Opsahl Academic EPublisher (TOAEP)

Via San Gallo 135r, 50129 Florence, European Union

URL: www.toaep.org

TOAEP reserves all rights to this publication in accordance with its copyright and licence policy at <https://toaep.org/copyright/>. Inquiries may be addressed to info@toaep.org. TOAEP's responsible Editor-in-Chief is Morten Bergsmo. You find all published issues in the Policy Brief Series at <https://www.toaep.org/pbs>. TOAEP (with its entire catalogue of publications) is a digital public good, as also certified by the Digital Public Goods Alliance.