INTERNATIONAL COURT OF JUSTICE

CASE CONCERNING APPLICATION OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

(QATAR *v.* UNITED ARAB EMIRATES)

PRELIMINARY OBJECTIONS OF THE UNITED ARAB EMIRATES

Volume II of IV

29 APRIL 2019

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Annex 1

First Riyadh Agreement dated 23 and 24 November 2013,
United Nations Registration Number 68881

English and Arabic

First Riyadh Agreement

On Saturday, 19/1/1435 (Hijri Calendar, November 2013), the Custodian of the Two Holy Mosques King Abdullah Bin Abdel Aziz Al-Saud, the King of Saudi Arabia, and his brother His Highness Sheikh Sabbah Al-Ahmad Al-Jabber Al-Sabbah, the Prince of Kuwait, and his brother His Higness Sheikh Tamim bin Hamad bin Khalifa Al-Thani, the prince of Qatar, met in Riyadh.

They held extensive deliberations in which they conducted a full revision of what taints the relations between the [Gulf Cooperation] Council states, the challenges facing its security and stability, and means to abolish whatever muddies the relations.

Due to the importance of laying the foundation for a new phase of collective work between the Council's states, in order to guarantee it operating within a unified political framework based on the principles included in the main system of the Cooperation Council, the following has been agreed upon: (here there three signature)

1. No interference in the internal affairs of the Council's states, whether directly or indirectly. Not to give harbor or naturalize any citizen of the Council states that has an activity which opposes his country's regimes, except with the approval of his country; no support to deviant groups that oppose their states; and no support for antagonistic media.

2. No support to the Muslim Brotherhood or any of the organizations, groups or individuals that threaten the security and stability of the Council states through direct security work or through political influence.

3. Not to present any support to any faction in Yemen that could pose a threat to countries neighboring Yemen.

[Signatures]

In the name of God the Merciful the Compassionate

A review was conducted of the Agreement dated 1/19/1435AH, corresponding to 11/23/2013AD, and signed by the Custodian of the Two Holy Shrines, King Abdullah bin Abdul Aziz Al Saud of the Kingdom of Saudi Arabia, His Highness Sheikh Sabah Al-Ahmed Al-Jaber Al-Sabah, Emir of the State of Kuwait, and His Highness Sheikh Tamim bin Hamad bin Khalifa Al Thani, Emir of the State of Qatar, which includes the means for eliminating anything that affects the security and stability of the Council States.

We hereby support the conclusions reached in the agreement. Success is from Allah.,,,

Sheikh Mohamed bin Zayed	*H.M. King Hamad bin Isa Al Khalifa*	
[signature]	[signature]	[signature]
	1/20/1435AH	
	11/24/2013AD	

First Riyadh Agreement

بسم الله الرحمن الرحيم

إنه في يوم السبت الموافق ١٤٣٥/١/١٩هـ فقد اجتمع خادم الحرمين الشريفين الملك عبدالله بن عبدالعزيز آل سعود ملك المملكة العربية السعودية، وأخيه صاحب السمو الشيخ صباح الأحمد الجابر الصباح أمير دولة الكويت وأخيه صاحب السمو الشيخ تميم بن حمد بن خليفة آل ثاني أمير دولة قطر في الرياض.

- وقد تم عقد مباحثات مستفيضة تم خلالها إجراء مراجعة شاملة لما يشوب العلاقات بين دول المجلس والتحديات التي تواجه أمنها واستقرارها، والسبل الكفيلة لإزالة ما يعكر صفو العلاقات بينها.
- ولأهمية تأسيس مرحلة جديدة في العمل الجماعي بين دول المجلس بما يكفل سيرها في إطار سياسة موحدة تقوم على الأسس التي تضمنها النظام الأساسي لمجلس التعاون فقد تم الاتفاق على الآتي

سعود الفيصل

الشيخ صباح خالد الصباح — الدكتور خالد العطية

١- عدم التدخل في الشؤون الداخلية لأي من دول
المجلس بشكل مباشر أو غير مباشر وعدم الإيواء
أو تجنيس أي من مواطني دول المجلس ممن
له نشاط يتعارض مع أنظمة دولته إلا في حال
موافقة دولته ، وعدم دعم الفئات المارقة
المعارضة لدولهم ، وعدم دعم الإعلام المعادي.

٢- عدم دعم الإخوان المسلمين أو أي من المنظمات
أو التنظيمات أو الأفراد الذين يهددون أمن
واستقرار دول المجلس عن طريق العمل الأمني
المباشر أو عن طريق محاولة التأثير السياسي .

٣- عدم قيام أي من دول مجلس التعاون بتقديم
الدعم لأي فئة كانت في اليمن ممن تشكل
خطراً على الدول المجاورة لليمن. والله الموفق.))

صاحب السمو الشيخ صباح الأحمد
الجابر الصباح
أمير دولة الكويت

صاحب السمو الشيخ تميم بن حمد بن خليفة آل ثاني
أمير دولة قطر

عبدالله

بسم الله الرحمن الرحيم

تم الاطلاع على الاتفاق المؤرخ في ١٤٣٥/١/١٩هـ الموافق ٢٠١٣/١١/٢٣م والموقع من خادم الحرمين الشريفين الملك/ عبدالله بن عبدالعزيز آل سعود ملك المملكة العربية السعودية، وصاحب السمو الشيخ/ صباح الأحمد الجابر الصباح أمير دولة الكويت، وصاحب السمو الشيخ/ تميم بن حمد بن خليفة آل ثاني أمير دولة قطر، والمتضمن السبل الكفيلة بإزالة ما يؤثر على أمن واستقرار دول المجلس.

ونؤيد ما تم التوصل إليه في الاتفاق. والله الموفق.،،،

٢٠-١-١٤٣٥هـ
٢٤-١١-٢٠١٣م

Annex 2

Mechanism Implementing the Riyadh Agreement
dated 17 April 2014, United Nations Registration Number 68882

English and Arabic

Mechanism Implementing the Riyadh Agreement

Top Secret

Having the Foreign Ministers of the Cooperation Council Countries considered the Agreement signed in Riyadh on 19/1/1435 AH corresponding to 23/11/2013 AD by the Custodian of the Two Holy Mosques King Abdullah bin Abdul Aziz King of the Kingdom of Saudi Arabia, his brother his Highness Sheikh Sabah Al-Ahmed Al-Jabir Al-Sabah Emir of Kuwait and his brother his Highness Sheikh Tamim bin Hamad bin Khalifa Al-Thani Emir of Qatar. Having the Agreement been considered and signed by His Majesty King Hamad bin Isa Al-Khalifa King of Bahrain, His Majesty Sultan Qaboos bin Saeed the Sultan of Oman and His Highness Sheikh Mohammed bin Zayed bin Sultan Al-Nahyan the Crown Prince of Abu Dhabi and Deputy Supreme Commander of the UAE Armed Forces.

Given the importance of the signed Agreement that never before had any similar agreement been signed, out of the leaders' realization to the importance of its content, and for the urgency of the matter that calls for taking the necessary executive procedures to enforce its content. An agreement has been reached to set a mechanism that shall guarantee implementation of the same according to the following:

Firstly: The concerned party to monitor the implementation of the Agreement:

Foreign Ministers of the GCC Countries:

Foreign ministers of the GCC Countries shall hold private meeting on the margins of annual periodic meetings of the ministerial council wherein violations and complaints reported by any member country of the Council against any member country of the Council shall be reviewed by the foreign ministers to consider, and raise them to leaders. With the emphasis that the first task the Council shall conduct, according to the mentioned mechanism, is to make sure of the implementation of all content, mentioned above, within Riyadh Agreement, consider its content a basis to the security and stability of the GCC Countries and its unity, either with regard to those issues of internal affairs, external political aspects or internal security; and ensuring that no country neglects or omits the group orientation of the GCC, and shall coordinate with all members of the GCC; and emphasizing that no support is being made to any currents that pose threats to any member country of the Council.

Secondly: Decision-making body:

Leaders of the GCC Countries:

The leaders shall take the appropriate action towards what the Ministers of Foreign Affairs raise to them regarding any country that has not complied with the signed agreement by the GCC Countries.

Thirdly: Compliance procedures:

This Agreement shall be implemented by the following procedures:

1. **With Regard to GCC Countries Internal Affairs:**

- Commit that any media channels owned or supported by any GCC country should not discuss any disrespectful subjects to any GCC Country, directly or indirectly. The GCC Countries shall set a list by these media channels, and the list shall be periodically updated.

- All member countries shall commit that they will not grant citizens of other GCC Countries a citizenship who have been proven to practice opposition activity against their governments. Every country shall inform the other countries on the names of the opposition figures residing in such country in order to prevent their violative activities and take the appropriate actions against them.

- Take the necessary actions that would guarantee no interference in any GCC Country internal affairs, including, but not limited to:

    a. Governmental organizations, community organizations, individuals and activists shall not support opposition figures with money or via media.

    b. Not to shelter, accept, support, encourage or make its country an incubator to the activities of GCC citizens or other figures who are proven oppositionists to any country of GCC.

    c. Ban the existence of any external organizations, groups or parties, who target GCC Countries and their peoples; nor provide foothold for their hostile activities against the GCC Countries.

    d. Not to fund or support external organizations, groups or parties, that have hostile positions and incitements against the GCC Countries.

2. **With regard to the foreign policy:**

Commit to the group orientation of the GCC Countries, coordinate with other GCC countries and shall not support any entities or currents that pose threats to the GCC Countries, including:

a. Not to support Muslim Brotherhood with money or via media in the GCC Countries or outside.

b. Approve the exit of Muslim Brotherhood figures, who are not citizens, within a time limit to be agreed upon. The GCC Countries shall coordinate with each other on the lists of those figures.

c. Not to support external gatherings or groups in Yemen, Syria or any destabilized area, which pose a threat to the security and stability of GCC Countries.

d. Not to support or shelter whoever perform opposition activities against any GCC country, being current officials, former officials or others; and shall not give them any foothold inside their countries or allow them to act against any of the GCC Countries.

e. Close any academies, establishments or centres that train and qualify individuals from GCC citizens to work against their governments.

3. With regard to the internal security of the GCC Countries:

In the event of any pending security files that need further clarification and are directly connected to the security matters of the competent security agencies in any GCC country, immediate meetings shall be held among security specialists with their counterparts to discuss the details of these subjects and find out their objectives.

If any country of the GCC Countries failed to comply with this mechanism, the other GCC Countries shall have the right to take ant appropriate action to protect their security and stability.

Allah is the grantor of success,,,

[signature]

His Highness Sheikh Abdullah bin Zayed Al Nahyan, Foreign Minister of United Arab Emirates

[signature]

His Excellency Sheikh Khalid bin Ahmed Al Khalifa, Foreign Minister of Kingdom of Bahrain

[signature]

His Royal Highness Prince Saud Al Faisal, Foreign Minister of Kingdom of Saudi Arabia

[signature]

His Excellency Yusuf bin Alawi bin Abdullah, Minister Responsible for Foreign Affairs of Sultanate of Oman

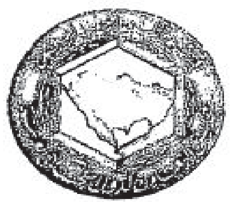
[signature]

His Excellency Dr. Khalid bin Mohammad Al Attiyah, Foreign Minister of State of Qatar

[signature]

His Excellency Sheikh Sabah Al-Khalid Al-Hamad Al-Sabah, Deputy Prime Minister and Minister of Foreign Affairs of State of Kuwait

Mechanism Implementing the Riyadh Agreement



سري للغاية

آلية تنفيذ اتفاق الرياض

بعد اطلاع وزراء خارجية دول مجلس التعاون على الاتفاق الذي تم التوقيع عليه في الرياض بتاريخ ١٤٣٥/١/١٩هـ الموافق ٢٠١٣/١١/٢٣م من قبل خادم الحرمين الشريفين الملك عبدالله بن عبدالعزيز ملك المملكة العربية السعودية ، وأخيه صاحب السمو الشيخ صباح الأحمد الجابر الصباح أمير دولة الكويت ، وأخيه صاحب السمو الشيخ تميم بن حمد بن خليفة آل ثاني أمير دولة قطر . وأطلع ووقع عليه كل من صاحب الجلالة الملك حمد بن عيسى آل خليفة ملك مملكة البحرين ، وصاحب الجلالة السلطان قابوس بن سعيد سلطان عمان وسمو الشيخ محمد بن زايد بن سلطان آل نهيان ولي عهد أبوظبي نائب القائد الأعلى للقوات المسلحة بدولة الامارات العربية المتحدة .

ونظراً لأهمية هذا الاتفاق الذي تم التوقيع عليه والذي لم يسبق وأن تم التوقيع على اتفاق مشابه له استشعاراً من القادة بأهمية مضمونه .

سري للغاية

ثانياً - الجهة المناط بها اتخاذ القرار :

قادة دول مجلس التعاون :

يتخذ القادة ما يرونه مناسباً من إجراء حيال ما يتم رفعه لأنظارهم من وزراء الخارجية ضد الدولة التي لم تفي بما التزمت بما يتم الاتفاق عليه بين دول المجلس .

ثالثاً : الإجراءات المطلوب الالتزام بها :

يتم الالتزام بوضع هذا الاتفاق موضع التنفيذ وذلك من خلال الآتي :

١ - فيما يتعلق بالشؤون الداخلية لدول المجلس :

- الالتزام بعدم تناول شبكات القنوات الإعلامية المملوكة أو المدعومة بشكل مباشر أو غير مباشر من قبل أي دولة عضو لمواضيع تسيء إلى أي دولة من دول مجلس التعاون، ويتم الاتفاق بين دول المجلس على تحديد قائمة بهذه الوسائل الإعلامية ويتم تحديثها دورياً.

- تلتزم كل دولة عضو بعدم منح مواطني دولة من دول المجلس جنسيتها لمن يثبت قيامهم بنشاط معارض لحكومة بلادهم، على أن تقوم كل دولة

٣

سري للغاية

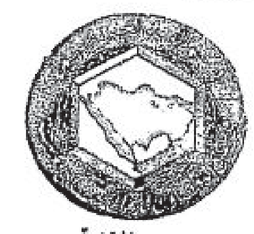
ولما كان الأمر يستدعي اتخاذ الإجراءات التنفيذية اللازمة لإنفاذ مقتضاه، فقد تم الاتفاق على ضرورة وضع آلية تضمن ذلك وفقاً للتالي :-

أولاً - الجهة المناط بها مراقبة تنفيذ الاتفاق :

وزراء خارجية دول مجلس التعاون :

يعقد وزراء الخارجية على هامش الاجتماعات الدورية السنوية للمجلس الوزاري اجتماعاً خاصاً يتم خلاله استعراض التجاوزات والشكاوي التي ترد لهم من أي من الدول الأعضاء ضد دولة أخرى عضو في مجلس التعاون . للنظر فيها ومن ثم رفعها للقادة . مع التأكيد على أن أول مهمة يقوم بها المجلس وفق الآلية المشار إليها هو التأكد من تنفيذ جميع ما تضمنه اتفاق الرياض المشار إليه أعلاه واعتبار محتواه اساساً لأمن واستقرار دول مجلس التعاون وتماسك دوله ، سواء المتعلقة بالشئون الداخلية ، أو الجوانب السياسية الخارجية أو الأمن الداخلي وعدم تجاوز التوجه الجماعي لدول المجلس والتنسيق مع الدول الأعضاء فيه ، وعدم دعم أي تيارات تمثل خطورة على دوله .

٢



سري للغاية

بإبلاغ أسماء مواطنيها الذين يقومون بنشاط معارض لحكومتهم إلى الدولة الأخرى التي يتواجدون بها وذلك لمنع أنشطتهم المخالفة واتخاذ الإجراءات المناسبة بحقهم.

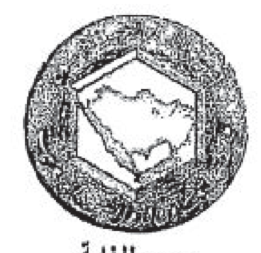
- اتخاذ الإجراءات اللازمة التي تضمن عدم التدخل في الشؤون الداخلية لأي دولة من دول المجلس وفي أي موضوع يمس الشأن الداخلي لتلك الدول، وعلى سبيل المثال لا الحصر ما يلي :

أ- عدم دعم الفئات المعارضة مادياً وإعلامياً من قبل مؤسسات رسمية أو مجتمعية أو أفراد ونشطاء.

ب- عدم ايواء أو استقبال أو تشجيع أو دعم أو جعل الدولة منطلقاً لأنشطة مواطني دول المجلس أو غيرهم الذين يثبت معارضتهم لأي من دول المجلس.

ج- منع المنظمات والتنظيمات والأحزاب الخارجية التي تستهدف دول مجلس التعاون وشعوبها من إيجاد موطئ قدم لها في الدولة وجعلها منطلقاً لأنشطتها المعادية لدول المجلس.

٤



سري للغاية

د- عدم تقديم التمويل المادي والدعم المعنوي للمنظمات والتنظيمات والأحزاب والمؤسسات الخارجية والتي تصدر عنها مواقف معادية ومعرضة ضد دول مجلس التعاون.

٢ - فيما يتعلق بالسياسة الخارجية :

الالتزام بالتوجه الجماعي لدول مجلس التعاون والتنسيق مع دول المجلس وعدم دعم جهات وتيارات تمثل خطورة على دول المجلس ومن ذلك :-

أ- عدم دعم الاخوان المسلمين مادياً وإعلامياً سواءً في دول مجلس التعاون أو خارجه.

ب- الموافقة على خروج مجموعة الأخوان المسلمين من غير المواطنين وخلال مدة متفق عليها على أن يتم التنسيق مع دول مجلس التعاون حول قوائم هؤلاء الأشخاص.

ج- عدم دعم المجموعات والجماعات الخارجية التي تمثل تهديداً لأمن واستقرار دول مجلس التعاون سواءً في اليمن أو سوريا أو غيرها من مواقع الفتن.

سري للغاية

د- عدم دعم أو إيواء من يقومون بأعمال مناهضة لأي من دول مجلس التعاون سواءً كانوا من المسؤولين الحاليين أو السابقين أو من غيرهم، وعدم تمكين هؤلاء الأشخاص من إيجاد موطئ قدم داخل الدولة أو المساس بأي دولة أخرى من دول المجلس.

هـ- إغلاق أي أكاديميات أو مؤسسات أو مراكز تسعى إلى تدريب وتأهيل الأفراد من دول مجلس التعاون للعمل ضد حكوماتهم.

٣ - فيما يتعلق بالأمن الداخلي لدول المجلس :

إن وجود ملفات أمنية معلقة تحتاج إلى إيضاح وذات ارتباط مباشر بالشأن الأمني لدى الأجهزة الأمنية المختصة في أي دولة من دول المجلس، يتطلب الدخول في تفاصيل تلك المواضيع وسبر أغوارها من خلال اجتماعات مباشرة فورية بين المختصين الأمنيين بشكل ثنائي مع نظرائهم.

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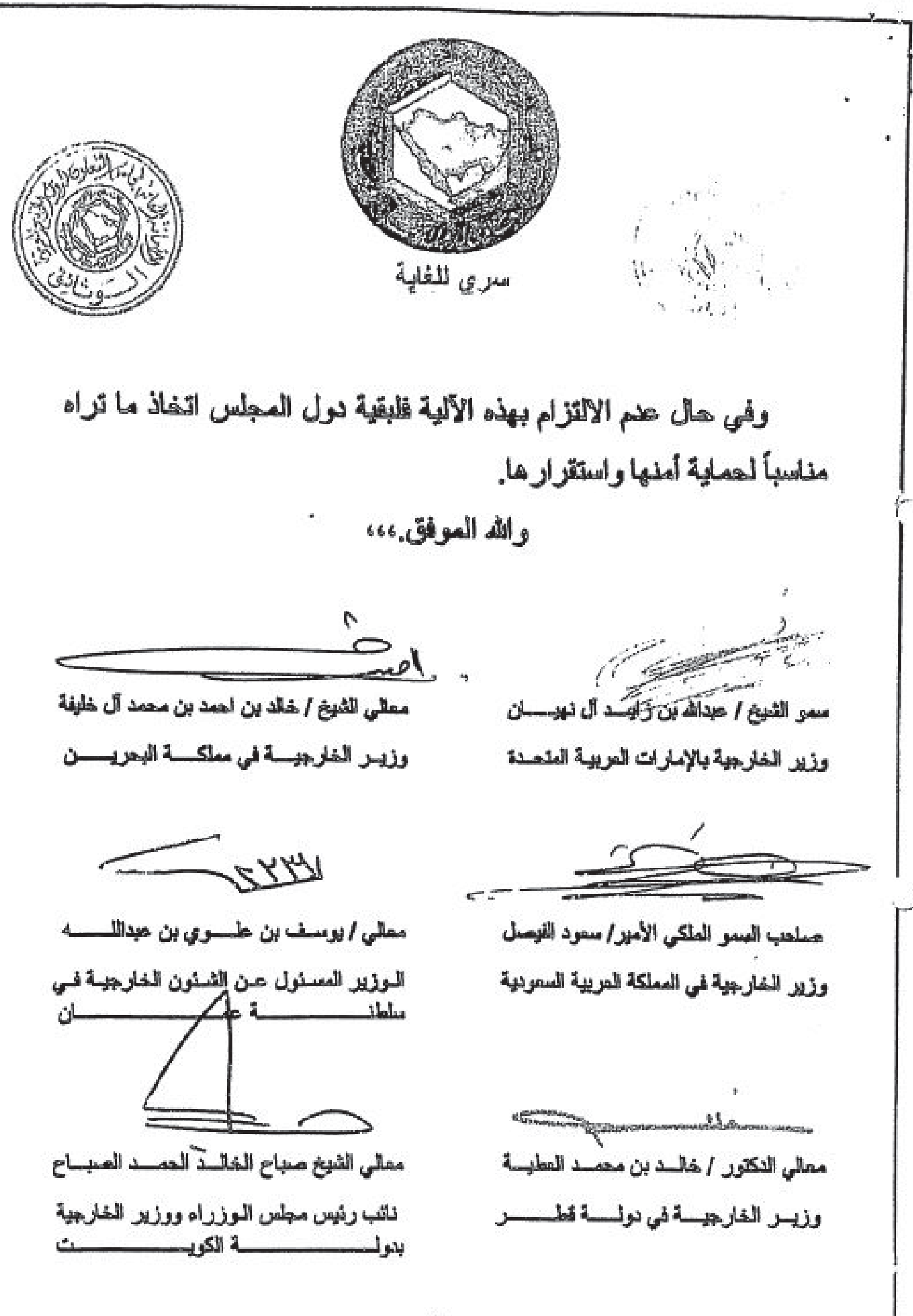

سري للغاية

وفي حال عدم الالتزام بهذه الآلية فلبقية دول المجلس اتخاذ ما تراه مناسباً لحماية أمنها واستقرارها.

والله الموفق،،،

سمو الشيخ / عبدالله بن زايد آل نهيان وزير الخارجية بالإمارات العربية المتحدة	معالي الشيخ / خالد بن احمد بن محمد آل خليفة وزير الخارجية في مملكة البحرين
صاحب السمو الملكي الأمير/ سعود الفيصل وزير الخارجية في المملكة العربية السعودية	معالي / يوسف بن علوي بن عبدالله الوزير المسئول عن الشئون الخارجية في سلطنة عمان
معالي الدكتور / خالد بن محمد العطية وزير الخارجية في دولة قطر	معالي الشيخ صباح الخالد الحمد الصباح نائب رئيس مجلس الوزراء ووزير الخارجية بدولة الكويت

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Annex 3

Supplementary Riyadh Agreement dated 16 November 2014,
United Nations Registration Number 68883

English and Arabic

The Supplementary Riyadh Agreement

Top Secret

In the Name of Allah, the Most Beneficent, the Most Merciful

1. Based on a generous invitation by the Custodian of the Two Holy Mosques King Abdullah Bin Abdel-Aziz Al-Saud, the king of Saudi Arabia, the following have met in Riyadh today, Sunday, 23/1/1436 (Hijri Calendar), 16/11/2014 (Gregorian Calendar): His Highness Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabbah, the Prince of Kuwait, His Majesty King Hamad Bin Eissa Al-Khalifa, King of Bahrain; His Highness Sheikh Tamim Bin Hamd Bin Khalifa Al-Thani , Prince of Qatar; His Highness Sheikh Mohamed Bin Rashed Al-Maktom, the Vice President and Prime Minister of the United Arab Emirates and the Governor of Dubai; and His Highness Sheikh Mohamed Bin Zayed Al-Nahyan, the Crown Prince of Abu Dhabi, and the deputy Commander of the Armed Forces of the United Arab Emirates. This was to cement the spirit of sincere cooperation and to emphasize the joint fate and the aspirations of the Citizens of the Gulf Cooperation Council for a strong bond and solid rapprochement.

2. After discussing the commitments stemming from the Riyadh Agreement signed 19/1/1435 (Hijri) – 23/11/2013 and its executive mechanism ; reviewing the reports of the committee following the execution mechanism and the results of the joint follow-up [operation] room; and reviewing the conclusions of the report of the follow-up room signed on 10/1/1436 (Hijri) – 3/11/2014 (Gregorian) by the intelligence chiefs of the Kingdom of Saudi Arabia, the United Arab Emirates, the Kingdom of Bahrain and the state of Qatar.

3. The following has been reached:

    a) Stressing that non-committing to any of the articles of the Riyadh Agreement and its executive mechanism amounts to a violation of the entirety of them.

    b) What the intelligence chiefs have reached in the aforementioned report is considered a step forward to implement Riyadh agreement and its executive mechanism, with the necessity of the full commitment to implementing everything stated in them within the period of one month from the date of the agreement.

    c) Not to give refuge, employ, or support whether directly or indirectly, whether domestically or abroad, to any person or a media apparatus that harbors inclinations harmful to any Gulf Cooperation Council state. Every state is committed to taking all the regulatory, legal and judicial measures against anyone who [commits] any encroachment against Gulf Cooperation Council states, including putting him on trial and announcing it in the media.

    d) All countries are committed to the Gulf Cooperation Council discourse to support the Arab Republic of Egypt, and contributing to its security, stability and its financial support; and ceasing all media activity directed against the Arab Republic of Egypt in all media platforms, whether directly or indirectly, including all the offenses broadcasted on Al-jazeera, Al-Jazeera Mubashir Masr, and to work to stop all offenses in Egyptian media.

4. Accordingly, it has been decided that the Riyadh Agreement, and its executive mechanism, and the components of this supplementary agreement, requires the full commitment to its implementation. The leaders have tasked the intelligence chiefs to follow up on the implementation of the results of this supplementary agreement and to report regularly to the leaders, in order to take the measures they deem necessary to protect the security and stability of their countries.

5. It has been agreed that implementing the aforementioned commitments contributes towards the unity of the Council states and their interests and the future of their peoples, and signals a new page that will be a strong base to advance the path of joint work and moving towards a strong Gulf entity.

[Signatures]

Note that the UAE has 2 signatures on this page one for His Highness Sheikh Mohamed Bin Rashed Al-Maktom, the Vice president and Prime Minister of the UAE and the Ruler of Dubai; and another one by His Highness Mohamed Bin Zayed Al-Nahyan, the Crown Prince of Abu Dhabi, and the deputy Commander of the Armed Forces of the UAE.

بسم الله الرحمن الرحيم

"سري للغاية"

" اتفاق الرياض التكميلي "

بناءً على دعوة كريمة من خادم الحرمين الشريفين الملك عبدالله بن عبدالعزيز آل سعود ملك المملكة العربية السعودية فقد اجتمع هذا اليوم الأحد ١٤٣٦/١/٢٣هـ الموافق ٢٠١٤/١١/١٦م في مدينة الرياض لدى خادم الحرمين الشريفين - حفظه الله - صاحب السمو الشيخ صباح الأحمد الجابر الصباح أمير دولة الكويت، وصاحب الجلالة الملك حمد بن عيسى آل خليفة ملك مملكة البحرين، وصاحب السمو الشيخ تميم بن حمد بن خليفة آل ثاني أمير دولة قطر، وصاحب السمو الشيخ محمد بن راشد آل مكتوم نائب رئيس دولة الإمارات العربية المتحدة ورئيس مجلس الوزراء حاكم دبي، وصاحب السمو الشيخ محمد بن زايد آل نهيان ولي عهد أبوظبي نائب القائد الأعلى للقوات المسلحة بدولة الإمارات العربية المتحدة، وذلك لترسيخ روح التعاون الصادق والتأكيد على المصير المشترك وما يتطلع إليه أبناء دول مجلس التعاون لدول الخليج العربية من لُحمةٍ متينةٍ وتقارب وثيق.

وبعد مناقشة الالتزامات المنبثقة عن اتفاق الرياض الموقع بتاريخ ١٤٣٥/١/١٩هـ الموافق ٢٠١٣/١١/٢٣م، وآليته التنفيذية، والاطلاع على تقارير لجنة متابعة تنفيذ الآلية ونتائج غرفة المتابعة المشتركة، واستعراض ما خرج به محضر نتائج غرفة المتابعة الموقع بتاريخ ١٤٣٦/١/١٠هـ الموافق ٢٠١٤/١١/٣م من قبل رؤساء الأجهزة الاستخبارية في كل من (المملكة العربية السعودية، ودولة الإمارات العربية المتحدة، ومملكة البحرين، ودولة قطر).

فقد تم التوصل إلى الآتي:

أولاً: التأكيد على أن عدم الالتزام بأي بند من بنود اتفاق الرياض وآليته التنفيذية يعد إخلالاً بكامل ما ورد فيهما.

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ثانياً: أن ما توصل إليه رؤساء الأجهزة الاستخبارية في محضرهم المشار إليه أعلاه يعد تقدماً لإنفاذ اتفاق الرياض وآليته التنفيذية، مع ضرورة الالتزام الكامل بتنفيذ جميع ما ورد فيهما في مدة لا تتجاوز شهر من تاريخ هذا الاتفاق.

ثالثاً: عدم إيواء أو توظيف أو دعم – بشكل مباشر أو غير مباشر – في الداخل أو الخارج أي شخص أو أي وسيلة إعلامية ممن له توجهات تسيء إلى أي دولة من دول مجلس التعاون، وتلتزم كل دولة باتخاذ كافة الإجراءات النظامية والقانونية والقضائية بحق من يصدر عن هؤلاء أي تجاوز ضد أي دولة أخرى من دول مجلس التعاون لدول الخليج العربية، بما في ذلك محاكمته، وأن يتم الإعلان عن ذلك في وسائل الإعلام.

رابعاً: التزام كافة الدول بنهج سياسة مجلس التعاون لدول الخليج العربية لدعم جمهورية مصر العربية والإسهام في أمنها واستقرارها والمساهمة في دعمها اقتصادياً، وإيقاف كافة النشاطات الإعلامية الموجهة ضد جمهورية مصر العربية في جميع وسائل الإعلام بصفة مباشرة أو غير مباشرة بما في ذلك ما يبث من إساءات على قنوات الجزيرة وقناة مصر مباشر، والسعي لإيقاف ما ينشر من إساءات في الإعلام المصري.

وبناء على ما سبق، فقد تقرر أن مقتضى اتفاق الرياض، وآليته التنفيذية، وما ورد في هذا الاتفاق التكميلي؛ يتطلب الالتزام الكامل بتنفيذها. وقد كلف القادة رؤساء الأجهزة الاستخبارية بمتابعة إنفاذ ما تم التوصل إليه في هذا الاتفاق التكميلي، وأن يتم الرفع عن ذلك بشكل دوري للقادة لاتخاذ ما يرونه من التدابير والإجراءات المناسبة لحماية أمن دولهم واستقرارها.

كما تم الاتفاق على أن تنفيذ ما ذكر أعلاه من التزامات يصب في وحدة دول المجلس ومصالحها ومستقبل شعوبها، ويعد إيذاناً بفتح صفحة جديدة ستكون بإذن الله مرتكزاً قوياً لدفع مسيرة العمل المشترك والانطلاق بها نحو كيان خليجي قوي ومتماسك.

والله ولي التوفيق.

صاحب السمو الشيخ محمد بن زايد آل نهيان

ولي عهد أبوظبي نائب القائد الأعلى للقوات المسلحة
بدولة الإمارات العربية المتحدة

صاحب السمو الشيخ محمد بن راشد آل مكتوم

نائب رئيس دولة الإمارات العربية المتحدة
ورئيس مجلس الوزراء حاكم دبي

صاحب الجلالة الملك حمد بن عيسى آل خليفة

ملك مملكة البحرين

صاحب السمو الشيخ تميم بن حمد بن خليفة آل ثاني

أمير دولة قطر

صاحب السمو الشيخ صباح الأحمد الجابر الصباح

أمير دولة الكويت

خادم الحرمين الشريفين
الملك عبدالله بن عبدالعزيز آل سعود

ملك المملكة العربية السعودية

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Annex 4

United Nations Security Council Resolution 1373,
document S/RES/1373 (2001), 28 September 2001

https://undocs.org/S/RES/1373(2001)

United Nations S/RES/1373 (2001)

Security Council

Distr.: General

28 September 2001

Resolution 1373 (2001)

Adopted by the Security Council at its 4385th meeting, on 28 September 2001

The Security Council,

Reaffirming its resolutions 1269 (1999) of 19 October 1999 and 1368 (2001) of 12 September 2001,

Reaffirming also its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C. and Pennsylvania on 11 September 2001, and expressing its determination to prevent all such acts,

Reaffirming further that such acts, like any act of international terrorism, constitute a threat to international peace and security,

Reaffirming the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations as reiterated in resolution 1368 (2001),

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

Deeply concerned by the increase, in various regions of the world, of acts of terrorism motivated by intolerance or extremism,

Calling on States to work together urgently to prevent and suppress terrorist acts, including through increased cooperation and full implementation of the relevant international conventions relating to terrorism,

Recognizing the need for States to complement international cooperation by taking additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism,

Reaffirming the principle established by the General Assembly in its declaration of October 1970 (resolution 2625 (XXV)) and reiterated by the Security Council in its resolution 1189 (1998) of 13 August 1998, namely that every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts,

Acting under Chapter VII of the Charter of the United Nations,

01-55743 (E)

1. *Decides* that all States shall:

(a) Prevent and suppress the financing of terrorist acts;

(b) Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;

(c) Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;

(d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;

2. *Decides also* that all States shall:

(a) Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;

(b) Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;

(c) Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;

(d) Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;

(e) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;

(f) Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;

(g) Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

3. *Calls* upon all States to:

(a) Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;

(b) Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;

(c) Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;

(d) Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;

(e) Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);

(f) Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts;

(g) Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

4. *Notes* with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard *emphasizes* the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;

5. *Declares* that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

6. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to monitor implementation of this resolution, with the assistance of appropriate expertise, and *calls upon* all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement this resolution;

7. *Directs* the Committee to delineate its tasks, submit a work programme within 30 days of the adoption of this resolution, and to consider the support it requires, in consultation with the Secretary-General;

8. *Expresses* its determination to take all necessary steps in order to ensure the full implementation of this resolution, in accordance with its responsibilities under the Charter;

9. *Decides* to remain seized of this matter.

Annex 5

United Nations Security Council Resolution 1624,
document S/RES/1624 (2005), 14 September 2005

https://undocs.org/S/RES/1624(2005)

United Nations S/RES/1624 (2005)

Security Council

Distr.: General
14 September 2005

Resolution 1624 (2005)

Adopted by the Security Council at its 5261st meeting, on 14 September 2005

The Security Council,

Reaffirming its resolutions 1267 (1999) of 15 October 1999, 1373 (2001) of 28 September 2001, 1535 (2004) of 26 March 2004, 1540 (2004) of 28 April 2004, 1566 (2004) of 8 October 2004, and 1617 (2005) of 29 July 2005, the declaration annexed to its resolution 1456 (2003) of 20 January 2003, as well as its other resolutions concerning threats to international peace and security caused by acts of terrorism,

Reaffirming also the imperative to combat terrorism in all its forms and manifestations by all means, in accordance with the Charter of the United Nations, and also *stressing* that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights law, refugee law, and humanitarian law,

Condemning in the strongest terms all acts of terrorism irrespective of their motivation, whenever and by whomsoever committed, as one of the most serious threats to peace and security, and *reaffirming* the primary responsibility of the Security Council for the maintenance of international peace and security under the Charter of the United Nations,

Condemning also in the strongest terms the incitement of terrorist acts and *repudiating* attempts at the justification or glorification (*apologie*) of terrorist acts that may incite further terrorist acts,

Deeply concerned that incitement of terrorist acts motivated by extremism and intolerance poses a serious and growing danger to the enjoyment of human rights, threatens the social and economic development of all States, undermines global stability and prosperity, and must be addressed urgently and proactively by the United Nations and all States, and *emphasizing* the need to take all necessary and appropriate measures in accordance with international law at the national and international level to protect the right to life,

Recalling the right to freedom of expression reflected in Article 19 of the Universal Declaration of Human Rights adopted by the General Assembly in 1948 ("the Universal Declaration"), and recalling also the right to freedom of expression

05-51052 (E)
0551052

in Article 19 of the International Covenant on Civil and Political Rights adopted by the General Assembly in 1966 ("ICCPR") and that any restrictions thereon shall only be such as are provided by law and are necessary on the grounds set out in paragraph 3 of Article 19 of the ICCPR,

Recalling in addition the right to seek and enjoy asylum reflected in Article 14 of the Universal Declaration and the non-refoulement obligation of States under the Convention relating to the Status of Refugees adopted on 28 July 1951, together with its Protocol adopted on 31 January 1967 ("the Refugees Convention and its Protocol"), and also *recalling* that the protections afforded by the Refugees Convention and its Protocol shall not extend to any person with respect to whom there are serious reasons for considering that he has been guilty of acts contrary to the purposes and principles of the United Nations,

Reaffirming that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations,

Deeply concerned by the increasing number of victims, especially among civilians of diverse nationalities and beliefs, caused by terrorism motivated by intolerance or extremism in various regions of the world, *reaffirming* its profound solidarity with the victims of terrorism and their families, and *stressing* the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief,

Recognizing the essential role of the United Nations in the global effort to combat terrorism and *welcoming* the Secretary-General's identification of elements of a counter-terrorism strategy to be considered and developed by the General Assembly without delay with a view to adopting and implementing a strategy to promote comprehensive, coordinated and consistent responses at the national, regional and international level to counter terrorism,

Stressing its call upon all States to become party, as a matter of urgency, to the international counter-terrorism Conventions and Protocols whether or not they are party to regional Conventions on the matter, and to give priority consideration to signing the International Convention for the Suppression of Nuclear Terrorism adopted by the General Assembly on 13 April 2005,

Re-emphasizing that continuing international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and addressing unresolved regional conflicts and the full range of global issues, including development issues, will contribute to strengthening the international fight against terrorism,

Stressing the importance of the role of the media, civil and religious society, the business community and educational institutions in those efforts to enhance dialogue and broaden understanding, and in promoting tolerance and coexistence, and in fostering an environment which is not conducive to incitement of terrorism,

Recognizing the importance that, in an increasingly globalized world, States act cooperatively to prevent terrorists from exploiting sophisticated technology, communications and resources to incite support for criminal acts,

Recalling that all States must cooperate fully in the fight against terrorism, in accordance with their obligations under international law, in order to find, deny safe haven and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens,

1. *Calls upon* all States to adopt such measures as may be necessary and appropriate and in accordance with their obligations under international law to:

(a) Prohibit by law incitement to commit a terrorist act or acts;

(b) Prevent such conduct;

(c) Deny safe haven to any persons with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of such conduct;

2. *Calls upon* all States to cooperate, inter alia, to strengthen the security of their international borders, including by combating fraudulent travel documents and, to the extent attainable, by enhancing terrorist screening and passenger security procedures with a view to preventing those guilty of the conduct in paragraph 1 (a) from entering their territory;

3. *Calls upon* all States to continue international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and to take all measures as may be necessary and appropriate and in accordance with their obligations under international law to counter incitement of terrorist acts motivated by extremism and intolerance and to prevent the subversion of educational, cultural, and religious institutions by terrorists and their supporters;

4. *Stresses* that States must ensure that any measures taken to implement paragraphs 1, 2 and 3 of this resolution comply with all of their obligations under international law, in particular international human rights law, refugee law, and humanitarian law;

5. *Calls upon* all States to report to the Counter-Terrorism Committee, as part of their ongoing dialogue, on the steps they have taken to implement this resolution;

6. *Directs* the Counter-Terrorism Committee to:

(a) Include in its dialogue with Member States their efforts to implement this resolution;

(b) Work with Member States to help build capacity, including through spreading best legal practice and promoting exchange of information in this regard;

(c) Report back to the Council in twelve months on the implementation of this resolution.

7. *Decides* to remain actively seized of the matter.

Annex 6

United Nations Security Council Resolution 2133,
document S/RES/2133 (2014), 27 January 2014

https://undocs.org/S/RES/2133(2014)

United Nations S/RES/2133 (2014)

Security Council

Distr.: General
27 January 2014

Resolution 2133 (2014)

Adopted by the Security Council at its 7101st meeting, on 27 January 2014

The Security Council,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed and *further reaffirming* the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

Recalling all its relevant resolutions and Presidential Statements concerning threats to international peace and security caused by terrorist acts,

Reiterating the obligation of Member States to prevent and suppress the financing of terrorist acts,

Recalling relevant international counter-terrorism instruments, including the International Convention for the Suppression of the Financing of Terrorism and the International Convention against the Taking of Hostages,

Strongly condemning incidents of kidnapping and hostage-taking committed by terrorist groups for any purpose, including raising funds or gaining political concessions,

Expressing concern at the increase in incidents of kidnapping and hostage-taking committed by terrorist groups with the aim of raising funds, or gaining political concessions, in particular the increase in kidnappings by Al-Qaida and its affiliated groups, and underscoring that the payment of ransoms to terrorists funds future kidnappings and hostage-takings which creates more victims and perpetuates the problem,

Expressing its determination to prevent kidnapping and hostage-taking committed by terrorist groups and to secure the safe release of hostages without ransom payments or political concessions, in accordance with applicable international law and, in this regard, *noting* the work of the Global Counterterrorism Forum (GCTF), in particular its publication of several framework documents and good practices, including in the area of kidnapping for ransom, to complement the work of the relevant United Nations counter-terrorism entities,

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Recognizing the need to further strengthen efforts to support victims and those affected by incidents of kidnapping for ransom and hostage-taking committed by terrorist groups and to give careful consideration to protecting the lives of hostages and those kidnapped, and *reaffirming* that States must ensure that any measures taken to counter terrorism comply with their obligations under international law, in particular international human rights law, refugee law, and international humanitarian law, as appropriate,

Noting the decision of the Group of Eight Summit in Lough Erne to address the threat posed by kidnapping for ransom by terrorists and the preventive steps the international community can take in this regard and to encourage further expert discussion, including at the Roma Lyon group, to deepen understanding of this problem, and *further noting* that paragraph 225.6 of the Final Document of the 16th Summit of the Heads of State or Government of the Non-Aligned Movement condemned criminal incidences of hostage-taking with resultant demands for ransoms and/or other political concessions by terrorist groups,

Expressing its commitment to support efforts to reduce terrorist groups' access to funding and financial services through the ongoing work of United Nations counter-terrorism bodies and the Financial Action Task Force to improve anti-money laundering and terrorist financing frameworks worldwide,

Expressing concern at the increased use, in a globalized society, by terrorists and their supporters of new information and communication technologies, in particular the Internet, for the purposes of recruitment and incitement to commit terrorist acts, as well as for the financing, planning and preparation of their activities,

Recalling its resolutions 1904 (2009), 1989 (2011) and 2083 (2012), which, inter alia, confirm that the requirements of operative paragraph 1 (a) of these resolutions, also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Al-Qaida sanctions list,

Reaffirming that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations,

1. *Reaffirms* its resolution 1373 (2001) and in particular its decisions that all States shall prevent and suppress the financing of terrorist acts and refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;

2. *Further reaffirms* its decision in resolution 1373 (2001) that all States shall prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;

3. *Calls upon* all Member States to prevent terrorists from benefiting directly or indirectly from ransom payments or from political concessions and to secure the safe release of hostages;

4. *Calls upon* all Member States to cooperate closely during incidents of kidnapping and hostage-taking committed by terrorist groups;

5. *Reaffirms* its decision in resolution 1373 (2001) that all States shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts;

6. *Recognizes* the need to continue expert discussions on kidnapping for ransom by terrorists, and *calls upon* Member States to continue such expert discussions within the United Nations and other relevant international and regional organizations, including the GCTF, on additional steps the international community could take to prevent kidnappings and to prevent terrorists from benefiting directly or indirectly from using kidnapping to raise funds or gain political concessions;

7. *Notes* that ransom payments to terrorist groups are one of the sources of income which supports their recruitment efforts, strengthens their operational capability to organize and carry out terrorist attacks, and incentivizes future incidents of kidnapping for ransom;

8. *Encourages* the Counter-Terrorism Committee (CTC) established pursuant to resolution 1373 (2001) to hold, with the assistance of appropriate expertise, a Special Meeting with the participation of Member States and relevant international and regional organizations to discuss measures to prevent incidents of kidnapping and hostage-taking committed by terrorist groups to raise funds or gain political concessions, and requests the CTC to report to the Council on the outcomes of this Meeting;

9. *Recalls* the adoption by the GCTF of the "Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists" and *encourages* CTED to take it into account, as appropriate, consistent with its mandate, including in its facilitation of capacity building to Member States;

10. *Calls upon* all Member States to encourage private sector partners to adopt or to follow relevant guidelines and good practices for preventing and responding to terrorist kidnappings without paying ransoms;

11. *Calls upon* all Member States to cooperate and engage in dialogue with all relevant United Nations counter-terrorism bodies, as appropriate, to improve their capacities to counter the financing of terrorism, including from ransoms;

12. *Encourages* the Monitoring Team of the 1267/1989 Al-Qaida Sanctions Committee and the Committee established pursuant to resolution 1988 (2011) and other relevant United Nations counter-terrorism bodies to cooperate closely when providing information on the measures taken by Member States on this issue and on relevant trends and developments in this area;

13. *Decides* to remain seized of this matter.

Annex 7

United Nations Security Council Resolution 2178,
document S/RES/2178 (2014), 24 September 2014

https://undocs.org/S/RES/2178(2014)

United Nations S/RES/2178 (2014)

Security Council

Distr.: General
24 September 2014

Resolution 2178 (2014)

Adopted by the Security Council at its 7272nd meeting, on 24 September 2014

The Security Council,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and *remaining* determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Noting with concern that the terrorism threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts including those motivated by intolerance or extremism, and *expressing* its determination to combat this threat,

Bearing in mind the need to address the conditions conducive to the spread of terrorism, and *affirming* Member States' determination to continue to do all they can to resolve conflict and to deny terrorist groups the ability to put down roots and establish safe havens to address better the growing threat posed by terrorism,

Emphasizing that terrorism cannot and should not be associated with any religion, nationality or civilization,

Recognizing that international cooperation and any measures taken by Member States to prevent and combat terrorism must comply fully with the Charter of the United Nations,

Reaffirming its respect for the sovereignty, territorial integrity and political independence of all States in accordance with the Charter,

Reaffirming that Member States must ensure that any measures taken to counter terrorism comply with all their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law, *underscoring* that respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing with effective counter-terrorism measures, and are an essential part of a successful counter-terrorism effort and notes the importance of respect for the rule of law so as to effectively prevent and combat terrorism, and *noting* that failure to comply with these and other international obligations, including under the Charter

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of the United Nations, is one of the factors contributing to increased radicalization and fosters a sense of impunity,

Expressing grave concern over the acute and growing threat posed by foreign terrorist fighters, namely individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, including in connection with armed conflict, and *resolving* to address this threat,

Expressing grave concern about those who attempt to travel to become foreign terrorist fighters,

Concerned that foreign terrorist fighters increase the intensity, duration and intractability of conflicts, and also may pose a serious threat to their States of origin, the States they transit and the States to which they travel, as well as States neighbouring zones of armed conflict in which foreign terrorist fighters are active and that are affected by serious security burdens, and *noting* that the threat of foreign terrorist fighters may affect all regions and Member States, even those far from conflict zones, and *expressing* grave concern that foreign terrorist fighters are using their extremist ideology to promote terrorism,

Expressing concern that international networks have been established by terrorists and terrorist entities among States of origin, transit and destination through which foreign terrorist fighters and the resources to support them have been channelled back and forth,

Expressing particular concern that foreign terrorist fighters are being recruited by and are joining entities such as the Islamic State in Iraq and the Levant (ISIL), the Al-Nusrah Front (ANF) and other cells, affiliates, splinter groups or derivatives of Al-Qaida, as designated by the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011), *recognizing* that the foreign terrorist fighter threat includes, among others, individuals supporting acts or activities of Al-Qaida and its cells, affiliates, splinter groups, and derivative entities, including by recruiting for or otherwise supporting acts or activities of such entities, and *stressing* the urgent need to address this particular threat,

Recognizing that addressing the threat posed by foreign terrorist fighters requires comprehensively addressing underlying factors, including by preventing radicalization to terrorism, stemming recruitment, inhibiting foreign terrorist fighter travel, disrupting financial support to foreign terrorist fighters, countering violent extremism, which can be conducive to terrorism, countering incitement to terrorist acts motivated by extremism or intolerance, promoting political and religious tolerance, economic development and social cohesion and inclusiveness, ending and resolving armed conflicts, and facilitating reintegration and rehabilitation,

Recognizing also that terrorism will not be defeated by military force, law enforcement measures, and intelligence operations alone, and *underlining* the need to address the conditions conducive to the spread of terrorism, as outlined in Pillar I of the United Nations Global Counter-Terrorism Strategy (A/RES/60/288),

Expressing concern over the increased use by terrorists and their supporters of communications technology for the purpose of radicalizing to terrorism, recruiting and inciting others to commit terrorist acts, including through the internet, and

financing and facilitating the travel and subsequent activities of foreign terrorist fighters, and *underlining* the need for Member States to act cooperatively to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law,

Noting with appreciation the activities undertaken in the area of capacity building by United Nations entities, in particular entities of the Counter-Terrorism Implementation Task Force (CTITF), including the United Nations Office of Drugs and Crime (UNODC) and the United Nations Centre for Counter-Terrorism (UNCCT), and also the efforts of the Counter Terrorism Committee Executive Directorate (CTED) to facilitate technical assistance, specifically by promoting engagement between providers of capacity-building assistance and recipients, in coordination with other relevant international, regional and subregional organizations, to assist Member States, upon their request, in implementation of the United Nations Global Counter-Terrorism Strategy,

Noting recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, and *noting* the work of the Global Counterterrorism Forum (GCTF), in particular its recent adoption of a comprehensive set of good practices to address the foreign terrorist fighter phenomenon, and its publication of several other framework documents and good practices, including in the areas of countering violent extremism, criminal justice, prisons, kidnapping for ransom, providing support to victims of terrorism, and community-oriented policing, to assist interested States with the practical implementation of the United Nations counter-terrorism legal and policy framework and to complement the work of the relevant United Nations counter-terrorism entities in these areas,

Noting with appreciation the efforts of INTERPOL to address the threat posed by foreign terrorist fighters, including through global law enforcement information sharing enabled by the use of its secure communications network, databases, and system of advisory notices, procedures to track stolen, forged identity papers and travel documents, and INTERPOL's counter-terrorism fora and foreign terrorist fighter programme,

Having regard to and highlighting the situation of individuals of more than one nationality who travel to their states of nationality for the purpose of the perpetration, planning, preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, and *urging* States to take action, as appropriate, in compliance with their obligations under their domestic law and international law, including international human rights law,

Calling upon States to ensure, in conformity with international law, in particular international human rights law and international refugee law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, including by foreign terrorist fighters,

Reaffirming its call upon all States to become party to the international counter-terrorism conventions and protocols as soon as possible, whether or not they are a party to regional conventions on the matter, and to fully implement their obligations under those to which they are a party,

Noting the continued threat to international peace and security posed by terrorism, and *affirming* the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts, including those perpetrated by foreign terrorist fighters,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* the violent extremism, which can be conducive to terrorism, sectarian violence, and the commission of terrorist acts by foreign terrorist fighters, and *demands* that all foreign terrorist fighters disarm and cease all terrorist acts and participation in armed conflict;

2. *Reaffirms* that all States shall prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents, *underscores*, in this regard, the importance of addressing, in accordance with their relevant international obligations, the threat posed by foreign terrorist fighters, and *encourages* Member States to employ evidence-based traveller risk assessment and screening procedures including collection and analysis of travel data, without resorting to profiling based on stereotypes founded on grounds of discrimination prohibited by international law;

3. *Urges* Member States, in accordance with domestic and international law, to intensify and accelerate the exchange of operational information regarding actions or movements of terrorists or terrorist networks, including foreign terrorist fighters, especially with their States of residence or nationality, through bilateral or multilateral mechanisms, in particular the United Nations;

4. *Calls upon* all Member States, in accordance with their obligations under international law, to cooperate in efforts to address the threat posed by foreign terrorist fighters, including by preventing the radicalization to terrorism and recruitment of foreign terrorist fighters, including children, preventing foreign terrorist fighters from crossing their borders, disrupting and preventing financial support to foreign terrorist fighters, and developing and implementing prosecution, rehabilitation and reintegration strategies for returning foreign terrorist fighters;

5. *Decides* that Member States shall, consistent with international human rights law, international refugee law, and international humanitarian law, prevent and suppress the recruiting, organizing, transporting or equipping of individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, and the financing of their travel and of their activities;

6. *Recalls* its decision, in resolution 1373 (2001), that all Member States shall ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice, and *decides* that all States shall ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and to penalize in a manner duly reflecting the seriousness of the offense:

(a) their nationals who travel or attempt to travel to a State other than their States of residence or nationality, and other individuals who travel or attempt to

travel from their territories to a State other than their States of residence or nationality, for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts, or the providing or receiving of terrorist training;

(b) the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to finance the travel of individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training; and,

(c) the wilful organization, or other facilitation, including acts of recruitment, by their nationals or in their territories, of the travel of individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training;

7. *Expresses* its strong determination to consider listing pursuant to resolution 2161 (2014) individuals, groups, undertakings and entities associated with Al-Qaida who are financing, arming, planning, or recruiting for them, or otherwise supporting their acts or activities, including through information and communications technologies, such as the internet, social media, or any other means;

8. *Decides* that, without prejudice to entry or transit necessary in the furtherance of a judicial process, including in furtherance of such a process related to arrest or detention of a foreign terrorist fighter, Member States shall prevent the entry into or transit through their territories of any individual about whom that State has credible information that provides reasonable grounds to believe that he or she is seeking entry into or transit through their territory for the purpose of participating in the acts described in paragraph 6, including any acts or activities indicating that an individual, group, undertaking or entity is associated with Al-Qaida, as set out in paragraph 2 of resolution 2161 (2014), provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals or permanent residents;

9. *Calls upon* Member States to require that airlines operating in their territories provide advance passenger information to the appropriate national authorities in order to detect the departure from their territories, or attempted entry into or transit through their territories, by means of civil aircraft, of individuals designated by the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) ("the Committee"), and further *calls upon* Member States to report any such departure from their territories, or such attempted entry into or transit through their territories, of such individuals to the Committee, as well as sharing this information with the State of residence or nationality, as appropriate and in accordance with domestic law and international obligations;

10. *Stresses* the urgent need to implement fully and immediately this resolution with respect to foreign terrorist fighters, *underscores* the particular and urgent need to implement this resolution with respect to those foreign terrorist fighters who are associated with ISIL, ANF and other cells, affiliates, splinter groups or derivatives of Al-Qaida, as designated by the Committee, and *expresses* its

readiness to consider designating, under resolution 2161 (2014), individuals associated with Al-Qaida who commit the acts specified in paragraph 6 above;

International Cooperation

11. *Calls upon* Member States to improve international, regional, and subregional cooperation, if appropriate through bilateral agreements, to prevent the travel of foreign terrorist fighters from or through their territories, including through increased sharing of information for the purpose of identifying foreign terrorist fighters, the sharing and adoption of best practices, and improved understanding of the patterns of travel by foreign terrorist fighters, and for Member States to act cooperatively when taking national measures to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law;

12. *Recalls* its decision in resolution 1373 (2001) that Member States shall afford one another the greatest measure of assistance in connection with criminal investigations or proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, and *underlines* the importance of fulfilling this obligation with respect to such investigations or proceedings involving foreign terrorist fighters;

13. *Encourages* Interpol to intensify its efforts with respect to the foreign terrorist fighter threat and to recommend or put in place additional resources to support and encourage national, regional and international measures to monitor and prevent the transit of foreign terrorist fighters, such as expanding the use of INTERPOL Special Notices to include foreign terrorist fighters;

14. *Calls upon* States to help build the capacity of States to address the threat posed by foreign terrorist fighters, including to prevent and interdict foreign terrorist fighter travel across land and maritime borders, in particular the States neighbouring zones of armed conflict where there are foreign terrorist fighters, and *welcomes* and *encourages* bilateral assistance by Member States to help build such national capacity;

Countering Violent Extremism in Order to Prevent Terrorism

15. *Underscores* that countering violent extremism, which can be conducive to terrorism, including preventing radicalization, recruitment, and mobilization of individuals into terrorist groups and becoming foreign terrorist fighters is an essential element of addressing the threat to international peace and security posed by foreign terrorist fighters, and *calls upon* Member States to enhance efforts to counter this kind of violent extremism;

16. *Encourages* Member States to engage relevant local communities and non-governmental actors in developing strategies to counter the violent extremist narrative that can incite terrorist acts, address the conditions conducive to the spread of violent extremism, which can be conducive to terrorism, including by empowering youth, families, women, religious, cultural and education leaders, and all other concerned groups of civil society and adopt tailored approaches to countering recruitment to this kind of violent extremism and promoting social inclusion and cohesion;

17. *Recalls* its decision in paragraph 14 of resolution 2161 (2014) with respect to improvised explosive devices (IEDs) and individuals, groups, undertakings and entities associated with Al-Qaida, and *urges* Member States, in this context, to act cooperatively when taking national measures to prevent terrorists from exploiting technology, communications and resources, including audio and video, to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law;

18. *Calls upon* Member States to cooperate and consistently support each other's efforts to counter violent extremism, which can be conducive to terrorism, including through capacity building, coordination of plans and efforts, and sharing lessons learned;

19. *Emphasizes* in this regard the importance of Member States' efforts to develop non-violent alternative avenues for conflict prevention and resolution by affected individuals and local communities to decrease the risk of radicalization to terrorism, and of efforts to promote peaceful alternatives to violent narratives espoused by foreign terrorist fighters, and *underscores* the role education can play in countering terrorist narratives;

United Nations Engagement on the Foreign Terrorist Fighter Threat

20. *Notes* that foreign terrorist fighters and those who finance or otherwise facilitate their travel and subsequent activities may be eligible for inclusion on the Al-Qaida Sanctions List maintained by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) where they participate in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of, Al-Qaida, supplying, selling or transferring arms and related materiel to, or recruiting for, or otherwise supporting acts or activities of Al-Qaida or any cell, affiliate, splinter group or derivative thereof, and *calls upon* States to propose such foreign terrorist fighters and those who facilitate or finance their travel and subsequent activities for possible designation;

21. *Directs* the Committee established pursuant to resolution 1267 (1999) and 1989 (2011) and the Analytical Support and Sanctions Monitoring Team, in close cooperation with all relevant United Nations counter-terrorism bodies, in particular CTED, to devote special focus to the threat posed by foreign terrorist fighters recruited by or joining ISIL, ANF and all groups, undertakings and entities associated with Al-Qaida;

22. *Encourages* the Analytical Support and Sanctions Monitoring Team to coordinate its efforts to monitor and respond to the threat posed by foreign terrorist fighters with other United Nations counter-terrorism bodies, in particular the CTITF;

23. *Requests* the Analytical Support and Sanctions Monitoring Team, in close cooperation with other United Nations counter-terrorism bodies, to report to the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) within 180 days, and provide a preliminary oral update to the Committee within 60 days, on the threat posed by foreign terrorist fighters recruited by or joining ISIL, ANF and all groups, undertakings and entities associated with Al-Qaida, including:

(a) a comprehensive assessment of the threat posed by these foreign terrorist fighters, including their facilitators, the most affected regions and trends in radicalization to terrorism, facilitation, recruitment, demographics, and financing; and

(b) recommendations for actions that can be taken to enhance the response to the threat posed by these foreign terrorist fighters;

24. *Requests* the Counter-Terrorism Committee, within its existing mandate and with the support of CTED, to identify principal gaps in Member States' capacities to implement Security Council resolutions 1373 (2001) and 1624 (2005) that may hinder States' abilities to stem the flow of foreign terrorist fighters, as well as to identify good practices to stem the flow of foreign terrorist fighters in the implementation of resolutions 1373 (2001) and 1624 (2005), and to facilitate technical assistance, specifically by promoting engagement between providers of capacity-building assistance and recipients, especially those in the most affected regions, including through the development, upon their request, of comprehensive counter-terrorism strategies that encompass countering violent radicalization and the flow of foreign terrorist fighters, recalling the roles of other relevant actors, for example the Global Counterterrorism Forum;

25. *Underlines* that the increasing threat posed by foreign terrorist fighters is part of the emerging issues, trends and developments related to resolutions 1373 (2001) and 1624 (2005), that, in paragraph 5 of resolution 2129 (2013), the Security Council directed CTED to identify, and therefore merits close attention by the Counter-Terrorism Committee, consistent with its mandate;

26. *Requests* the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) and the Counter-Terrorism Committee to update the Security Council on their respective efforts pursuant to this resolution;

27. *Decides* to remain seized of the matter.

Annex 8

United Nations Security Council Resolution 2396,
document S/RES/2396 (2017), 21 December 2017

https://undocs.org/S/RES/2396(2017)

United Nations S/RES/2396 (2017)

Security Council

Distr.: General
21 December 2017

Resolution 2396 (2017)

Adopted by the Security Council at its 8148th meeting, on 21 December 2017

The Security Council,

Reaffirming its resolutions 1267 (1999), 1325 (2000), 1368 (2001), 1373 (2001), 1566 (2004) 1624 (2005), 1894 (2009), 2106 (2013), 2133 (2014), 2150 (2014), 2170 (2014), 2178 (2014), 2195 (2014) 2199 (2015), 2242 (2015), 2249 (2015), 2253 (2015), 2309 (2016) 2322 (2016), 2331 (2016), 2341 (2017), 2347 (2017), 2354 (2017), 2367 (2017), 2368 (2017), 2370 (2017) 2379 (2017) and its relevant presidential statements,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever and by whomsoever committed, and remaining determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Reaffirming that terrorism poses a threat to international peace and security and that countering this threat requires collective efforts on national, regional and international levels on the basis of respect for international law and the Charter of the United Nations,

Emphasizing that terrorism and violent extremism conducive to terrorism cannot and should not be associated with any religion, nationality, or civilization,

Reaffirming its commitment to sovereignty, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Stressing that Member States have the primary responsibility in countering terrorist acts and violent extremism conducive to terrorism,

Reaffirming that Member States must ensure that any measures taken to counter terrorism comply with all their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law, *underscoring* that respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing with effective counter-terrorism measures, and are an essential part of a successful counter-terrorism effort and notes the importance of respect for the rule of law so as to effectively prevent and combat terrorism, and *noting* that failure to comply with these and other international obligations, including under the Charter of the United Nations, is one of

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the factors contributing to increased radicalization to violence and fosters a sense of impunity,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Urging Member States and the United Nations system to take measures, pursuant to international law, to address all drivers of violent extremism conducive to terrorism, both internal and external, in a balanced manner as set out in the United Nations Global Counter-Terrorism Strategy,

Recalling Resolution 2178 and the definition of foreign terrorist fighters, and *expressing grave concern* over the acute and growing threat posed by foreign terrorist fighters returning or relocating, particularly from conflict zones, to their countries of origin or nationality, or to third countries,

Reaffirming its call on Member States to ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists,

Expressing continued concern that international networks have been established and strengthened by terrorists and terrorist entities among states of origin, transit, and destination, through which foreign terrorist fighters and the resources to support them have been channelled back and forth,

Acknowledging that returning and relocating foreign terrorist fighters have attempted, organized, planned, or participated in attacks in their countries of origin or nationality, or third countries, including against “soft” targets, and that the Islamic State in Iraq and the Levant (ISIL) also known as Da’esh, in particular has called on its supporters and affiliates to carry out attacks wherever they are located,

Stressing the need for Member States to develop, review, or amend national risk and threat assessments to take into account “soft” targets in order to develop appropriate contingency and emergency response plans for terrorist attacks,

Expressing grave concern that foreign terrorist fighters who have joined entities such as (ISIL), the Al-Nusrah Front (ANF) and other cells, affiliates, splinter groups or derivatives of ISIL, Al-Qaida or other terrorist groups, may be seeking to return to their countries of origin or nationality, or to relocate to third countries, and *recognizing* that the threat of returning or relocating foreign terrorist fighters includes, among others, such individuals further supporting acts or activities of ISIL, Al-Qaida and their cells, affiliates, splinter groups, and derivative entities, including by recruiting for or otherwise providing continued support for such entities, and *stressing* the urgent need to address this particular threat,

Having regard to and highlighting the situation of individuals of more than one nationality who travel abroad for the purpose of the perpetration, planning, preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, and may seek to return to their state of origin or nationality, or to travel to a third state, and *urging* States to take action, as appropriate, in compliance with their obligations under their domestic law and international law, including international human rights law,

Underlining the importance of strengthening international cooperation to address the threat posed by foreign terrorist fighters, including on information sharing, border security, investigations, judicial processes, extradition, improving prevention and addressing conditions conducive to the spread of terrorism, preventing

and countering incitement to commit terrorist acts, preventing radicalization to terrorism and recruitment of foreign terrorist fighters, disrupting, preventing financial support to foreign terrorist fighters, developing and implementing risks assessments on returning and relocating foreign terrorist fighters and their families, and prosecution, rehabilitation and reintegration efforts, consistent with applicable international law,

Recognizing, in this regard, that foreign terrorist fighters may be travelling with family members they brought with them to conflict zones, with families they have formed or family members who were born while in conflict zones, *underscoring* the need for Member States to assess and investigate these individuals for any potential involvement in criminal or terrorist activities, including by employing evidence-based risk assessments , and to take appropriate action in compliance with relevant domestic and international law, including by considering appropriate prosecution, rehabilitation, and reintegration measures, and *noting* that children may be especially vulnerable to radicalization to violence and in need of particular social support, such as post-trauma counselling, while *stressing* that children need to be treated in a manner that observes their rights and respects their dignity, in accordance with applicable international law,

Noting with concern that terrorists craft distorted narratives, which are utilized to polarize communities, recruit supporters and foreign terrorist fighters, mobilize resources and garner support from sympathizers, in particular by exploiting information and communications technologies, including through the Internet and social media,

Encouraging Member States to collaborate in the pursuit of effective counter-narrative strategies and initiatives, including those relating to foreign terrorist fighters and individuals radicalized to violence, in a manner compliant with their obligations under international law, including international human rights law, international refugee law and international humanitarian law,

Calling upon Member States to improve timely information sharing, through appropriate channels and arrangements, and consistent with international and domestic law, on foreign terrorist fighters, especially among law enforcement, intelligence, counterterrorism, and special services agencies, to aid in determining the risk foreign terrorist fighters pose, and preventing them from planning, directing, conducting, or recruiting for or inspiring others to commit terrorist attacks,

Recognizing that Member States face challenges in obtaining admissible evidence, including digital and physical evidence, from conflict zones that can be used to help prosecute and secure the conviction of foreign terrorist fighters and those supporting foreign terrorist fighters,

Welcoming the establishment of the UN Office on Counterterrorism (UNOCT), and encouraging continued cooperation on counterterrorism efforts between UNOCT, the Counter Terrorism Committee Executive Directorate (CTED), International Civil Aviation Organization (ICAO), and United Nations Office of Drugs and Crime (UNODC), and all other relevant UN bodies, and INTERPOL, on technical assistance and capacity building, in coordination with other relevant international, regional and subregional organizations, to assist Member States in implementing the Global Counter Terrorism Strategy,

Welcoming recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, including the UN Counter-terrorism Committee's 2015 Madrid Guiding Principles, and noting the ongoing work of the Global Counterterrorism Forum (GCTF), in particular its 2016 adoption of the Hague-Marrakech Memorandum Addendum on Good Practices for a

More Effective Response to the FTF Phenomenon with a focus on Returning FTFs and its comprehensive set of good practices to address the foreign terrorist fighter phenomenon, and its publication of several other framework documents and good practices, including in the areas of countering violent extremism conducive to terrorism, including online, criminal justice, prosecution, rehabilitation and reintegration, soft target protection, kidnapping for ransom, providing support to victims of terrorism, and community-oriented policing to assist interested States with the practical implementation of the United Nations counter-terrorism legal and policy framework and to complement the work of the relevant United Nations counter-terrorism entities in these areas,

Expressing concern that Foreign Terrorist Fighters may use civil aviation both as a means of transportation and as a target, and may use cargo both to target civil aviation and as a means of shipment of materiel, and *noting* in this regard that International Civil Aviation Organization (ICAO) Annex 9 and Annex 17 to the Convention on International Civil Aviation, done at Chicago on December 7, 1944 (the "Chicago Convention"), contain standards and recommended practices relevant to the detection and prevention of terrorist threats involving civil aviation, including cargo screening,

Welcoming, in this regard, ICAO's decision to establish a standard under Annex 9 — Facilitation, regarding the use of Advance Passenger Information (API) systems by its Member States with effect from October 23, 2017, and *recognizing* that many ICAO Member States have yet to implement this standard,

Noting with concern that terrorists and terrorist groups continue to use the Internet for terrorist purposes, and *stressing* the need for Member States to act cooperatively when taking national measures to prevent terrorists from exploiting technology and communications for terrorist acts, as well as to continue voluntary cooperation with private sector and civil society to develop and implement more effective means to counter the use of the Internet for terrorist purposes, including by developing counter-terrorist narratives and through innovative technological solutions, all while respecting human rights and fundamental freedoms and in compliance with domestic and international law, and *taking note* of the industry led Global Internet Forum to Counter Terrorism (GIFCT) and calling for the GIFCT to continue to increase engagement with governments and technology companies globally,

Recognizing the development of the UN CTED-ICT4 Peace Tech Against Terrorism initiative and its efforts to foster collaboration with representatives from the technology industry, including smaller technology companies, civil society, academia, and government to disrupt terrorists' ability to use the Internet in furtherance of terrorist purposes, while also respecting human rights and fundamental freedoms,

Noting with appreciation the efforts of INTERPOL, to address the threat posed by foreign terrorist fighters, including through global law enforcement information sharing enabled by the use of its secure communications network, databases, and system of advisory notices and procedures to track stolen, forged identity papers and travel documents, and INTERPOL's counter-terrorism fora and foreign terrorist fighter programme,

Recognizing that relevant information, including information included in INTERPOL databases from Member States, should be shared among national agencies, such that law enforcement, judicial and border security officers can proactively and systematically use that information as a resource, where appropriate and necessary, for investigations, prosecutions and screening at points of entry,

Recognizing that a comprehensive approach to the threat posed by foreign terrorist fighters requires addressing the conditions conducive to the spread of terrorism, including by preventing radicalization to terrorism, stemming recruitment, disrupting financial support to terrorists, countering incitement to commit terrorist acts, and promoting political and religious tolerance, good governance, economic development, social cohesion and inclusiveness, ending and resolving armed conflicts, and facilitating investigation, prosecution, reintegration and rehabilitation,

Reaffirming its request in paragraph 2 of resolution 2379 (2017), to establish an investigative team, to be headed by a Special Adviser, to support domestic efforts to hold ISIL (Da'esh) accountable by collecting, preserving, and storing evidence in Iraq of acts that may amount to war crimes, crimes against humanity and genocide committed by the terrorist group ISIL (Daesh) in Iraq, and recalling its invitation in paragraph 29 of resolution 2388 to the Secretary-General to ensure that the work of the Investigative Team is informed by relevant anti-trafficking research and expertise and that its efforts to collect evidence on trafficking in persons offences are gender-sensitive, victim centred, trauma-informed, rights-based and not prejudicial to the safety and security of victims,

Acknowledging that prisons can serve as potential incubators for radicalization to terrorism and terrorist recruitment, and that proper assessment and monitoring of imprisoned foreign terrorist fighters is critical to mitigate opportunities for terrorists to attract new recruits, *recognizing* that prisons can also serve to rehabilitate and reintegrate prisoners, where appropriate, and *also recognizing* that Member States may need to continue to engage with offenders after release from prison to avoid recidivism, in accordance with relevant international law and *taking into consideration*, where appropriate, the United Nations Standard Minimum Rules for the Treatment of Prisoners, or "Nelson Mandela Rules",

Noting that some member states may face technical assistance and capacity building challenges when implementing this resolution, and *encouraging* the provision of assistance from donor states to help address such gaps,

Encouraging relevant UN entities, including UNODC and UNOCT, to further enhance, in close consultation with the Counter-Terrorism Committee and CTED, the provision and delivery of technical assistance to States, upon request, to better support Member State efforts to implement this resolution,

Acting under Chapter VII of the Charter of the United Nations

1. *Recalls* its decision in resolution 2178 that all Member States shall establish serious criminal offenses regarding the travel, recruitment, and financing of foreign terrorist fighters, *urges* Member States to fully implement their obligations in this regard, including to ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and to penalize in a manner duly reflecting the seriousness of the offense, and *reiterates* its call on Member States to cooperate and support each other's efforts to counter violent extremism conducive to terrorism;

Border Security and Information Sharing

2. *Calls upon* Member States to prevent the movement of terrorists by effective national border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

3. *Calls upon* Member States to notify, in a timely manner, upon travel, arrival, or deportation of captured or detained individuals whom they have reasonable

grounds to believe are terrorists, including suspected foreign terrorist fighters, including, as appropriate, the source country, destination country, any transit countries, all countries where the travelers hold citizenship, and including any additional relevant information about the individuals, and further calls upon Member States to cooperate and respond expeditiously and appropriately, and consistent with applicable international law, and to share such information with INTERPOL, as appropriate;

4. *Further calls upon* Member States to assess and investigate individuals whom they have reasonable grounds to believe are terrorists, including suspected foreign terrorist fighters, and distinguish them from other individuals, including their accompanying family members who may not have been engaged in foreign terrorist fighter-related offenses, including by employing evidence-based risk assessments, screening procedures, and the collection and analysis of travel data, in accordance with domestic and international law, including international human rights and humanitarian law, as applicable, without resorting to profiling based on any discriminatory ground prohibited by international law;

5. *Calls upon* Member States, in accordance with domestic and international law, to intensify and accelerate the timely exchange of relevant operational information and financial intelligence regarding actions or movements, and patterns of movements, of terrorists or terrorist networks, including foreign terrorist fighters, including those who have travelled to the conflict zones or are suspected to have travelled to the conflict zones, and their families travelling back to their countries of origin or nationality, or to third countries, from conflict zones, especially the exchange of information with their countries of origin, residence or nationality, transit, as well as their destination country, through national, bilateral and multilateral mechanisms, such as INTERPOL;

6. *Urges* Member States to expeditiously exchange information, through bilateral or multilateral mechanisms and in accordance with domestic and international law, concerning the identity of foreign terrorist fighters, including, as appropriate, foreign terrorist fighters of more than one nationality with Member States whose nationality the foreign terrorist fighter holds, as well as to ensure consular access by those Member States to their own detained nationals, in accordance with applicable international and domestic law;

7. *Calls upon* Member States to take appropriate action, consistent with domestic law and applicable international law, including human rights law, to ensure that their domestic law enforcement, intelligence, counterterrorism, and military entities routinely have access to relevant information, as appropriate, about suspected terrorists, including foreign terrorist fighters;

8. *Urges* that Member States consider, where appropriate, downgrading for official use intelligence threat and related travel data related to foreign terrorist fighters and individual terrorists, to appropriately provide such information domestically to front-line screeners, such as immigration, customs and border security agencies, and to appropriately share such information with other concerned States and relevant international organizations in compliance with international and domestic national law and policy; and to share good practices in this regard;

9. *Welcomes* the approval by ICAO of the new Global Aviation Security Plan (GASeP) that provides the foundation for ICAO, Member States, the civil aviation industry, and other stakeholders to work together with the shared and common goal of enhancing aviation security worldwide and to achieve five key priority outcomes, namely to enhance risk awareness and response, to develop security culture and human capability, to improve technological resources and innovation, to improve oversight and quality assurance, and to increase cooperation and support, and calls

for action at the global, regional, and national levels, as well as by industry and other stakeholders, in raising the level of effective implementation of global aviation security, *urges* ICAO, Member States, the civil aviation industry, and other relevant stakeholders to implement the GASeP and to fulfil the specific measures and tasks assigned to them in Appendix A to the GASeP, the Global Aviation Security Plan Roadmap, and *encourages* Member States to consider contributions to support ICAO's work on aviation security;

10. *Further welcomes* the recognition in the GASeP of the importance of enhancing risk awareness and response, *underlines* the importance of a wider understanding of the threats and risks facing civil aviation, and *calls upon* all Member States to work within ICAO to ensure that its international security standards and recommended practices as set out in Annex 17 of the Chicago Convention and related to ICAO guidance material, are updated and reviewed, as appropriate, to effectively address the threat posed by terrorists targeting civil aviation;

11. *Decides* that, in furtherance of paragraph 9 of resolution 2178 and the standard established by ICAO that its Member States establish advance passenger information (API) systems as of October 23, 2017, that Member States shall require airlines operating in their territories to provide API to the appropriate national authorities, in accordance with domestic law and international obligations, in order to detect the departure from their territories, or attempted travel to, entry into or transit through their territories, by means of civil aircraft, of foreign terrorist fighters and individuals designated by the Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015), and *further calls upon* Member States to report any such departure from their territories, or such attempted entry into or transit through their territories, by sharing this information with the State of residence or nationality, or the countries of return, transit or relocation, and relevant international organizations as appropriate and in accordance with domestic law and international obligations, and to ensure API is analysed by all relevant authorities, with full respect for human rights and fundamental freedoms for the purpose of preventing, detecting, and investigating terrorist offenses and travel;

12. *Decides* that Member States shall develop the capability to collect, process and analyse, in furtherance of ICAO standards and recommended practices, passenger name record (PNR) data and to ensure PNR data is used by and shared with all their competent national authorities, with full respect for human rights and fundamental freedoms for the purpose of preventing, detecting and investigating terrorist offenses and related travel, *further calls upon* Member States, the UN, and other international, regional, and subregional entities to provide technical assistance, resources and capacity building to Member States in order to implement such capabilities, and, where appropriate, *encourages* Member States to share PNR data with relevant or concerned Member States to detect foreign terrorist fighters returning to their countries of origin or nationality, or traveling or relocating to a third country, with particular regard for all individuals designated by the Committee established pursuant to resolutions 1267 (1999), 1989 (2011), and 2253 (2015), and also *urges* ICAO to work with its Member States to establish a standard for the collection, use, processing and protection of PNR data;

13. *Decides* that Member States shall develop watch lists or databases of known and suspected terrorists, including foreign terrorist fighters, for use by law enforcement, border security, customs, military, and intelligence agencies to screen travelers and conduct risk assessments and investigations, in compliance with domestic and international law, including human rights law, and *encourages* Member States to share this information through bilateral and multilateral mechanisms, in compliance with domestic and international human rights law, and further *encourages* the facilitation of capacity building and technical assistance by Member States and

other relevant Organizations to Member States as they seek to implement this obligation;

14. *Encourages* improved cooperation between ICAO and CTED, in coordination with other relevant UN entities, in identifying areas where Member States may need technical assistance and capacity-building to implement the obligations of this resolution related to PNR and API and watch lists, as well as implementation of the GaSEP;

15. *Decides that* Member States shall develop and implement systems to collect biometric data, which could include fingerprints, photographs, facial recognition, and other relevant identifying biometric data, in order to responsibly and properly identify terrorists, including foreign terrorist fighters, in compliance with domestic law and international human rights law, *calls upon* other Member States, international, regional, and subregional entities to provide technical assistance, resources, and capacity building to Member States in order to implement such systems and *encourages* Member States to share this data responsibly among relevant Member States, as appropriate, and with INTERPOL and other relevant international bodies;

16. *Calls upon* Member States to contribute to and make use of INTERPOL's databases and ensure that Member States' law enforcement, border security and customs agencies are connected to these databases through their National Central Bureaus, and make regular use of INTERPOL databases for use in screening travelers at air, land and sea ports of entry and to strengthen investigations and risk assessments of returning and relocating foreign terrorist fighters and their families, and *further calls upon* Member States to continue sharing information regarding all lost and stolen travel documents with INTERPOL, as appropriate and consistent with domestic law and applicable international law to enhance the operational effectiveness of INTERPOL databases and notices;

Judicial Measures and International Cooperation

17. *Recalls* its decision, in resolution 1373 (2001), that all Member States shall ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in support of terrorist acts is brought to justice, and further *recalls* its decision that all States shall ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and to penalize the activities described in paragraph 6 of resolution 2178 in a manner duly reflecting the seriousness of the offense;

18. *Urges* Member States, in accordance with domestic and applicable international human rights law and international humanitarian law, to develop and implement appropriate investigative and prosecutorial strategies, regarding those suspected of the foreign terrorist fighter-related offenses described in paragraph 6 of resolution 2178 (2014);

19. *Reaffirms* that those responsible for committing or otherwise responsible for terrorist acts, and violations of international humanitarian law or violations or abuses of human rights in this context, must be held accountable;

20. *Calls upon* Member States, including through relevant Central Authorities, as well as UNODC and other relevant UN entities that support capacity building, to share best practices and technical expertise, informally and formally, with a view to improving the collection, handling, preservation and sharing of relevant information and evidence, in accordance with domestic law and the obligations Member States have undertaken under international law, including information obtained from the internet, or in conflict zones, in order to ensure foreign terrorist fighters who have

committed crimes, including those returning and relocating to and from the conflict zone, may be prosecuted;

21. *Encourages* enhancing Member State cooperation with the private sector, in accordance with applicable law, especially with information communication technology companies, in gathering digital data and evidence in cases related to terrorism and foreign terrorist fighters;

22. *Calls upon* Member States to improve international, regional, and sub regional cooperation, if appropriate through multilateral and bilateral agreements, to prevent the undetected travel of foreign terrorist fighters from or through their territories, especially returning and relocating foreign terrorist fighters, including through increased sharing of information for the purpose of identifying foreign terrorist fighters, the sharing and adoption of best practices, and improved understanding of the patterns of travel by foreign terrorist fighters and their families, and for Member States to act cooperatively when taking national measures to prevent terrorists from exploiting technology, communications and resources to support terrorist acts, while respecting human rights and fundamental freedoms and consistent with their obligations under domestic and applicable international law;

23. *Recalls* its decision in resolution 1373 (2001) that Member States shall afford one another the greatest measure of assistance in connection with criminal investigations or proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, and further underscores that this includes physical and digital evidence, *underlines* the importance of fulfilling this obligation with respect to such investigations or proceedings involving foreign terrorist fighters, while respecting human rights and fundamental freedoms and consistent with obligations under domestic and applicable international law; and *urges* Member States to act in accordance with their obligations under international law in order to find and bring to justice, extradite or prosecute any person who supports, facilitates, participates or attempts to participate in the direct or indirect financing of activities conducted by terrorists or terrorist groups;

24. *Underscores* the need for Member States to strengthen international judicial cooperation, as outlined in Resolution 2322 and in light of the evolving threat of foreign terrorist fighters, including, as appropriate, to use applicable international instruments to which they are parties as a basis for mutual legal assistance and, as appropriate, for extradition in terrorism cases, *reiterates* its call on Member States to consider strengthening the implementation of, and where appropriate, to review possibilities for enhancing the effectiveness of, their respective bilateral and multilateral treaties concerning extradition and Mutual Legal Assistance in criminal matters related to counterterrorism, and *encourages* Member States, in the absence of applicable conventions or provisions, to cooperate when possible on the basis of reciprocity or on a case by case basis, and *reiterates* its call upon Member States to consider the possibility of allowing, through appropriate laws and mechanisms, the transfer of criminal proceedings, as appropriate, in terrorism-related cases and *recognizing* the role of UNODC is providing technical assistance and expertise in this regard;

25. *Calls upon* Member States to help build the capacity of other Member States to address the threat posed by foreign terrorist fighter returnees and relocators and their accompanying family members, prioritizing those Member States most affected by the threat, including to prevent and monitor foreign terrorist fighter travel across land and maritime borders, and to help collect and preserve evidence admissible in judicial proceedings;

26. *Calls upon* Member States to improve domestic information sharing within their respective criminal justice systems in order to more effectively monitor returning and relocating foreign terrorist fighters and other individuals radicalized to violence or directed by ISIL or other terrorist groups to commit terrorist acts, in accordance with international law;

27. *Calls upon* Member States to establish or strengthen national, regional and international partnerships with stakeholders, both public and private, as appropriate, to share information and experience in order to prevent, protect, mitigate, investigate, respond to and recover from damage from terrorist attacks against "soft" targets;

28. *Urges* States able to do so to assist in the delivery of effective and targeted capacity development, training and other necessary resources, and technical assistance, where it is needed to enable all States to develop appropriate capacity to implement contingency and response plans with regard to attacks on "soft" targets;

Prosecution, Rehabilitation and Reintegration Strategies

29. *Calls upon* Member States to assess and investigate suspected individuals whom they have reasonable grounds to believe are terrorists, including suspected foreign terrorist fighters and their accompanying family members, including spouses and children, entering those Member States' territories, to develop and implement comprehensive risk assessments for those individuals, and to take appropriate action, including by considering appropriate prosecution, rehabilitation, and reintegration measures and *emphasizes* that Member States should ensure that they take all such action in compliance with domestic and international law;

30. *Calls upon* Member States, *emphasizing* that they are obliged, in accordance with resolution 1373, to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice, to develop and implement comprehensive and tailored prosecution, rehabilitation, and reintegration strategies and protocols, in accordance with their obligations under international law, including with respect to foreign terrorist fighters and spouses and children accompanying returning and relocating foreign terrorist fighters, as well as their suitability for rehabilitation, and to do so in consultation, as appropriate, with local communities, mental health and education practitioners and other relevant civil society organizations and actors, and *requests* UNODC and other relevant UN agencies, consistent with their existing mandates and resources, and other relevant actors to continue providing technical assistance to Member States, upon request, in this regard;

31. *Emphasizes* that women and children associated with foreign terrorist fighters returning or relocating to and from conflict may have served in many different roles, including as supporters, facilitators, or perpetrators of terrorist acts, and require special focus when developing tailored prosecution, rehabilitation and reintegration strategies, and *stresses* the importance of assisting women and children associated with foreign terrorist fighters who may be victims of terrorism, and to do so taking into account gender and age sensitivities;

32. *Underscores* the importance of a whole of government approach and *recognizes* the role civil society organizations can play, including in the health, social welfare and education sectors in contributing to the rehabilitation and reintegration of returning and relocating foreign terrorist fighters and their families, as civil society organizations may have relevant knowledge of, access to and engagement with local communities to be able to confront the challenges of recruitment and radicalization to violence, and *encourages* Member States to engage with them proactively when developing rehabilitation and reintegration strategies;

33. *Stresses* the need to effectively counter the ways that ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities use their narratives to incite and recruit others to commit terrorist acts, and further recalls in this regard resolution 2354 (2017) and the "Comprehensive International Framework to Counter Terrorist Narratives" (S/2017/375) with recommended guidelines and good practices;

34. *Encourages* Member States to collaborate in the pursuit of developing and implementing effective counter-narrative strategies in accordance with resolution 2354 (2017), including those relating to foreign terrorist fighters, in a manner compliant with their obligations under international law, including international human rights law, international refugee law and international humanitarian law, as applicable;

35. *Reiterates* that States should consider engaging, where appropriate, with religious authorities, community leaders and other civil society actors, who have relevant expertise in crafting and delivering effective counter-narratives, in countering narratives used by terrorists, including foreign terrorist fighters, and their supporters;

36. *Recognizes* the particular importance of providing, through a whole of government approach, timely and appropriate reintegration and rehabilitation assistance to children associated with foreign terrorist fighters returning or relocating from conflict zones, including through access to health care, psychosocial support and education programs that contribute to the well-being of children and to sustainable peace and security;

37. *Encourages* Member States to develop appropriate legal safeguards to ensure that prosecution, rehabilitation and reintegration strategies developed are in full compliance with their international law obligations, including in cases involving children;

38. *Calls upon* Member States to develop and implement risk assessment tools to identify individuals who demonstrate signs of radicalization to violence and develop intervention programs, including with a gender perspective, as appropriate, before such individuals commit acts of terrorism, in compliance with applicable international and domestic law and without resorting to profiling based on any discriminatory grounds prohibited by international law;

39. *Encourages* Member States, as well as international, regional, and sub-regional entities to ensure participation and leadership of women in the design, implementation, monitoring, and evaluation of these strategies for addressing returning and relocating foreign terrorist fighters and their families;

40. *Encourages* Member States to take all appropriate actions to maintain a safe and humane environment in prisons, develop tools that can help address radicalization to violence and terrorist recruitment, and to develop risk assessments to assess the risks of prison inmates' susceptibility to terrorist recruitment and radicalization to violence, and develop tailored and gender-sensitive strategies to address and counter terrorist narratives within the prison system, consistent with international humanitarian law and human rights law, as applicable and in accordance with relevant international law and *taking into consideration, as appropriate*, the United Nations Standard Minimum Rules for the Treatment of Prisoners, or "Nelson Mandela Rules";

41. *Encourages* Member States to take all appropriate actions to prevent inmates who have been convicted of terrorism-related offenses from radicalizing other prisoners to violence, with whom they may come into contact, in compliance with domestic and international law;

United Nations Efforts on Returning and Relocating Foreign Terrorist Fighters

42. *Reaffirms* that foreign terrorist fighters and those who finance or otherwise facilitate their travel and subsequent activities may be eligible for inclusion on the ISIL (Da'esh) & Al-Qaida Sanctions List maintained by the Committee pursuant to resolutions 1267 (1999), 1989 (2011), and 2253 (2015) where they participate in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of, supplying, selling or transferring arms and related materiel to, or recruiting for, or otherwise supporting acts or activities of Al-Qaida, ISIL, or any cell, affiliate, splinter group or derivative thereof, and *calls upon* States to propose such foreign terrorist fighters and those who facilitate or finance their travel and subsequent activities for possible designation;

43. *Directs* the Committee established pursuant to resolution 1267 (1999), 1989 (2011) and 2253 (2015) and the Analytical Support and Sanctions Monitoring Team, in close cooperation with all relevant United Nations counter-terrorism bodies, to continue to devote special focus to the threat posed by foreign terrorist fighters, specifically those associated with ISIL, ANF and all groups, undertakings and entities associated with Al-Qaida;

44. *Requests* the Counter-Terrorism Committee, within its existing mandate and with the support of Counter-Terrorism Executive Directorate (CTED), to review the 2015 Madrid Guiding Principles in light of the evolving threat of foreign terrorist fighters, particularly returnees, relocators and their families, and other principle gaps that may hinder States' abilities to appropriately detect, interdict, and where possible, prosecute, rehabilitate and reintegrate foreign terrorist fighter returnees and relocators and their families, as well as to continue to identify new good practices and to facilitate technical assistance, upon their request, specifically by promoting engagement between providers of capacity-building assistance and recipients, especially those in the most affected regions, including through the development of comprehensive counter-terrorism strategies that encompass countering radicalization to violence and the return and relocation of foreign terrorist fighters and their families, recalling the roles of other relevant actors, for example the Global Counterterrorism Forum;

45. *Further requests* CTED, in coordination with UNODC and other relevant UN bodies, INTERPOL, and the private sector, and in collaboration with Member States, to continue to collect and develop best practices on the systematic categorization, collection and sharing among Member States of biometric data, with a view to improving biometric standards and improving the collection and use of biometric data to effectively identify terrorists, including foreign terrorist fighters, including through the facilitation of capacity building, as appropriate;

46. *Requests* the Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) and the Counter-Terrorism Committee to update the Security Council on their respective efforts pursuant to this resolution, as appropriate;

47. *Encourages* relevant UN entities, including UNODC and UNOCT, to further enhance, in close consultation with the Counter-Terrorism Committee and CTED, the provision and delivery of technical assistance to States, upon request, to better support Member State efforts to implement this resolution;

48. *Notes* that the implementation of aspects of this resolution, especially PNR and biometric data collection, can be resource-intensive and take an extended period of time to develop and make operational, *directs* CTED to take this into consideration when assessing Member States' implementation of relevant resolutions, and in its furtherance of facilitating technical assistance as requested in paragraph 47;

49. *Urges* the Office of Counterterrorism to incorporate CTED assessments and identification of emerging issues, trends and developments as related to foreign terrorist fighters into the design and implementation of their work, in accordance with their respective mandates, as well as to enhance cooperation with relevant UN counter-terrorism entities such as CTED, UNODC, the Analytical Support and Sanctions Monitoring Team, and INTERPOL;

50. *Requests* the Office of Counterterrorism, in close cooperation with CTED, including through use of CTED country assessments, to review the UN Capacity Building Implementation Plan to counter the Flow of FTFs, as called for under S/PRST/2015/11, to ensure that the Plan supports Member States in their efforts to implement the priorities of this resolution, the establishment of effective API systems, the development of PNR capability, the development of effective biometric data systems, the improvement of judicial procedures, and the development of comprehensive and tailored prosecution, rehabilitation, and reintegration strategies, *further requests* OCT to communicate the prioritization of these projects and any updates to the plan to all Member States and relevant international, regional, and sub-regional bodies by June 2018, and to continue incorporating CTED country assessments in its Plan on a routine basis, *further requests* OCT to develop ways to measure the effectiveness of these projects, and *calls upon* Member States, as appropriate, to provide the resources needed to implement these projects;

51. *Decides* to remain seized of the matter.

Annex 9

United Nations Security Council, ISIL (Da'esh) and
Al-Qaida Sanctions Committee, Narrative Summaries of Reasons
for Listing Khalifa Muhammad Turki Al-Subai (QDi.253),
3 February 2016

KHALIFA MUHAMMAD TURKI AL-SUBAIY

In accordance with paragraph 13 of resolution 1822 (2008) and subsequent related resolutions, the ISIL (Da'esh) and Al-Qaida Sanctions Committee makes accessible a narrative summary of reasons for the listing for individuals, groups, undertakings and entities included in the ISIL (Da'esh) and Al-Qaida Sanctions List.

QDi.253
KHALIFA MUHAMMAD TURKI AL-SUBAIY
Date on which the narrative summary became available on the Committee's website: 9 March 2009
Date(s) on which the narrative summary was updated: 19 February 2015
15 June 2015
3 February 2016

Reason for listing:
Khalifa Muhammad Turki al-Subaiy was listed on 10 October 2008 pursuant to paragraphs 1 and 2 of resolution 1822 (2008) as being associated with Al-Qaida (QDe.004) for “participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf or in support of”, “recruiting for” and “otherwise supporting the acts or activities of” Al-Qaida and its senior leadership.

Additional information:
Khalifa Muhammad Turki al-Subaiy is a Qatar-based terrorist financier and facilitator who has provided financial support to, and acted on behalf of, the senior leadership of Al-Qaida (QDe.004). From the mid-2000s, he has provided financial support to Al-Qaida senior leadership in South Asia. He has also worked with Al-Qaida senior facilitators to move extremist recruits to Al-Qaida training camps in South Asia and has assisted in providing funds to them. He has also served as an envoy and communications link between Al-Qaida and third parties in the Middle East.

On 3 October 2007, along with four other individuals, Al-Subaiy was charged in absentia by the General Prosecutor in Bahrain that in 2006 and 2007 he had knowingly provided support and financing to terrorist groups.

On 16 January 2008, Al-Subaiy was convicted in absentia by the Bahrain High Criminal Court for financing terrorism and facilitating the travel of others abroad to receive terrorist training. He was arrested in Qatar in March 2008 and served a six-month sentence of imprisonment in Qatar. After his release, Al-Subaiy reconnected with Al-Qaida financiers and facilitators in the Middle East and resumed organizing funds in support of Al-Qaida. His involvement with Iran based facilitators continued in 2009, 2011 and throughout 2012 with money flowing to Al-Qaida leaders in Pakistan. As of early 2011, Al-Subaiy provided thousands of dollars intended for senior Al-Qaida officials in Pakistan and his funding activities in support of Al-Qaida continued into 2013.

Related listed individuals and entities:
Al-Qaida (QDe.004), listed on 6 October 2001

Ashraf Muhammad Yusuf 'Uthman 'Abd al-Salam (QDi.343), listed on 23 January 2015

'Abd al-Malik Muhammad Yusuf 'Uthman 'Abd al-Salam (QDi.346), listed on 23 January 2015

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Annex 10

United Nations Security Council, Al-Qaida Sanctions Committee,
Narrative Summaries of Reasons for Listing Abd al-Latif bin
Abdallah Salih Muhammad al-Kawari (QDi.380),
21 September 2015

Abd al-Latif bin Abdallah Salih Muhammad al-Kawari

In accordance with paragraph 13 of resolution 1822 (2008) and subsequent related resolutions, the Al-Qaida Sanctions Committee makes accessible a narrative summary of reasons for the listing for individuals, groups, undertakings and entities included in the Al-Qaida Sanctions List.

QDi.380
Abd al-Latif bin Abdallah Salih Muhammad al-Kawari
Date on which the narrative summary became available on the Committee's website: 21 September 2015
Date(s) on which the narrative summary was updated: 21 September 2015
Reason for listing:
Abd al-Latif bin Abdallah Salih Muhammad al-Kawari was listed on 21 September 2015 pursuant to paragraphs 2 and 4 of resolution 2161 (2014) as being associated with Al-Qaida for "participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of" Al-Qaida (QDe.004).

Additional information:
Abd al-Latif Bin Abdallah Salih Muhammad al-Kawari is a Qatar-based facilitator who provides financial support for, and services to, or in support of Al-Qaida (QDe.004) by transferring money to the group, raising funds for the group, and coordinating contributions to it.
In early 2012, Al-Kawari worked with Al-Qaida facilitators to coordinate the delivery of funding from Qatari financiers intended to support Al-Qaida and to deliver receipts confirming that Al-Qaida received foreign donor funding from Qatar-based extremists. As of 2012, he continued to collect financial support for Al-Qaida. Early that year, he also facilitated the international travel of a courier who was carrying tens of thousands of dollars earmarked for Al-Qaida.

In the early 2000s, Al-Kawari worked with Al-Qaida operative Mustafa Hajji Muhammad Khan (a.k.a. Hassan Ghul) (QDi.306) and Qatari Al-Qaida facilitator Ibrahim 'Isa Hajji Muhammad al-Bakr (QDi.344) to transfer money to Al-Qaida in Pakistan. At that time, Al-Kawari also obtained a fraudulent passport for Hassan Ghul, which Ghul used to travel to Qatar with Al-Kawari and Al-Bakr.

Related listed individuals and entities:
Al-Qaida (QDe.004), listed on 6 October 2001

Mustafa Hajji Muhammad Khan (QDi.306), listed on 14 March 2012
Ibrahim 'Isa Hajji Muhammad al-Bakr (QDi.344), listed on 23 January 2015

Annex 11

United Nations Security Council, Al-Qaida Sanctions Committee, Narrative Summaries of Reasons for Listing Sa'd bin Sa'd Muhammad Shariyan al-Ka'bi (QDi.382), 21 September 2015

Sa'd bin Sa'd Muhammad Shariyan al-Ka'bi

In accordance with paragraph 13 of resolution 1822 (2008) and subsequent related resolutions, the Al-Qaida Sanctions Committee makes accessible a narrative summary of reasons for the listing for individuals, groups, undertakings and entities included in the Al-Qaida Sanctions List.

QDi.382
Sa'd bin Sa'd Muhammad Shariyan al-Ka'bi
Date on which the narrative summary became available on the Committee's website: 21 September 2015
Date(s) on which the narrative summary was updated: 21 September 2015
Reason for listing:
Sa'd bin Sa'd Muhammad Shariyan al-Ka'bi was listed on 21 September 2015 pursuant to paragraphs 2 and 4 ofresolution 2161 (2014) as being associated with Al-Qaida for "participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of" Al-Nusrah Front for the People of the Levant (QDe.137).

Additional information:
Sa'd bin Sa'd Muhammad Shariyan al-Ka'bi is a Qatar-based facilitator who provides financial support for and services to, or in support of, Al-Nusrah Front for the People of the Levant (Al-Nusrah Front) (QDe.137) by transferring money to the group, raising funds for the groups, and coordinating contributions to it.

As of early 2014, Al-Ka'bi said that he had donation campaigns set up in Qatar to aid with fundraising in response to a request from an Al-Nusrah Front associate for money to purchase weapons and food. In that same time period, an Al-Nusrah Front official requested Al-Ka'bi act as an intermediary for collecting a ransom for a hostage being held by Al-Nusrah Front, and he worked to facilitate a ransom payment in exchange for the release of a hostage held by Al-Nusrah Front.

In 2013, Al-Ka'bi worked closely with Kuwaiti Al-Nusrah Front fundraiser Hamid Hamad Hamid al-'Ali (QDi.326) and received funding from him to support Al-Nusrah Front. Since at least late 2012, Al- Ka'bi provided support to Al-Nusrah Front in Syria.

Related listed individuals and entities:
Al-Nusrah Front for the People of the Levant (QDe.137), listed on 14 May 2014

Hamid Hamad Hamid al-'Ali (QDi.326), listed on 15 August 2014

Annex 12

The Committee on the Elimination of Racial Discrimination (*State of Qatar v. United Arab Emirates*), Communication submitted by Qatar pursuant to Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination,
8 March 2018

NATIONS UNIES
DROITS DE L'HOMME
HAUT-COMMISSARIAT

UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

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REFERENCE: ICERD-ISC 2018/2
CE/VL/mg

The Secretary-General of the United Nations (High Commissioner for Human Rights), presents his compliments to the Permanent Representative of the United Arab Emirates to the United Nations Office at Geneva, and has the honour to inform the State party of a decision adopted by the Committee on the Elimination of Racial Discrimination on 4 May 2018, in Geneva at its 2633th meeting, during its 95th session:

"The Committee on the Elimination of Racial Discrimination

Acting under Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination,

Having received on 8 March 2018 an inter-State communication submitted by Qatar against the United Arab Emirates, both States parties to that Convention,

Without considering the substance of that communication as required by Article 69, para 1, of the Rules of Procedure,

Decides:

1. To request the Secretary-General of the United Nations to transmit the communication to the State Party concerned, the United Arab Emirates;
2. To invite the United Arab Emirates to submit to the Committee; within three months, "written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State", as provided for by Article 11, para 1, of the said Convention."

The Secretary-General has the honour to transmit herewith the communication submitted by the State of Qatar, dated 8 March 2018. In accordance with the Committee's decision, the State party is invited to submit its explanations or statements clarifying the matter and the remedy, if any, that may have been taken by the State party. The explanations or statements should reach the Committee in care of the Office of the High Commissioner for Human Rights, United Nations Office at Geneva, not later than 7 August 2018.

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The Secretary-General avails himself of this opportunity to renew to the Permanent Representative of the United Arab Emirates the assurances of his highest consideration.

7 May 2018

THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

State of Qatar,

Complainant,

v.

United Arab Emirates,

Respondent.

COMMUNICATION SUBMITTED PURSUANT TO ARTICLE 11 OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

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8 March 2018

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IV. PRAYER FOR RELIEF 51

1. The State of Qatar ("Qatar") submits this Communication regarding the United Arab Emirates ("UAE") to the Committee on the Elimination of Racial Discrimination (the "Committee") pursuant to Article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination (the "CERD" or the "Convention"), which entered into force on 4 January 1969.

2. Qatar and UAE are both States Parties to the CERD. Qatar acceded to the CERD on 22 July 1976 and UAE on 20 June 1974, and neither party has entered any pertinent reservations. Qatar hereby invokes the authority of the Committee to receive and transmit this Communication to UAE based on UAE's failure to give effect to the provisions of the CERD.

I. INTRODUCTION

3. On 5 June 2017, the government of UAE, in coordination with the Kingdom of Saudi Arabia ("KSA"), the Kingdom of Bahrain ("Bahrain"), and the Arab Republic of Egypt ("Egypt") (the "Four States"), announced a campaign of unlawful political isolation and economic coercion aimed at undermining the sovereignty of Qatar, including but not limited to their unjustified closure of all borders and access points by both air and sea to Qatar. As part of this campaign, UAE enacted and implemented discriminatory policies directed at Qatari citizens and companies on the sole basis of their Qatari nationality in violation of the CERD (the "Coercive Measures"). UAE's Coercive Measures remain in effect to this day.

4. In particular, UAE has expelled all Qatari residents and visitors within its borders; has demanded the return of its nationals living in Qatar; has closed all borders and prohibited all inter-state transport; has banned any speech perceived to be in support of Qatar or opposed to the actions taken against Qatar on threat of severe financial penalty or incarceration; has frozen bank accounts of Qatari citizens; has sponsored a defamatory media campaign aimed at branding Qatar a rogue, extremist State; has blocked the access of its nationals to Qatari media; and has otherwise endeavored to sever all personal and professional relationships between Qatar's citizens and other States. UAE took these actions without any justification under international law, and in particular, without

exception, without reference to individual circumstances, without a hearing, and without any consideration of whether those actions were legitimate, necessary, or proportionate.[1]

5. In so acting, UAE has attempted to delegitimize and destabilize the Qatari government. However, much of the impact of the Coercive Measures has been shouldered by Qatari citizens, who have been suffering severe and, in many cases, irreversible human rights abuses, particularly since June 2017.

6. The devastating harm caused by UAE's actions remains ongoing, and there is no sign of abatement. Families have been torn apart, livelihoods lost, and Qataris (not to mention Emirati nationals and others in the Gulf region) are being subjected to ongoing and daily violations of their fundamental rights. All good-faith efforts by Qatar and other members of the international community to broker a resolution have failed. Instead, UAE remains stubbornly and ruthlessly resolute, demanding that Qatar accede to a list of unreasonable demands that threaten Qatar's very sovereignty as a condition precedent to negotiating the resolution of a conflict UAE created.

7. In its assessment of the impact of the Coercive Measures, the UN Office of the High Commissioner for Human Rights ("OHCHR"), after conducting extensive in-country interviews, published a report in December 2017 which found that:

> [The Coercive Measures], consisting of severe restrictions of movement, termination and disruption of trade, financial and investment flows, as well as suspension of social and cultural exchanges imposed on the State of Qatar, had immediately translated into actions applying to nationals and residents of Qatar, including citizens of KSA, UAE and Bahrain. Many of these measures have a potentially durable effect on the enjoyment of the human rights and fundamental freedoms of those affected. As there is no evidence of any legal decisions motivating these various measures, and due to the lack of any legal recourse for most individuals concerned, these measures can be considered as arbitrary. These actions were exacerbated by various and widespread forms of media defamation and campaigns hated [sic] against Qatar, its leadership and people.

1 *See, e.g.*, Richard A. Falk, *A Normative Evaluation of the Gulf Crisis*, Humanitarian Studies Foundation Policy Brief (Feb. 2018), at 7-8.

> The majority of the measures were broad and non-targeted, making no distinction between the Government of Qatar and its population. In that sense, they constitute core elements of the definition of unilateral coercive measures as proposed by the Human Rights Council Advisory Committee: 'the use of economic, trade or other measures taken by a State, group of States or international organizations acting autonomously to compel a change of policy of another State or to pressure individuals, groups or entities in targeted States to influence a course of action without the authorization of the Security Council.' Moreover, measures targeting individuals on the basis of their Qatari nationality or their links with Qatar can be qualified as non-disproportionate and discriminatory.
>
> [...]
>
> The majority of cases remain unresolved and are likely to durably affect the victims, particularly those having experienced family separation, loss of employment or who have been barred from access to their assets.[2]

8. After nearly ten months of enduring the Coercive Measures, and with no end in sight, Qatar is now compelled to seek the assistance and intervention of this Committee. While Qatar has taken steps towards mitigating the impact of UAE's discriminatory conduct, the violations of the human rights of Qatari citizenry continue, and Qatar must therefore call upon this Committee for assistance with respect to UAE abiding by its international obligations to Qatar, and, indeed, to its own citizens. The enactment and encouragement of arbitrary, disproportionate, and discriminatory practices against Qatari, Emirati, and other Gulf State nationals clearly and egregiously violates the Convention, as discussed in detail in this Communication.

9. Qatar submits this Communication without prejudice to its right to supplement and amend its content over the course of this proceeding.

[2] OHCHR Technical Mission to the State of Qatar, 17-24 November 2017, Report on the impact of the Gulf Crisis on Human Rights (Dec. 2017), paras. 60-64 (hereinafter "OHCHR Report").

II. FACTS UNDERLYING THIS COMMUNICATION

A. Implementation of the Coercive Measures Against Qatar

10. The governments of UAE and the other States have engaged in a campaign of political isolation and economic coercion aimed at undermining the sovereignty of Qatar by implementing policies that discriminate against Qatari citizens and companies on the sole basis of their Qatari nationality. The enactment and encouragement of arbitrary, disproportionate, and collective discriminatory practices against Qatari nationals plainly violates applicable provisions of the Convention. Routine political and diplomatic disagreements between the sovereign States of the Gulf region are beyond the scope of this Communication, which instead focuses narrowly on the conduct of UAE that has resulted in express violations of the Convention.

11. Beginning in early 2017, reports and commentary hostile to Qatar and orchestrated by the Four States began to appear in prominent media outlets. Although this activity set the stage for what was to follow, the incitement and implementation of the Coercive Measures can be most immediately traced to events of 23 May 2017, when Qatari media websites fell victim to a cyberattack. Hackers posted fake news stories claiming that Qatar's Emir, His Highness Sheikh Tamim bin Hamad al-Thani, had made statements supporting Iran as an "Islamic power" and criticizing United States ("U.S.") President Donald Trump while speaking at a graduation ceremony for National Service recruits.[3] These fabricated statements were published on the Qatar News Agency website.[4] Qatar immediately and unequivocally disavowed these false comments as having been planted on its news site by hackers, called the clandestine operation an act of "cyber terrorism," and maintained that it "represents a clear violation and breach of international law and of the bilateral and collective agreements signed between the member states of the Gulf Cooperation Council ("GCC"), as well as collective agreements with the Arab League, the Organization of

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[3] *See* William Maclean, *Gulf rift reopens as Qatar decries hacked comments by emir*, REUTERS (24 May 2017), https://www.reuters.com/article/us-qatar-cyber/gulf-rift-reopens-as-qatar-decries-hacked-comments-by-emir-idUSKBN18K02Z.

[4] *See id.*

Islamic Cooperation, and the United Nations.[5] International media sources revealed that, according to U.S. intelligence officials, UAE "orchestrated the hacking of Qatari government news and social media sites in order to post incendiary false quotes attributed to Qatar's emir."[6]

12. Despite Qatar's denials and evidence that these statements were the product of criminal activity, UAE nonetheless seized upon the statements as a pretext for initiating a campaign to isolate Qatar, interfere in its internal affairs, and foment hostility against it and its nationals. UAE immediately blocked access, for instance, to at least eight news websites operated by Qatari entities, including the Al Jazeera Media Network ("Al Jazeera").[7] Hundreds of editorials hostile towards Qatar began to appear throughout Gulf media, including prominent UAE outlets.[8]

13. Soon after this hostile escalation, UAE announced on 5 June 2017 that it was severing all diplomatic and consular ties with Qatar, and implementing a series of other Coercive Measures:

> UAE affirms its complete commitment and support to the Gulf Cooperation Council and to the security and stability of the GCC States. Within this framework, and based on the insistence of the State of Qatar to continue to undermine the security and stability of the region and its failure to honour international commitments and agreements, it has been decided to take the following measures that are necessary for safeguarding the interests of the GCC States in general and those of the brotherly Qatari people in particular:

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5 *Id.*; *UAE violated international law by hacking QNA website: Qatar*, GULF TIMES (17 July 2017), http://www.gulf-times.com/story/556991/UAE-violated-international-law-by-hacking-QNA-webs.

6 Karen DeYoung and Ella Nakashima, *UAE Orchestrated Hacking of Qatari Government Sites, Sparking Regional Upheaval, According to U.S. Intelligence Officials*, THE WASHINGTON POST (16 July 2017), https://www.washingtonpost.com/world/national-security/UAE-hacked-qatari-government-sites-sparking-regional-upheaval-according-to-us-intelligence-officials/2017/07/16/00c46e54-698f-11e7-8eb5-cbccc2e7bfbf_story.html?utm_term=.b15aa7794a54.

7 *Saudi Arabia, UAE, Bahrain block Qatari news websites*, Committee to Protect Journalists (25 May 2017), https://cpj.org/2017/05/Saudi-arabia-UAE-bahrain-block-qatari-news-website.php.

8 *See, e.g.*, Kristian Coates Ulrichsen, *What's going on with Qatar?*, THE WASHINGTON POST (1 June 2017), https://www.washingtonpost.com/news/monkey-cage/wp/2017/06/01/whats-going-on-with-qatar/?utm_term=.9a4d95e090f1; Ahmed Al Omran, *Gulf media unleashes war of words with Qatar*, FINANCIAL TIMES (3 Aug. 2017), https://www.ft.com/content/36f8ceca-76d2-11e7-90c0-90a9d1bc9691.

> 1-In support of the statements issued by the sisterly Kingdom of Bahrain and sisterly Kingdom of Saudi Arabia, the United Arab Emirates severs all relations with the State of Qatar, including breaking off diplomatic relations, and gives Qatari diplomats 48 hours to leave UAE.
>
> 2-Preventing Qatari nationals from entering UAE or crossing its points of entry, giving Qatari residents and visitors in UAE 14 days to leave the country for precautionary security reasons. UAE nationals are likewise banned from traveling to or staying in Qatar or transiting through its territories.
>
> 3-Closure of UAE airspace and seaports for all Qataris in 24 hours and banning all Qatari means of transportation, coming to or leaving UAE, from crossing, entering or leaving UAE territories, and taking all legal measures in collaboration with friendly countries and international companies with regards to Qataris using UAE airspace and territorial waters, from and to Qatar, for national security considerations.
>
> UAE is taking these decisive measures as a result of the Qatari authorities' failure to abide by the Riyadh Agreement on returning GCC diplomats to Doha and its Complementary Arrangement in 2014, and Qatar's continued support, funding and hosting of terror groups, primarily Islamic Brotherhood, and its sustained endeavours to promote the ideologies of Daesh and Al Qaeda across its direct and indirect media.
>
> While regretting the policies taken by the State of Qatar that sow seeds of sedition and discord among the region's countries, UAE affirms its full respect and appreciation for the brotherly Qatari people on account of the profound historical, religious and fraternal ties and kin relations binding UAE and Qatari peoples.[9]

14. Bahrain, Egypt, Yemen, and other nations announced similar suspensions that day and in the days that followed.[10]

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[9] *United Arab Emirates severs relations with Qatar*, Saudi Press Agency (5 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1637351.

[10] *See, e.g.*, *Bahrain severs relations with Qatar*, Saudi Press Agency (5 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1637356; *Egypt Severs Diplomatic Relations with Qatar*, Saudi Press Agency (5 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1637371; *Yemen severs relations with Qatar*, Saudi Press Agency (5 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1637361; *Libya Severs Diplomatic Relations with Qatar*, Saudi Press Agency (5 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1637406; *Mauritania Severs Diplomatic Relations*

15. In email correspondence only weeks before, published by *The Intercept*, Yousef al-Otaiba, UAE's ambassador to the U.S., candidly described to former U.S. diplomat Elliott Abrams what UAE had in mind: "conquering" Qatar "would be an easy lift" and would "solve everyone's problems. Literally."[11] Ambassador Otaiba then alluded to the efforts already undertaken in this regard by KSA: "And King Abdullah of Saudi came pretty close to doing something in Qatar a few months before he passed."[12]

16. As Qatar attempted to adjust to these alarming circumstances, UAE intensified its efforts. On 23 June 2017, UAE and the other States (through Kuwaiti mediators) issued a 13-point list of demands to Qatar as the price for ending the Coercive Measures. While UAE and the other nations claimed, without substantiation, that the Coercive Measures were motivated by their national security concerns, substantially all of their demands were unrelated to questions of security. The demands did, however, represent a direct and immediate threat to Qatar's sovereignty by attempting to dictate how Qatar conducts both international relations and its internal affairs, including calling for the curtailment of free speech within Qatar. In particular, UAE and the other States insisted that Qatar:

- Consent to "compliance audits" for ten years, including monthly "audits" for the first year;
- "Align" with the Gulf and Arab countries militarily, politically, socially, and economically;

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with Qatar, Saudi Press Agency (7 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1637919; *Comoros severs diplomatic relations with Qatar*, Saudi Press Agency (7 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1638089; *Djibouti reduces its diplomatic representation with Qatar*, Saudi Press Agency (8 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1638421; *Niger recalls Ambassador to Qatar*, Saudi Press Agency (10 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1638877.

11 Olivia Alabaster, *Leaked UAE emails: Saudi Arabia came close to 'conquering' Qatar*, MIDDLE EAST EYE (14 Sept. 2017), http://www.middleeasteye.net/news/Saudi-arabia-came-close-conquering-qatar-new-leaked-emails-show-1491607860.

12 Zaid Jilani and Ryan Grim, *Hacked emails show top UAE diplomat coordinating with pro-israel think tank against Iran*, The Intercept (3 June 2017), https://theintercept.com/2017/06/03/hacked-emails-show-top-uae-diplomat-coordinating-with-pro-israel-neocon-think-tank-against-iran/.

- Pay reparations and compensation for loss of life, and financial losses, allegedly caused by Qatar's policies in recent years, in an amount to be determined "in coordination" with Qatar;
- Cease alleged contacts with political parties opposed to the governing regimes in the Four States, and make available all information relating to Qatar's engagement with any such groups;
- Terminate the Turkish military presence in Qatar;
- Curb ties with Iran;
- Shutter Al Jazeera, all affiliate stations, and all other Qatar-funded news outlets; and
- Revise citizenship laws, in particular the practice of granting citizenship to nationals from the Four States who are "wanted" in those States, and revoke Qatari citizenship if that citizenship violates those States' laws.[13]

17. In short, UAE's ultimatum demanded that Qatar muzzle news outlets through which opinions sometimes critical of UAE were expressed; surrender diplomatic and strategic relationships by which Qatar maintained its sovereignty; accede to the interference of UAE in the internal affairs of Qatar, and pay undetermined reparations for unidentified harms. Such demands, rather than reflecting legitimate national security concerns, were in fact a naked attempt to suppress media freedoms and to coerce Qatar into toeing the line of the Four States. The Committee to Protect Journalists said so explicitly:

> [T]he demand to shutter all Qatari-funded media—including the international network Al-Jazeera, [and] ... the news websites Al-Arabi Al-Jadeed, Middle East Eye, Arabi21, Egypt's Rassd news agency, and others—shows clear contempt for the principle of press freedom and to [the Four States'] treaty commitments to the rights

[13] *See The 13 demands on Qatar from Saudi Arabia, Bahrain, UAE and Egypt*, THE NATIONAL (23 June 2017), https://www.thenational.ae/world/the-13-demands-on-qatar-from-saudi-arabia-bahrain-the-uae-and-egypt-1.93329; *see also 'Qatar given 10 days to meet 13 sweeping demands by Saudi Arabia*, THE GUARDIAN (23 June 2017), https://www.theguardian.com/world/2017/jun/23/close-al-jazeera-saudi-arabia-issues-qatar-with-13-demands-to-end-blockade.

Many of these demands were first articulated in the Riyadh Agreements of 2013 and 2014, the contents of which remained secret until around the time the Coercive Measures were first imposed. KSA and UAE now claim that Qatar's violation of those Agreements was a reason for their imposition of the Coercive Measures. To the contrary, as Qatar has repeatedly stated, it is the conduct of KSA and UAE that violates the spirit of those Agreements, which are dedicated to regional cooperation. Jim Sciutto and Jeremy Herb, *Exclusive: The secret documents that help explain the Qatar crisis*, CNN (11 July 2017), https://www.cnn.com/2017/07/10/politics/secret-documents-qatar-crisis-gulf-Saudi/index.html.

> to free expression and to freely receive and impart information. The demand also represents a clear attempt to interfere in the internal affairs of the countries where these media companies operate—under the guise of demanding that Qatar not interfere in other countries' internal affairs, thereby limiting the diversity of sources for information and views in the region. [14]

18. Qatar was given ten days to respond, with a subsequently-granted 48-hour extension, which had been requested by the Emir of Kuwait.[15] UAE and the other States noted that their "reply w[ould] be sent after studying and evaluating the Qatari Government's response to the complete list of demands."[16]

19. On 5 July 2017, UAE and the other States repackaged their unacceptable demands in the form of six "broad principles" which they claimed were consistent with the nations' international obligations.[17] These principles included a commitment to "[r]efrain from interfering in the internal affairs of States," to comply with measures that UAE claimed to be necessary to combat extremism and terrorism, and to comply with the terms of the secret Riyadh Agreements of 2013 and 2014.[18] But as described herein, UAE's allegations of Qatari support for terrorism—like the false news story planted on the Qatari news service and attributed to Qatar's Emir—are unsupported pretext. Like the previous demands, these principles were a thinly-veiled attempt to cloak an assault on Qatar's sovereignty in the language of diplomacy. UAE's demand that Qatar refrain from "interfering in the internal affairs of States," for example, stood in obvious conflict with its non-negotiable demands

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[14] Joel Simon, *Calls to shutter Qatari media show contempt for press freedom*, Committee to Protect Journalists (28 June 2017), https://cpj.org/2017/06/calls-to-shutter-qatari-media-show-contempt-for-pr.php.

[15] *In response to Amir of Kuwait's request, Saudi Arabia, UAE, Bahrain & Egypt agree to extend the grace period offered to Qatar to 48 hours*, Saudi Press Agency (3 July 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1644914.

[16] Muzamil Bashir, *Saudi Arabia, UAE, Bahrain and Egypt accept Amir of Kuwait's request to extend deadline for Qatar*, Emirates News Agency (3 July 2017), http://wam.ae/en/details/1395302621328.

[17] *See READ: Full joint statement of boycotting countries on Qatar crisis*, AL ARABIYA ENGLISH (5 July 2017), http://english.alarabiya.net/en/News/gulf/2017/07/05/READ-Full-joint-statement-of-boycotting-countries-on-Qatar-crisis.html.

[18] *Id.*

that Qatar conform its own internal affairs to the desires of UAE. Qatar refused to comply with the ultimatum.[19]

20. Qatar nonetheless has made several attempts to reach a diplomatic resolution of this conflict and has requested assistance from other states to this end. Initially, Qatar turned to the Kuwaiti Emir, His Highness Sheikh Sabah al-Ahmad al-Jaber al-Sabah, to act as a neutral mediator. The international community broadly supported Sheikh al-Sabah's involvement. Unfortunately, after three rounds of mediation, Kuwait was unable to broker a resolution.[20]

21. Soon thereafter, during a September 2017 joint press conference with the Kuwaiti Emir, U.S. President Trump offered his assistance.[21] He individually spoke with representatives of Qatar, UAE, and KSA; this led to a telephone conversation between Qatar's Emir, His Highness Sheikh Tamim bin Hamad al-Thani, and Crown Prince Mohammed bin Salman of KSA—their first conversation since the Coercive Measures were imposed.[22] Shortly after the call, KSA accused Qatar of not being "serious" about reaching a resolution, and announced that all communications between the countries would be suspended.[23] But in fact, observers have noted that Qatar clearly acted in good faith, and that at least one cause of KSA's accusation was frustration that Qatari media did not report that it was Qatar that initiated the phone call.[24]

22. During the following month, Kuwait resumed mediation efforts. In response to a call with Kuwaiti Emir al-Sabah, Qatar's foreign ministry issued a statement affirming its readiness

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19 *See Sheikh Tamim: Any talks must respect Qatar sovereignty*, AL JAZEERA (22 July 2017), http://www.aljazeera.com/news/2017/07/sheikh-tamim-talks-respect-qatar-sovereignty-170721184815998.html.

20 Ali Bakeer, *GCC crisis: Why is Kuwaiti mediation not working?*, AL JAZEERA (11 Aug. 2017), http://www.aljazeera.com/indepth/opinion/2017/08/gcc-crisis-kuwaiti-mediation-working-170807093244546.html.

21 *Qatar crisis: Saudi Arabia angered after emir's phone call*, BBC NEWS (9 Sept. 2017), http://www.bbc.com/news/world-middle-east-41209610.

22 *Id.*

23 *Id.*

24 *Id.* UAE's official news agency also reported similar accusations. *See UAE Press: Qatar has distorted details of phone call*, Emirates News Agency (11 Sept. 2017), http://wam.ae/en/details/1395302631624.

for dialogue and calling on its citizens and media outlets to refrain from retaliatory measures.[25] Qatar stated that it "hailed the appeal" made by the Kuwaiti Emir and that it did not seek to "escalate the situation."[26] The statement underscored Qatar's desire to foster dialogue based on mutual respect and its commitment to solidarity and friendship within the GCC.[27]

23. In December 2017, Qatar's Deputy Prime Minister and Minister of Foreign Affairs, His Excellency Sheikh Mohammed bin Abdulrahman al Thani, again reiterated Qatar's commitment to mediation, stating: "We hope that the Gulf crisis will be resolved within the framework of the GCC and under the auspices of the Kuwaiti mediation." He emphasized that Qatar had no intention of internationalizing the crisis and that it remained focused on Kuwait's mediation efforts.[28] In a demonstration of his serious intention to resolve the crisis through dialogue, the Emir of Qatar traveled to the GCC Summit. Qatar and Kuwait were, however, the only countries to send heads of state to attend the meeting; the leaders of UAE, KSA, Bahrain, and the Sultanate of Oman declined to attend and instead broke with long-standing custom by sending ministerial-level representatives.[29] And UAE took the occasion to announce the formation of a new political and military alliance with KSA, rather than to express its solidarity with the entire GCC.[30] The summit

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25 *Qatar commits to Kuwait's mediation on Gulf crisis*, AL JAZEERA (25 Oct. 2017), http://www.aljazeera.com/news/2017/10/qatar-commits-kuwaiti-gcc-mediation-efforts-171025091527276.html.

26 *Id.*

27 *Qatar Highly Appreciates HH the Emir of Kuwait's Speech on Gulf Crisis*, QNA News (24 Oct. 2017), https://news.qna.org.qa/lang/en/w/article/1508870115015409600.

28 *Hope GCC summit will help resolve crisis: FM*, QATAR TRIBUNE (4 Dec. 2017), http://www.qatar-tribune.com/news-details/id/99605.

29 *See* Ahmed Hagagy, *Gulf rulers boycotting Qatar skip annual summit*, REUTERS (5 Dec. 2017), https://www.reuters.com/article/us-gulf-qatar-summit/gulf-rulers-boycotting-qatar-skip-annual-summit-idUSKBN1DZ15U.

30 *See* Patrick Wintour, *UAE announces new Saudi alliance that could reshape Gulf relations*, THE GUARDIAN (5 Dec. 2017), https://www.theguardian.com/world/2017/dec/05/UAE-Saudi-arabia-alliance-gulf-relations-gcc.

was soon adjourned, after only two hours of discussion, although originally it was scheduled to last two days.[31]

24. Since the September phone call, there has been no contact between the leaders of Qatar and the other States. This remains the case despite the international community's continuing interest in resolving the dispute. Recent press reports, for instance, have stated that U.S. President Trump intends to meet with the leaders of KSA, UAE, and Qatar in March and April 2018 to discuss resolution of the Coercive Measures prior to the anticipated GCC Summit in Washington, D.C.[32]

25. UAE has stated that even in the face of this presidential initiative, however, it has no intention of ending the Coercive Measures: "Each of the quartet's 13 demands are non-negotiable and non-divisible and are the bare minimum required to return once more to normalcy between neighbours."[33] Qatar's many good faith efforts to reach a diplomatic resolution of this crisis have been repeatedly rebuffed, the hostile measures of the Four States remain unchecked, and the violation of the human rights of Qatari citizens grows ever more aggravated by the day.[34]

B. Closure of Air, Land, and Sea Borders and Collective Expulsion

26. The Coercive Measures were implemented without warning and with calculated and brutal force. On 5 June 2017, UAE withdrew its ambassador from Qatar and instructed its citizens

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[31] *See* Jon Gambrell, *Two-day Gulf summit ends within hours amid Qatar crisis*, FOX BUSINESS (5 Dec. 2017), http://www.foxbusiness.com/markets/two-day-gulf-summit-ends-within-hours-amid-qatar-crisis.

[32] *See, e.g.*, Jonathan Swan, *Trump to host Arab leaders for sensitive talks*, Axios (24 Feb. 2018), https://www.axios.com/trump-arab-leaders-sensitive-talks-33073439-1f4c-4cc9-bdf4-1d81745a693a.html.

[33] Esraa Ismail and Chris Moran, *UAE Press: Qatar has distorted details of phone call*, Emirates News Agency (11 Sept. 2017), http://wam.ae/en/details/1395302631624. Despite its apparently resolute focus on the 13 demands, statements and conduct by UAE officials betray another motive behind the Coercive Measures. A UAE official has been quoted as saying that the Coercive Measures will not be lifted until Qatar agrees to give up hosting the 2022 FIFA World Cup, *see UAE official urges Qatar to give up World Cup to end crisis*, FOX NEWS (9 Oct. 2017), http://www.foxnews.com/world/2017/10/09/uae-official-urges-qatar-to-give-up-world-cup-to-end-crisis.html), and a financial plan designed to force Qatar to pass the World Cup to another Gulf State was leaked in November 2017, *see Leaked Documents Expose Stunning Plan to Wage Financial War on Qatar – and Steal the World Cup*, The Intercept (9 Nov. 2017), https://theintercept.com/2017/11/09/uae-qatar-oitaba-rowland-banque-havilland-world-cup/.

[34] *See generally* OHCHR Report.

to leave Qatar within 14 days, under the threat of civil penalties or criminal sanctions.[35] UAE issued these directives without concern for the fact that many families in Qatar are "mixed" and composed of both Qatari and Emirati nationals. Qatari nationals were not allowed to travel to UAE with their family members, solely by virtue of their Qatari nationality.[36] UAE citizens who remained in Qatar faced threat of severe civil penalties, including deprivation of their nationality, and criminal sanctions.[37]

27. At the same time, UAE and the other States took steps to isolate Qatar from fellow Gulf countries and the rest of the world, and to isolate their own residents from Qatar.

28. UAE closed its airspace and airports to all Qatari airlines and aircraft.[38] On 30 June 2017, Qatar petitioned the International Civil Aviation Organization ("ICAO") to open international air routes over Gulf waters.[39] On 1 August 2017, shortly before the ICAO convened to announce its decision, UAE and the other States announced, in a victory for Qatar, that they would relax their absolute prohibition against Qatar-registered aircraft in their airspace.[40] Despite this concession, only a week later, UAE General Civil Aviation Authority denied reports that it had in fact opened its airspace to Qatar-registered aircraft.[41] And when Qatar renewed its complaint to the ICAO, the Council declined to engage on the

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35 *Id.* at para. 34.

36 The Saudi Press Agency subsequently stated that the governments of KSA and UAE issued instructions to "take into consideration the humanitarian situations" of Saudi-Qatari and Emirati-Qatari joint families in enforcing the Coercive Measures. *King Orders to Take into Consideration Humanitarian Situations of Saudi-Qatari Joint Families*, Saudi Press Agency (11 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1638960; *UAE President issues directives to address humanitarian cases of Emirati-Qatari joint families*, Saudi Press Agency (11 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1638974.

37 OHCHR Report, para. 34.

38 UAE subsequently announced that non-Qatari airlines could use Emirati airspace to get to and from Qatar, with prior clearance. *UAE General Civil Aviation Authority confirms commitment to prevent all Qatari airlines and aircraft from landing at UAE's airports*, Saudi Press Agency (13 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1639637.

39 *See Qatar to challenge airspace blockade at UN special hearing*, THE NEW ARAB (25 June 2017), https://www.alaraby.co.uk/english/news/2017/6/25/qatar-to-challenge-airspace-Blockade-at-un-special-hearing.

40 *ICAO directive a big victory for Qatar*, GULF TIMES (1 Aug. 2017), http://www.gulf-times.com/story/558593/ICAO-directive-a-big-victory-for-Qatar.

41 *See UAE Denies Opening Airspace to Qatar-Registered Aircraft*, Saudi Press Agency (9 Aug. 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1655289.

basis that it should be addressed in forums other than the ICAO.[42] As a result, Qatar remains surrounded by the airspace of now-hostile nations, greatly limiting the ability of Qatari citizens to travel and forcing all Qatar Airway flights into and out of Hamad International Airport, Qatar's international airport, to navigate through a thin corridor of "open" airspace above Iran.[43]

29. Further, at the direction of their government, all UAE-based airlines ceased providing air service to and from Qatar, and all private and commercial airlines registered in UAE were prohibited from traveling to Qatar, either directly or indirectly.[44] This included Emirates, Etihad, and Flydubai airlines.[45] UAE also closed all Qatar Airways offices in the country.[46]

30. Qatar shares a land border only with KSA. In the past, essential food and medical supplies regularly crossed this border, as did thousands of other goods that were needed to satisfy the needs of the Qatari people. When the Coercive Measures went into effect, this border was closed—a key element of the effort to starve and strangle the Qatari population into submission. Although initially KSA staffed the border with patrols, it then permanently closed the border on 17 November 2017.[47]

31. The remainder of Qatar is bordered by sea. Maritime shipping routes have been drastically impacted by the Coercive Measures. UAE issued a directive informing all ports and shippers within its jurisdiction that UAE ports would no longer accept any vessels

42 *See ICAO refuses to politicize Qatar airspace crisis*, DT NEWS OF BAHRAIN (12 Aug. 2017), http://www.newsofbahrain.com/viewNews.php?ppId=36437&TYPE=Posts&pid=21&MNU=2&SUB=.

43 OHCHR Report, para. 30.

44 *See GACA Bans Qatari Airlines and Aircraft from Landing at Saudi Airports Immediately*, Saudi Press Agency (5 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1637369; *Suspension of flights between Dubai and Doha with effect from 6 June 2017*, Emirates (5 June 2017), https://web.archive.org/web/20170606220356/https:/www.emirates.com/ae/english/about/operational_updates/operational_updates.aspx.

45 *Flydubai to suspend all flights between Dubai and Doha*, Emirates News Agency (5 June 2017), http://wam.ae/en/details/1395302617599; *Emirates suspends flights to and from Qatar*, Emirates News Agency (5 June 2017), http://wam.ae/en/details/1395302617600; *Etihad suspends flights to and from Qatar*, Emirates News Agency (5 June 2017), http://wam.ae/en/details/1395302617604.

46 *General Civil Aviation Authority closes down Qatar Airways offices in UAE*, Emirates News Agency (7 June 2017), http://wam.ae/en/details/1395302617967.

47 OHCHR Report, para. 23.

operating under a Qatari flag or, whatever the flag, owned by Qatari individuals or companies, nor would it allow cargo of Qatari origin to be loaded or unloaded in any UAE port, or otherwise in UAE waters.[48] Perhaps as a result of these logistical difficulties, shippers otherwise uninvolved in the dispute have chosen to suspend shipping into and out of Qatar.[49]

32. Communications have also been severely and immediately impeded. Notwithstanding the fact that it is a signatory to a global postal constitution insuring the uninterrupted delivery of mail between nations,[50] UAE suspended postal service into and out of Qatar, refusing to accept or transfer any mail to or from a Qatari address.[51] It is also thought that telecommunications between Qatar and UAE are being interrupted and that access from the Four States to numerous Qatar-based websites has been blocked from within their borders.[52]

33. When considered collectively, the closures of the KSA land border, UAE seaports, and the airspace over the Four States have cut off the majority of Qatar's traditional access points, not only to the Gulf, but to the region and the world at large. While the government and people of Qatar have sought alternative routes to prevent starvation and other drastic shortages of vital goods and services, the coordinated actions of the Four States were plainly calculated to inflict massive suffering upon the Qatari population.

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48 Dr. Adbullah Salem Alkatheeri, *Subject: Implementation Process of the decision related to Qatar sanctions*, Federal Transport Authority – Land & Maritime (11 June 2017), *available at* http://dpworld.ae/uploads/Circular/English/6461520172I820AM414-Entry%20Restrictions%20to%20All%20Qatar%20Vessels%20and%20C.pdf.

49 *See, e.g.*, *China's COSCO Shipping suspends services to Qatar amid row*, REUTERS (11 June 2017), https://www.reuters.com/article/us-gulf-qatar-shipping/chinas-cosco-shipping-suspends-services-to-qatar-amid-row-idUSKBN19307T; Jonathan Saul, *Evergreen and OOCL suspend Qatar shipping services*, REUTERS (7 June 2017), https://uk.reuters.com/article/uk-gulf-qatar-shipping/evergreen-and-oocl-suspend-qatar-shipping-services-idUKKBN18Y10I.

50 *See* Constitution of the Universal Postal Union (UPU), cmt. to Art. 1 (1 July 1875), http://www.jus.uio.no/english/services/library/treaties/07/7-05/postal-union.xml; Universal Postal Union, *Letter Post Manual*, at H.1, cmt. 171.2 (2013), http://www.upu.int/uploads/tx_sbdownloader/actInFourVolumesLetterPostManualEn.pdf.

51 *Emirates Post Group stops all types of postal services to Qatar*, GULF NEWS (8 June 2017), http://gulfnews.com/news/UAE/government/emirates-post-group-stops-all-types-of-postal-services-to-qatar-1.2040266.

52 OHCHR Report, para. 31.

C. Criminalization of "Sympathy" for Qatar and Incitement of Hate Speech

34. UAE, along with KSA and Bahrain, has promulgated measures criminalizing "sympathizing" with Qatar. On 7 June 2017, the Attorney General of UAE announced that "[s]trict and firm action will be taken against anyone who shows sympathy or any form of bias towards Qatar, or against anyone who objects to the position of the United Arab Emirates, whether it be through the means of social media, or any type of written, visual or verbal form."[53] This "strict and firm action" includes a jail term of up to 15 years and a fine of not less than AED 500,000 (approx. USD 130,000).[54]

Image 1: Caricature from UAE News Agency

35. After having previously blocked Al Jazeera,[55] UAE also blocked the transmission of other Qatari stations and websites, including channels owned by Qatar's beIN Media.[56] These acts and the demand that Qatar shutter Al Jazeera have been condemned by Reporters Without Borders and other human rights groups, who highlight the unjustified and disproportionate impacts on core rights.[57]

36. As part of its broad-based attack on free expression, UAE also has engaged in what has been described by the OHCHR as a "widespread defamation and hatred campaign against Qatar."[58] At least 1,120 press articles and 600 anti-Qatar caricatures were published in

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53 *Tawergha reveals the role of Doha in tearing the Libyans*, @AlBayanNews, Twitter (3 Feb. 2018), https://twitter.com/AlBayanNews/status/960024890589044736.

54 *Qatar crisis: UAE threatens sympathisers with prison*, BBC NEWS (7 June 2017), http://www.bbc.co.uk/news/world-middle-east-40192730; *Qatar sympathisers to face fine, jail*, GULF NEWS (7 June 2017), http://gulfnews.com/news/uae/government/qatar-sympathisers-to-face-fine-jail-1.2039631; *Supporting Qatar on social media a cybercrime, says UAE attorney general*, THE NATIONAL (7 June 2017), https://www.thenational.ae/uae/supporting-qatar-on-social-media-a-cybercrime-says-uae-attorney-general-1.31515.

55 *See Al Jazeera blocked by Saudi Arabia, Qatar blames fake news*, CNN MEDIA (24 May 2017), http://money.cnn.com/2017/05/24/media/al-jazeera-blocked-saudi-arabia-uae/index.html.

56 *See Blocked in Dubai: Qatar cartoon and soccer channels*, CNN MEDIA (8 June 2017) http://money.cnn.com/2017/06/08/media/uae-qatar-media-blocked/index.html; UAE-Measures Relating to Trade in Goods and Services, and Trade-Related Aspects of Intellectual Property Rights—Request for Consultations by Qatar, Doc. No. WT/DS528/1, 4 August 2017.

57 *Unacceptable Call for Al Jazeera's Closure in Gulf Crisis*, Reporters Without Borders (28 June 2017), https://rsf.org/en/news/unacceptable-call-al-jazeeras-closure-gulf-crisis.

58 OHCHR Report, para. 14.

UAE, KSA, and Bahrain between June and October of 2017.[59] As part of this campaign, hundreds of press articles and anti-Qatar caricatures have been, and continue to be, published in UAE, as well as KSA and Bahrain, and popular entertainment programs routinely broadcast anti-Qatar messages.[60] For example, cartoons have appeared in prominent media outlets depicting Qatar as a puppeteer manipulating the marionette of a suicide bomber clad in an explosive belt (*see* Image 1).[61]

37. UAE, in apparent coordination with KSA, Bahrain, and Egypt, has also updated its designated terrorist list to include dozens of individuals, as well as 12 Qatari organizations, that it considers to be "a manifestation of a Qatari government policy of duplicity."[62] In most cases, there appears to have been no meaningful attempts to investigate or substantiate these false claims, or establish any connection to terrorism, before designation. Among those designated, for instance, are internationally-respected humanitarian organizations such as Qatar Charity,[63] which, as of June 2017, had entered into 70 partnership agreements with United Nations organizations, as well as the Bill and Melinda Gates Foundation, to provide various forms of aid to populations in dire need of assistance.[64] Also designated is the Director of Relief and International Development of Qatar Red Crescent.[65] The United Nations has rejected UAE's terrorism designations and continues to work with Qatar Charity and Qatar Red Crescent.[66]

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59 *Id.* at para. 16.

60 *Id.* at paras. 16-17.

61 *Supporting Extremists*, ALBAYAN (15 July 2017), http://www.albayan.ae/one-world/arabs/2017-06-15-1.2978206.

62 *See* Hatem Mohamed, *UAE, Saudi Arabia, Egypt, Bahrain declare details of new terror designations*, Emirates News Agency (25 July 2017), http://wam.ae/en/details/1395302624655; Hatem Mohamed and Tariq Alfaham, *Anti-terror quartet adds two entities, 11 individuals to terrorism lists*, Emirates News Agency (23 Nov. 2017), http://wam.ae/en/details/1395302648918.

63 *Victoria Scott, Qatar charities listed as 'terrorist financiers' by UAE, Saudi Arabia*, DOHA NEWS (10 June 2017), https://dohanews.co/qatar-charities-listed-as-terrorist-financiers-by-uae-saudi-arabia/.

64 *Qatar Charity reveals its record in global tie-ups*, THE PENINSULA QATAR (18 June 2017), https://www.thepeninsulaqatar.com/article/18/06/2017/Qatar-Charity-reveals-its-record-in-global-tie-ups.

65 *Arab countries blockading Qatar expand blacklist*, AL JAZEERA (24 Nov. 2017), https://www.aljazeera.com/news/2017/11/arab-nations-blockading-qatar-expand-blacklist-171123064444413.html.

66 *See Daily Press Briefing by the Office of the Spokesperson for the Secretary-General*, United Nations (9 June 2017), https://www.un.org/press/en/2017/db170609.doc.htm (UN Secretary General Antonio Guterres'

38. Following this mass designation, the Central Bank of the United Arab Emirates ordered banks within UAE to search for and freeze any accounts belonging to the designated individuals or organizations, as well as to "immediately apply enhanced procedures[,]" including enhanced customer due diligence, against Qatari-controlled banks.[67] Reports also indicate that UAE instructed domestic banks to provide details regarding their exposure to Qatari clients, as well as "information about exposure to Qatar through products including equities, bonds, and interbank funds."[68]

39. The purported anti-terrorism aims that UAE has invoked in designating Qatari organizations such as Qatar Charity as "terrorist organizations" have been criticized by human rights observers, which have concluded that these laws are being utilized as tools of oppression that "enable the criminalization of a wide spectrum of acts of peaceful expression, which are viewed by the authorities as endangering 'national unity' or undermining 'the reputation or position of the state.'"[69]

40. UAE has also worked to ostracize Qatar on the international stage. For example, the General Secretariat of the Organization of the Islamic Cooperation—led by a Saudi Arabian Secretary General—has called upon Qatar to honor its commitments to the GCC "particularly with regard to ceasing support for terrorist groups and their activities and

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spokesman, Stéphane Dujarric, stated that "the UN is bound only by… the sanctions lists put together by UN organs such as the Security Council" and is "not bound by any other lists.").

[67] *UAE Central Bank issues instructions for freezing accounts, deposits, investments of designated terrorists, terror organisations*, Emirates News Agency (9 June 2017), http://wam.ae/en/details/1395302618302; *UAE Central Bank Issues 2 Circulars to Banks, on Transactions with Qatari Banks*, Saudi Press Agency (9 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1638735.

[68] *UAE Central Bank Asks for Due Diligence on Qatar Bank Accounts*, BLOOMBERG (11 June 2017), https://www.bloomberg.com/news/articles/2017-06-11/uae-central-bank-asks-for-due-diligence-on-qatar-bank-accounts-j3sbeay0.

[69] Patrick Wintour, *UN accuses Saudi Arabia of using terror laws to suppress free speech*, THE GUARDIAN (4 May 2017), https://www.theguardian.com/world/2017/may/04/un-accuses-saudi-arabia-of-using-terror-laws-to-suppress-free-speech; *UAE: Terrorism Law Threatens Lives, Liberty*, Human Rights Watch (3 Dec. 2014), https://www.hrw.org/news/2014/12/03/uae-terrorism-law-threatens-lives-liberty ("The [UAE's] deeply flawed new counterterrorism law will enable the courts to convict peaceful government critics as terrorists and sentence them to death.").

ending media incitement," without any reference to the conduct of UAE, or the other States, many of which have long-faced such accusations.[70]

D. Effects of the Coercive Measures

41. The Coercive Measures have had a devastating impact on Qatari nationals and families. Without any warning or conceivable justification, these measures have separated young children from parents, husbands from wives, and disrupted families throughout the region. They have arbitrarily and indiscriminately interfered with the most basic elements of daily life for many within Qatar, UAE, and the other States, including their ability to practice their religion, to receive medical care, to obtain an education, and to work and own property in order to provide for themselves and their families—simply because they are Qatari, married to Qataris, the children of Qataris, or otherwise linked to Qatar. Discussed below are just some of the most significant impacts of the Coercive Measures.

1. Disruption of Family Unity

42. Due to relative proximity, shared culture, and previously open borders throughout the Gulf, many Qataris have lived, worked, studied, traveled, married, and raised families in the Four States. Prior to the imposition of the Coercive Measures, over 1,900 Qataris lived in UAE, KSA, and Bahrain, and nearly 14,000 residents of those countries lived in Qatar. As of June 2017, mixed marriages involving Qataris and citizens of UAE, KSA, and Bahrain numbered almost 6,500.[71] As a result of these deep family and social ties, the collective expulsion of Qataris from UAE and the other States, the recall of citizens of those States from Qatar, and the prohibitions or restrictions on entry and travel to all Four States have had a profound impact on mixed-nationality families. Qatar's National Human Rights Committee ("NHRC"), in a report conducted in the months following the imposition of the Coercive Measures, found 620 cases of "family separation" and noted that the "real impact is greater."[72] Similarly, in interviews conducted by Human Rights Watch ("HRW"),

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70 *OIC calls on Qatar to honor its commitments*, EMIRATES NEWS AGENCY (5 June 2017), http://wam.ae/en/details/1395302617684.

71 *100 Days Under the Blockade: NHRC Third report on human rights violations caused by the blockade imposed on the state of Qatar*, National Human Rights Committee (hereinafter "NHRC Third Report"), at 19.

72 *Id.* at 5.

almost half of the Qatari, Saudi, and Bahraini individuals interviewed (22 of 50) reported that the travel restrictions had cut them off from immediate family members.[73] Many have reported complying out of fear of imprisonment or other liberty-denying reprisal, even though their painful choice often meant abandoning spouses or children.[74]

43. The Coercive Measures have had an especially detrimental impact on children born in Qatar to Qatari mothers and Emirati fathers, as nationality is passed from the child's father. Those parents have been unable to secure or renew national identification documents for their children as long as they remain in Qatar, because UAE has withdrawn its embassy from Qatar.[75] Instead, fathers cannot obtain passports without taking their children to UAE—leaving them with a choice of, on the one hand, the risk of indefinite separation from their Qatari mothers, and on the other, *de facto* statelessness.[76]

44. Although UAE announced that it would take into consideration the humanitarian situation of "mixed" families, the so-called "reform" is cosmetic. Both the UN High Commissioner on Human Rights and Amnesty International have reported that these measures have largely been ineffective, and that in some cases individuals have not resorted to them for fear of reprisals.[77] HRW reports that only 12 of the 50 Gulf nationals they interviewed had attempted to use "hotlines," purportedly created for the purpose of providing humanitarian accommodation. Only two of these 12 said that they had obtained permission to live in

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73 *Gulf Crisis Shows How Discrimination in Saudi Arabia, Bahrain, UAE, and Qatar Tears Families Apart*, Human Rights Watch (21 July 2017), https://www.hrw.org/news/2017/07/21/gulf-crisis-shows-how-discrimination-saudi-arabia-bahrain-uae-and-qatar-tears.

74 *See, e.g.*, Sudarsan Raghavan, *How the showdown in Qatar is ripping families apart*, THE WASHINGTON POST (13 June 2017), https://www.washingtonpost.com/world/middle_east/how-the-showdown-over-qatar-is-ripping-families-apart/2017/06/13/45534d1c-4f7f-11e7-b74c-0d2785d3083d_story.html?utm_term=.41ed827b2e89; John Elmes, *Gulf education hub 'irreparably damaged' by Qatar crisis*, TIMES HIGHER EDUCATION (7 June 2017), https://www.timeshighereducation.com/news/gulf-education-hub-irreparably-damaged-qatar-crisis.

75 *Qatar: Isolation Causing Rights Abuses*, Human Rights Watch (12 July 2017), https://www.hrw.org/news/2017/07/13/qatar-isolation-causing-rights-abuses.

76 *Id.*

77 Press Release, Qatar diplomatic crisis: Comment by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein on impact on human rights, OHCHR (14 June 2017), http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21739&LangID=E.

Qatar.[78] The remainder said that they did not think they would receive permission to travel back and forth, or that they were worried that the "hotlines" were simply intended to collect information on those citizens who had refused to return to or from Qatar.[79] Overall, it is clear that these measures have been "clearly insufficient to address the human rights impact."[80]

2. Interference with Medical Treatment

45. No exceptions to UAE's restrictions on travel and movement have been made for persons who need to receive essential medical treatment. As a result, Qataris requiring medical attention in UAE that is not available in Qatar have been denied necessary care.

46. In addition, the restrictions on ports and shipping have affected Qatar's access to medicines and medical supplies, the majority of which previously came from suppliers in other Gulf States. Before 5 June 2017, 50 to 60 percent of Qatar's pharmaceutical stock came from supply companies in Gulf countries, and most of the international pharmaceutical companies that historically traded with Qatar are based in UAE.[81] While the Qatari government has thus far been able to cover the increased cost of importing these materials from other suppliers, the Ministry of Health reported that it was still seeking alternatives for 276 medicines formerly shipped from Gulf States.[82]

3. Interference with Education

47. The Coercive Measures have resulted in universities expelling or dropping students from class registration, refusing to refund registration and other fees, and refusing to grant

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78 *Qatar: Isolation Causing Rights Abuses*, Human Rights Watch (12 July 2017), https://www.hrw.org/news/2017/07/13/qatar-isolation-causing-rights-abuses.

79 *Id.*

80 *Gulf/Qatar dispute: Human Dignity Trampled and Families facing uncertainty as sinister deadline passes*, Amnesty International (19 June 2017), https://www.amnesty.org/en/latest/news/2017/06/gulf-qatar-dispute-human-dignity-trampled-and-families-facing-uncertainty-as-sinister-deadline-passes/.

81 Barbara Bibbo, *Euro-med urges GCC countries to lift Qatar Blockade*, AL JAZEERA (24 Jan. 2018), http://www.aljazeera.com/news/2018/01/euro-med-urges-gcc-countries-lift-qatar-blockade-180124190054488.html.

82 OHCHR Report, para. 47.

students access to educational records, thereby undermining the education of Qataris studying in universities in the Four States. [83]

48. Over 4,000 Qatari students studied alongside peers at universities in the Four States; similarly, thousands of students from these states attended schools and universities in Qatar.[84] Universities in the Four States, including UAE, summarily withdrew Qatari students from courses and told them to return to Qatar.[85]

49. For these students, the ability to transfer to another institution outside of UAE or the other States is not guaranteed: the Ministry of Education of Qatar estimates that over 200 Qatari students have been unable to transfer in order to pursue their studies for a range of reasons.[86] Many students who were enrolled in universities in UAE were unable to obtain their transcripts, which made it difficult to transfer to new institutions because they could not produce sufficient evidence of their previous studies.[87] Other students were unable to transfer because their schools had different credit systems than Qatari universities, or because their specializations were not available at any Qatari schools.[88] Students have also reported that they were unable to take their final exams, graduation certificates were withheld, educational accounts were closed, and school registrations were terminated

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83 *See generally Educational Institutions in the Countries of the Blockade are Improper Educational Destination,* National Human Rights Committee; *Qatar: Isolation Causing Rights Abuses*, Human Rights Watch (12 July 2017), https://www.hrw.org/news/2017/07/13/qatar-isolation-causing-rights-abuses; OHCHR Report, paras. 50-53.

84 NHRC Third Report, at 19; OHCHR Report, para. 13.

85 NHRC Third Report, at 6. As of September 2017, the NHRC reported 213 cases of interference with the right to education in KSA, UAE, and Bahrain, and as of December 2017, the NHRC had received 268 complaints regarding interference with the right to education in Egypt. *See id.* These figures vastly understate the actual impact of the Coercive Measures, as they rely on self-reporting by affected individuals, many of whom fear reprisal. *Report of the NHRC on Violations of the Right to Private Property due to the Siege Imposed on the State of Qatar*, National Human Rights Committee, (5 Dec. 2017) (hereinafter "NHRC Fourth Report"), at 8.

86 *See With a Blockade deadline looming, families in Qatar face a tough choice: Stay or go?*, LOS ANGELES TIMES (19 June 2017), http://www.latimes.com/world/middleeast/la-fg-qatar-blockade-20170619-story.html.

87 OHCHR Report, para. 52.

88 *Id.* at para. 53.

without reason.[89] Others were unable to get fully reimbursed for their prior tuition payments, further constraining their ability to pursue a degree elsewhere.

4. Other Effects

50. In addition to the above violations of basic human rights, the Four States also advanced or condoned measures against property held by Qataris, including freezing assets of Qatari nationals and limiting financial transfers to citizens or residents of Qatar.[90] As of September 2017, the NHRC identified 1,050 claims relating to interference with property,[91] and by November 2017 Qatar's Compensation Claims Committee documented 1,900 cases related to property rights.[92] These include Qataris prevented from accessing real property in those countries,[93] Qataris whose businesses depend on long-term agreements importing and exporting goods between Qatar and its neighbors,[94] and Qataris who are unable to manage assets located in the Four States.

51. The Coercive Measures, and in particular the collective expulsion of Qataris and the travel and entry bans and restrictions, have also had debilitating effects on the large number of Qataris that work or own businesses in UAE. As of September 2017, Qatar's NHRC reported no fewer than 112 complaints of interference with the right to work in KSA, UAE, and Bahrain.[95] The measures have also deeply affected non-Gulf citizen workers with Qatari residency, many of whom work and reside in UAE and have been displaced following the expulsion of their Qatari sponsors from UAE.[96] UAE's actions strike at the

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[89] *UNESCO receives Qatari students' violation report*, AL JAZEERA (7 July 2017), http://www.aljazeera.com/news/2017/07/unesco-receives-qatari-students-violation-report-170707143000226.html.

[90] *See* NHRC Fourth Report, at 12 and 13.

[91] *See* NHRC Third Report, at 9.

[92] OHCHR Report, para. 39.

[93] *Id.*

[94] *Id.*

[95] NHRC Third Report, at 7.

[96] *Id.* at 9; *Qatar: Isolation Causing Rights Abuses*, Human Rights Watch (12 July 2017), https://www.hrw.org/news/2017/07/13/qatar-isolation-causing-rights-abuses.

very core of human rights protections, and in particular, the protection against discrimination under the CERD.

E. International Condemnation of UAE's Actions and Qatar's Response

52. Shortly after the imposition of the Coercive Measures, the United Nations High Commissioner for Human Rights, Zeid R'ad Al Hussein, stated that he was "alarmed" by the possible human rights impact of the Coercive Measures and their "potential to seriously disrupt the lives of thousands of women, children and men," as well as "extremely troubled" by the criminalization of expressing sympathy for Qatar.[97] In November 2017, the High Commissioner dispatched a technical mission to Qatar, with a mandate to gather information on the Coercive Measures' detrimental impacts on human rights and provide recommendations. The UN Mission found that the Coercive Measures have had significant negative effects on the enjoyment of fundamental human rights in the region, including the rights to freedom of expression, family life, health, and education.[98]

53. HRW has issued several reports on the Coercive Measures and has concluded that the isolation of Qatar by its neighbors "is precipitating serious human rights violations" including "infringing on the right to free expression, separating families, interrupting medical care . . . interrupting education, and stranding migrant workers without food or water."[99] Amnesty International similarly concluded that the "arbitrary measures" taken against Qatar have resulted in "thousands of people in the Gulf fac[ing] the prospect of their lives being further disrupted and their families torn apart."[100]

54. Notwithstanding the cyberattack and the full-scale, premeditated and deliberate assault on Qatar's sovereignty, Qatar has declined to respond with like-for-like conduct. Instead, it

[97] Press Release, Qatar diplomatic crisis: Comment by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein on impact on human rights, OHCHR (14 June 2017), http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21739&LangID=E.

[98] *See* OHCHR Report.

[99] *Qatar: Isolation Causing Rights Abuses*, Human Rights Watch (12 July 2017), https://www.hrw.org/news/2017/07/13/qatar-isolation-causing-rights-abuses.

[100] *Gulf/Qatar dispute: Human Dignity Trampled and Families facing uncertainty as sinister deadline passes*, Amnesty International (19 June 2017), https://www.amnesty.org/en/latest/news/2017/06/gulf-qatar-dispute-human-dignity-trampled-and-families-facing-uncertainty-as-sinister-deadline-passes/.

has urged its residents to remain neutral and to treat with dignity the nationals who have remained in Qatar with the authorization of the Qatari government. In fact, the State has sought to alleviate the potential harm to the many UAE nationals who wish to remain in Qatar by lessening residency permit requirements, since many nationals of UAE cannot obtain renewals of their passports.[101] At the same time, Qatar has worked to minimize the impact of the Four States' discriminatory conduct on Qataris. For example, Qatar established a Compensation Claims Committee to review claims by Qatari individuals and businesses that have been financially harmed by the Coercive Measures.[102] Similarly, the NHRC has worked assiduously to identify and meet with individuals harmed by the Coercive Measures and to cooperate with international bodies, including the OHCHR, to document and, where possible, mitigate the ongoing human rights violations resulting from the Four States' conduct.[103]

55. Without minimizing the ongoing violations of the other States' treaty obligations, it is UAE's conduct that is the focus of this Communication and that forms the basis for the relief requested.[104]

III. UAE'S VIOLATIONS OF THE CERD

56. The CERD was drafted in the wake of recognition by the UN General Assembly of "consistent condemnation by the United Nations of 'the manifestations of racial and national hatred'" around the world.[105] Draft resolutions, among other things, referred to "the education of public opinion with a view to the eradication of . . . national and religious

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101 Alaa Shahine and Nafeesa Syeed, *Game-Changing Qatar Law to Grant Expats Permanent Residency*, BLOOMBERG (2 Aug. 2017), https://www.bloomberg.com/news/articles/2017-08-02/qatar-passes-landmark-law-to-grant-permanent-residency-to-expats.

102 *See* Website: Compensation Claims Committee, http://www.qccc.qa.

103 *See* Website: National Human Rights Committee, http://nhrc-qa.org/en/.

104 While attempts have been made to mitigate the harm caused by the Coercive Measures—and, indeed, Qatar has expended great effort and cost to do so—this fact does not obviate the need for the relief requested in this Communication. The Qatari citizenry and the other affected nationals have attempted to overcome the challenges of the Coercive Measures with stoicism and dignity. Their strength of character in this regard does nothing, sadly, to undo the plainly discriminatory character of the human rights violations about which Qatar complains herein.

105 Patrick Thornberry, *The International Convention on the Elimination of All Forms of Racial Discrimination: A Commentary*, at 24 (2016); *see also* UNGA Resolution 1510 (XV) of 12 December 1960.

intolerance" and called on governments to "take all possible steps" to combat such prejudice.[106] The obligations expounded in the CERD are based on widespread recognition by the international community that racial discrimination violates fundamental human rights, including those rights enumerated in the Universal Declaration of Human Rights.

57. UAE has violated its obligations under (*inter alia*) CERD Articles 2, 4, 5, and 6, as well as the moral principles underlying the CERD and the customary law principle of nondiscrimination on arbitrary grounds. UAE's actions contravene the negative and positive aspects of its obligations under the Convention. Not only has it failed to enact measures to prevent, prohibit, and criminalize racial discrimination, but—extraordinarily for a signatory State—UAE has actively promoted and engaged in racial discrimination and criminalized actions intended to benefit Qataris.

58. In imposing the Coercive Measures, UAE has unlawfully targeted Qatari citizens solely on the basis of their nationality. There can be no legitimate justification for the actions taken, and the blanket nature of these measures—imposed without any individualized hearing or consideration—belies any argument that they were proportionate to a legitimate aim.

A. General Framework: Prohibition on Racial Discrimination

59. CERD Article 1(1) defines "racial discrimination" as "*any distinction, exclusion, restriction or preference* based on race, colour, descent, or national or ethnic origin which has the *purpose or effect* of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life."[107]

60. While Article 1(2) allows States Parties some discretion in applying distinctions between citizens and non-citizens, the Committee has emphasized that this discretion "should not be interpreted to detract in any way from the rights and freedoms recognized and enunciated in particular in the Universal Declaration of Human Rights, the International

[106] Patrick Thornberry, *The International Convention on the Elimination of All Forms of Racial Discrimination: A Commentary*, at 25-28 (2016).

[107] UN General Assembly, International Convention on the Elimination of All Forms of Racial Discrimination (21 Dec. 1965), Art. 1(1) (emphasis added) (hereinafter "CERD").

Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights."[108] Further, many of the rights and freedoms enumerated in the Convention "are to be enjoyed by all persons living in a given State."[109]

61. Importantly, Article 1(2) does not permit States Parties to distinguish between different groups of non-citizens.[110] Under the CERD, such differential treatment constitutes prohibited discrimination "if the criteria for such differentiation, judged in the light of the objectives and purposes of the Convention, are not applied pursuant to a legitimate aim, and are not proportional to the achievement of this aim."[111] Any distinctions that do not qualify under these criteria are an arbitrary and illegitimate misuse of the discretion afforded to States under Article 1(2). The arbitrariness of the Coercive Measures implemented by UAE against Qatari nationals is informed by the fact that the measures do not apply to other non-citizens of UAE who are subject to its jurisdiction.[112] It cannot be plausibly argued that these measures are proportionate to any legitimate aim.

62. Article 2 outlines the Convention's core obligations and principles. Among the duties of States Parties enumerated in Article 2(1) is the specific obligation "to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation." UAE has directly contravened this obligation by enacting broad-based measures targeting all Qatari nationals and encouraging citizens and institutions of UAE to do the same.

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108 CERD Committee, General Recommendation XXX (2004), para. 2; *see also* CERD, Art. 1(2).

109 CERD Committee, General Recommendation XX (1996), para. 3.

110 *See generally* CERD Committee, General Recommendation XXX (2004).

111 *Id.* at para. 4.

112 *See, e.g., Diop v. France*, Comm. 2/1989, U.N. Doc. A/46/18, at 124, 130 (1991) (Finding no CERD violation based on France's refusal to admit a Senegalese national to French bar, where said refusal "was based on the fact that he was not of French nationality, not on any of the grounds enumerated in article 1, paragraph 1," and the allegedly discriminatory provision, which provided that "no one may accede to the legal profession if he is not French," "operates as a preference or distinction between citizens and non-citizens within the meaning of article 1, paragraph 2" of the CERD); *c.f. LG v. Republic of Korea*, CERD/C/86/D/51/2012 (2015), para. 7.4 (finding that Korea had violated the CERD because it failed to take effective action following a complaint of racial discrimination relating to policy targeting certain non-citizens working in the State, where the determining factor in applying the policy was ethnicity rather than non-citizenship).

63. The Committee has explained that States Parties to the Convention are required to "*prohibit and eliminate* racial discrimination in the enjoyment of civil, political, economic, social and cultural rights."[113] States Parties must also *take affirmative actions* to "encourage . . . integrationist multiracial organizations" and "other means of eliminating barriers between races[.]"[114] Under Article 2(1) of the CERD, UAE is under an obligation to "pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races[.]"[115] To this end, UAE is obliged to, *inter alia*: (*i*) refrain from and prevent racial discrimination; (*ii*) amend, rescind, or nullify laws and regulations with discriminatory effects; and (*iii*) encourage integration. As elaborated further below, UAE has not only failed to fulfill these obligations, but it has acted in direct contravention of them. UAE's enactment of blatantly discriminatory measures against Qataris is a clear violation of the CERD.[116]

B. Collective Expulsion

1. Prohibition on Collective Expulsion

64. The Committee has made clear that collective expulsion on the basis of nationality or ethnicity violates rights to non-discrimination under the Convention and international law.

65. In August 2004, the Committee adopted General Recommendation XXX on Discrimination Against Non Citizens ("General Recommendation XXX"). Among others, the principles and recommendations articulated therein require that acceding States:

i) Ensure that immigration policies do not have the effect of discriminating against persons on the basis of race, colour, descent, or national or ethnic origin;[117]

113 CERD Committee, General Recommendation XXX (2004). para. 3 (referencing CERD Art. 5) (emphasis added).

114 CERD, Art. 2.1(e).

115 *Id.*

116 While UAE can be expected to argue that this dispute is "political" in character, and thus unsuitable for this Committee to resolve, such an argument is misguided. Disputes between States inevitably involve a political dimension, and it is squarely within the Committee's competence to address the Coercive Measures' discriminatory and devastating impact on the human rights of Qatari nationals and families, as well as nationals of UAE and of other States.

117 CERD Committee, General Recommendation XXX (2004), para. 9.

ii). Ensure that any measures taken in the fight against terrorism do not discriminate, in purpose or effect, on the grounds of race, colour, descent, or national or ethnic origin and that non-citizens are not subjected to racial or ethnic profiling or stereotyping;[118]

iii) Ensure that laws concerning deportation or other forms of removal of non-citizens from the jurisdiction of the State party do not discriminate in purpose or effect among non-citizens on the basis of race, colour, or ethnic or national origin, and that non-citizens have equal access to effective remedies, including the right to challenge expulsion orders, and are allowed effectively to pursue such remedies;[119]

iv). Ensure that non-citizens are not subject to collective expulsion, in particular in situations where there are insufficient guarantees that the personal circumstances of each of the persons concerned have been taken into account;[120]

v) Avoid expulsions of non-citizens, especially of long-term residents, that would result in disproportionate interference with the right to family life.[121]

66. The Committee has brought General Recommendation XXX to the attention of States engaged in acts of collective expulsion or repatriation on multiple occasions. In December 2017, the Committee noted its concern over reports of collective expulsion in Algeria and, taking into account General Recommendation XXX, recommended that the State "[p]ut an end to collective expulsion procedures" and "conduct a case by case examination of the situation of persons susceptible to expulsion[.]"[122] Similarly, the Committee recommended in 2008 that the Dominican Republic "[a]void the expulsion of non-citizens, especially of long-term residents, that would result in disproportionate interference with the right to family life[.]"[123] In 2005, the Committee noted with concern that in 2003, after

118 *Id.* at para. 10.

119 *Id.* at para. 25.

120 *Id.* at para. 26.

121 *Id.* at para. 28.

122 CERD Committee, Final Observations on the combined 20th and 21st periodic reports of Algeria, CERD/C/DZA/CO/20-21 (21 December 2017), para. 20 (unofficial translation).

123 Report of the CERD on its Seventy-second and Seventy-third Sessions, U.N. Doc. A/63/18 (2008), para. 110.

Turkmenistan repealed a bilateral agreement with Russia regarding dual citizenship, individuals in the country that elected Russian citizenship were "allegedly required to leave the country rapidly."[124]

67. The International Court of Justice ("ICJ") has also acknowledged that mass expulsion based on ethnicity or nationality implicates the CERD. In *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, the ICJ issued an order for provisional measures in response to assertions that ethnic Georgians had been expelled from areas under Russian control.[125] The Order called on both parties to "(*1*) refrain from any act of racial discrimination against persons, groups of persons or institutions; (*2*) abstain from sponsoring, defending or supporting racial discrimination by any persons or organizations, (*3*) do all in their power, whenever and wherever possible, to ensure, without distinction as to national or ethnic origin, (*i*) security of persons; (*ii*) the right of persons to freedom of movement and residence within the border of the State; (*iii*) the protection of the property of displaced persons and of refugees; (*4*) do all in their power to ensure that public authorities and public institutions under their control or influence do not engage in acts of racial discrimination against persons, groups of persons or institutions."[126]

68. Other human rights instruments also prohibit collective expulsion on the basis of nationality using similar language to that of the CERD. Interpreting those instruments, judicial bodies have found that such mass expulsions, particularly when implemented without reasonable consideration of individual circumstances, violate provisions of those

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124 Report of the CERD on its Sixty-sixth and Sixty-seventh Sessions, U.N. Doc. A/60/18(SUPP) (2005), para. 322.

125 The ICJ later issued a Judgment finding that certain procedural preconditions outlined in Article 22 of the CERD had not been met, meaning that the Court did not have jurisdiction to proceed to the merits of the dispute. It noted, however, that while the Order for provisional measures was no longer operative, "[t]he Parties are under a duty to comply with their obligations under CERD, of which they were reminded in that Order." *Application of the International Convention on the Elimination of all Forms of Racial Discrimination (Georgia v. Russia Federation)*, Preliminary Objections Judgment (1 Apr. 2011), para. 186.

126 *Application of the International Convention on the Elimination of all Forms of Racial Discrimination (Georgia v. Russia Federation)*, Provisional Measures, Order of 15 October 2008, I.C.J. Rep. 2008, 353.

instruments.[127] For example, the Arab Charter on Human Rights, to which Qatar and UAE are both parties, prohibits collective expulsion "under all circumstances."[128] In addition, Article 4 of Protocol 4 to the European Convention on Human Rights expressly prohibits the collective expulsion of aliens.[129] The European Court of Human Rights ("ECtHR") has found a violation of this provision in six cases, four of which involved expulsion of non-citizens on the basis of nationality or ethnic origin.[130]

69. Article 22(9) of the American Convention on Human Rights also expressly prohibits collective expulsion of aliens. The Inter-American Court of Human Rights ("IACtHR") has considered the issue of mass expulsion in a series of cases involving the deportation of Haitian nationals from the Dominican Republic.[131] Looking to human rights instruments including the International Covenant on Civil and Political Rights, General Comments of the Human Rights Committee, and the International Law Commission's draft articles on the protection of the human rights of persons expelled or in the process of being expelled, the IACtHR determined that all expulsions of aliens must adhere to certain minimum standards. In addition to finding that expulsion proceedings must not discriminate for reasons of nationality, race, language, political opinion, social origin or other condition,

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[127] A number of human rights instruments embody the same international law principles enumerated in the CERD. The decisions of human rights courts analyzing these instruments are thus relevant to interpretation and application of the CERD to the extent that they consider the same underlying principles. As the International Court of Justice explained in *Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)*, "[a]lthough the Court is in no way obliged, in the exercise of its judicial functions, to model its own interpretation of the [International Covenant on Civil and Political Rights] on that of the [Human Rights Committee], it believes that it should ascribe great weight to the interpretation adopted by this independent body that was established specifically to supervise the application of that treaty. The point here is to achieve the necessary clarity and the essential consistency of international law, as well as legal security, to which both the individuals with guaranteed rights and the States obliged to comply with treaty obligations are entitled." *Id.* at paras. 66-67.

[128] League of Arab States, Arab Charter on Human Rights, May 22, 2004, *entered into force* March 15, 2008, art. 26(2).

[129] "The core purpose of this Article is to prevent States from being able to remove a certain number of aliens without examining their personal circumstances and, consequently, without enabling them to put forward their arguments against the measure taken by the relevant authority." European Court of Human Rights, *Guide on Article 4 of Protocol No. 4 to the European Convention on Human Rights*, para. 2 (30 Apr. 2017).

[130] *Id.*; *see also Čonka v. Belgium*, App. No. 51564/99 (5 February 2002); *Georgia v. Russia*, App. No. 13255/07 (3 July 2014); *Shioshvili and Others v. Russia*, App. No. 19356/07 (20 Dec. 2016); *Berdzenishvili and Others v. Russia*, App. Nos. 14594/07, 14597/07, 14976/07, 14978/07, 15221/07, 16369/07 and 16706/07 (20 Dec. 2016).

[131] *See, e.g.*, *Case of Expelled Dominicans and Haitians v. Dominican Republic*, Judgment of Aug. 28 2014.

the IACtHR outlined the following procedural guarantees: (*i*) formal notice of the reasons for expulsion or deportation, including information about the migrant's rights; (*ii*) the right to appeal an unfavorable decision; and (*iii*) formal legal notice of the eventual expulsion decision, "which must be duly reasoned pursuant to the law."[132] The IACtHR further noted that the State "must seek to achieve a legitimate purpose pursuant to the Convention, and it must be suitable, necessary and proportionate."[133] To achieve this balance, a State must "analyze the particular circumstances of each case[.]"[134]

2. UAE's Violations of the Prohibition on Collective Expulsion

70. On 5 June 2017, UAE published an official statement giving Qatari nationals living in UAE 14 days to leave the country, prohibiting Qatari nationals from entering into or passing through its territory, and recalling its citizens from Qatar.[135]

71. These measures clearly violate the CERD's prohibition on discrimination based on national origin, including discrimination against non-citizens encompassed in General Recommendation XXX. In particular:

i) The expulsion of Qataris from UAE and the prohibition of entry of Qataris into UAE discriminates against Qataris on the sole basis of their national origin;[136]

ii) Although UAE has attempted to justify the ban as an effort to fight terrorism (an allegation that is demonstrably false),[137] the expulsion and prohibition of entry of

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132 *Id.* at para. 356.

133 *Id.* at para. 357.

134 *Id.*

135 *United Arab Emirates severs relations with Qatar*, Saudi Press Agency (5 June 2017), http://www.spa.gov.sa/viewstory.php?lang=en&newsid=1637351.

136 CERD Committee, General Recommendation XXX (2004), para. 9.

137 *See, e.g., US praises Qatar's fight against terrorism and calls for blockade to be lifted*, MIDDLE EAST MONITOR (22 July 2017), https://www.middleeastmonitor.com/20170722-us-praises-qatars-fight-against-terrorism-and-calls-for-blockade-to-be-lifted/; Robert Windrem and William M. Arkin, *Who Planted the Fake News at Center of Qatar Crisis*, NBC NEWS (18 July 2017), https://www.nbcnews.com/news/world/who-planted-fake-news-center-qatar-crisis-n784056 (noting confirmation by U.S. and Qatari officials that statements allegedly made by the Emir of Qatar were false and likely planted by hackers working for UAE); Qatar Embassy in Washington Press Release, "*Qatar regrets the decision by Saudi Arabia, the United Arab Emirates and Bahrain to sever relations*" (6 June 2017), http://washington.embassy.qa/en/news/detail/2017/06/07/qatar-regrets-the-decision-by-saudi-arabia-the-united-arab-emirates-and-bahrain-to-sever-relations (expressing "deep regret over the decision of Saudi

all Qataris on the sole basis of their national origin without any individualized threat assessment, constitutes unlawful profiling or stereotyping.[138] This blanket expulsion is a disproportionate response to a wholly unsubstantiated threat;

iii) UAE authorities expelled Qatari residents with no consideration of the personal circumstances of each individual;[139] and

iv) Qataris have been afforded neither the right to challenge the expulsion order, nor any other right to an effective remedy, by UAE authorities.[140]

72. The blanket expulsion and the entry ban imposed by UAE on all Qataris on the express and sole basis of their nationality is a blatant violation of the prohibition of collective expulsion under the CERD.

C. Discriminatory Interference with Protected Rights

1. Obligation to Guarantee the Right of Equality before the Law in the Enjoyment of Rights

73. The chapeau to Article 5 of the CERD acknowledges that the rights enumerated therein are linked "with the fundamental obligations laid down in article 2 of [the] Convention." Article 5, referring to Article 2, not only requires that States Parties prohibit racial discrimination, but also that they "undertake to . . . eliminate racial decimation in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment" of human rights. These rights include:

i) The right to marriage and choice of spouse;[141]

Arabia, the United Arab Emirates and the Kingdom of Bahrain to close their borders and airspace and cut off diplomatic relations," and calling such measures "unjustified" and "based on baseless and unfounded allegations.").

138 CERD Committee, General Recommendation XXX (2004), para. 10.

139 *Id.* at para. 26.

140 *Id.* at para. 25.

141 CERD, Art. 5(d)(iv).

ii) The right to freedom of opinion and expression;[142]

iii) The right to public health, medical care, social security and social services;[143]

iv) The right to education and training;[144]

v) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;[145]

vi) The right to own property alone as well as in association with others;[146] and

vii) The right to equal treatment before the tribunals and all other organs administering justice.[147]

As the Committee confirms in General Recommendation XXX, these rights are granted equally to non-citizens.[148]

2. UAE's Discriminatory Interference with Protected Rights

74. By enacting and enforcing the Coercive Measures, UAE has violated a number of the human rights protections recognized under international law and enumerated in Article 5 of the CERD, and has interfered with the rights of Qatari nationals.

a. Violations of the Right to Marriage and Choice of Spouse

75. In forcing family separation by expelling Qatari nationals, recalling UAE citizens from Qatar, and prohibiting Emiratis from traveling to Qatar, UAE has unlawfully interfered with the rights to marriage and family life.

142 *Id.* Art. 5(d)(viii).

143 *Id.* Art. 5(e)(iv).

144 *Id.* Art. 5(e)(v).

145 *Id.* Art. 5(e)(i).

146 *Id.* Art. 5(d)(v).

147 *Id.* Art. 5(a).

148 *See* CERD Committee, General Recommendation XXX (2004), paras. 29-38.

76. The CERD protects the right of individuals to marry (and be married) without discriminatory treatment in relation to the exercise and enjoyment of that right.[149] This right (and other associated rights, such as the right to privacy within the family) is enshrined in various other treaties and agreements to which UAE is State Party.[150] These rights are an essential foundation for other rights, including those enumerated in the Convention on the Rights of the Child. That Convention requires States Parties to ensure children are protected from discrimination or punishment on the basis of their parent's status;[151] that children are not separated from their parents against their will;[152] that parents and children have the right to enter and leave their own country and applications for family reunification be dealt with in a "positive, humane and expeditious manner."[153]

77. The expulsion and travel bans imposed by UAE have drastically undermined these rights. As human rights leaders have observed, the Coercive Measures have had "a brutal effect, splitting children from parents and husbands from wives."[154] Zeid R'ad Al Hussein, the United Nations High Commissioner for Human Rights, was "alarmed" by the possible human rights impact of the Coercive Measures, particularly for couples in mixed marriages and their children.[155]

78. For example, H. and his Emirati wife were expecting their second child, and hoped to give birth to the child in UAE. Because their family contains Qataris and Emiratis—including their first child, who is Qatari—the mother and unborn child could not go to UAE without

149 CERD, Art. 5(d)(iv).

150 *See, e.g.*, League of Arab States, Arab Charter on Human Rights, May 22, 2004, *entered into force* March 15, 2008, art. 17; 38, 39.

151 UN General Assembly, Convention on the Rights of the Child (CRC) (20 Nov. 1989, ratified by UAE on 3 Jan. 1997), Art. 2.

152 *Id.* Art 9.

153 *Id.* Art. 10.

154 *Qatar's blockade in 2017, day by day developments*, AL JAZEERA, (18 Feb. 2018), http://www.aljazeera.com/news/2017/10/qatar-crisis-developments-october-21-171022153053754.html.

155 Press Release, Qatar diplomatic crisis: Comment by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein on impact on human rights, OHCHR (14 June 2017), http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21739&LangID=E.

separating their family.[156] Because of the nature of the Coercive Measures, the separation could be indefinite. Similarly, S.A. is a Qatari citizen who had been living in UAE. Prior to UAE's collective expulsion of Qatari nationals, she had traveled to Qatar to embark on the religious rite of Umrah with her Qatari family. KSA, however, deprived her of the right to embark on the pilgrimage. At the same time, UAE announced she could no longer return to her home in UAE. As a result, she has been separated from her four Emirati children.[157]

79. According to the NHRC, at least 78 families have been separated by UAE's discriminatory measures.[158] The NHRC reported to the OHCHR that it received a large number of calls immediately after the institution of the Coercive Measures from women who were afraid they would not be able to apply for the renewal of their national passport and Qatar residence identification, and feared being expelled from Qatar or compelled to return to their country of origin, thus being separated from their husband and children.[159] There have been reports of people who have gone into hiding to remain with their families, thus breaching the laws of their own countries and risking punishment in the form of heavy fines, travel prohibitions, or even the loss of citizenship, which would, of course, render these individuals stateless.[160]

80. As summarized by the OHCHR Report, "[t]he decision of 5 June has led to cases of temporary or potentially durable separation of families across the countries concerned, which has caused psychological distress as well as some difficulties for some individuals to economically support their relatives left in Qatar or the other countries."[161]

81. Clearly aware of the need to manage public revulsion against the practice of dividing families, on 11 June 2017, President Sheikh Khalifa bin Zayed Al Nahyan directed Emirati

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156 NHRC Third Report, at 5. All of the individual accounts included in this Communication have been anonymized for the privacy of the harmed individuals.

157 *Id.*

158 *Id.* at 4.

159 OHCHR Report, para. 33.

160 *Id.* para. 36; Barbara Bibbo, *Euro-med urges GCC countries to lift Qatar Blockade*, AL JAZEERA (24 Jan. 2018), http://www.aljazeera.com/news/2018/01/euro-med-urges-gcc-countries-lift-qatar-blockade-180124190054488.html.

161 OHCHR Report, para. 32.

authorities to take into consideration the humanitarian circumstances of mixed Emirati-Qatari families.[162] As discussed above, this "humanitarian concession," consisting of a "hotline" to assist such families, did little to ease the impact of UAE's collective expulsion.[163] Amnesty International separately spoke to numerous individuals who said they had attempted repeatedly, for hours or days, to obtain the promised "humanitarian accommodation." Those who got through said officials asked for minimal details about their cases and told them they would receive a call back—a call that never came.[164]

82. These arbitrary and discriminatory measures unlawfully interfere with the right to marriage protected by CERD Article 5, as well as associated rights to leave and return to one's country and the right to nationality.[165]

b. Violations of the Right to Freedom of Opinion and Expression

83. The Coercive Measures imposed by UAE have had numerous discriminatory impacts on the right to freedom of expression. The foundational right to freedom of expression is enshrined in multiple international human rights treaties, including those to which UAE is Party.[166] As stated by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression in a 2016 report for the UN General Assembly:

> The United Nations has long promoted the idea that expression is fundamental to public participation and debate, accountability, sustainable development and human development, and the exercise of all other rights. Indeed, expression should provoke controversy, reaction and discourse, the development of opinion, critical

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162 *Directive to address humanitarian cases of Emirati-Qatari joint families*, UAE Ministry of Foreign Affairs (11 June 2017), https://www.mofa.gov.ae/EN/MediaCenter/News/Pages/11-06-2017-UAE-Qatar.aspx.

163 *UAE exempts Qataris married to Emiratis from expulsion order*, REUTERS (12 June 2017), https://www.reuters.com/article/us-gulf-qatar-emirates/uae-exempts-qataris-married-to-emiratis-from-expulsion-order-paper-idUSKBN1930V8.

164 *Families ripped apart, freedom of expression under attack amid political dispute in Gulf*, Amnesty International (9 June 2017), https://www.amnesty.org/en/latest/news/2017/06/families-ripped-apart-freedom-of-expression-under-attack-amid-political-dispute-in-gulf.

165 *See* Universal Declaration of Human Rights (10 Dec. 1948), Art. 15 ("everyone has the right to a nationality . . . no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality").

166 *See, e.g.*, League of Arab States, Arab Charter on Human Rights, May 22, 2004, *entered into force* March 15, 2008, Art. 32; *see also* Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. Doc. A/810 at 71 (10 Dec. 1948), Art. 19.

> thinking, even joy, anger or sadness – but not punishment, fear and silence.[167]

84. Consistent with these international norms, Article 30 of UAE's Constitution guarantees "[f]reedom of opinion and of verbal, written and other forms of expression."[168]

85. UAE has directly violated Qatari's freedom of expression. As described above, on 23 May 2017, the state-owned Qatar News Agency website was the subject of a malicious cyberattack, resulting in the publication of fabricated and incendiary statements attributed to Qatar's Emir.[169] Although Qatar immediately repudiated these statements and announced that they were the result of hacking, UAE disseminated them broadly, and used them as pretext for its subsequent actions against Qatar. This State manipulation of the press and falsification of statements and ideas directly interfere with the right to freedom of expression, and in particular with the ability of the press to freely disseminate ideas and information.

86. Further, shortly after the Coercive Measures were imposed, UAE announced that any expressions of sympathy towards Qatar on social media or in any other form would be considered a violation of the Federal Decree-Law no. (5) of 2012, issued on 13 August 2012, On Combatting Cybercrimes.[170] UAE Attorney-General, Hamad Saif al-Shamsi, told Gulf News:

> Strict and firm action will be taken against anyone who shows sympathy or any form of bias towards Qatar, or against anyone who objects to the position of the United Arab Emirates, whether it be

[167] UN General Assembly, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, A/71/373 (6 Sept. 2016), para. 3, *available at* http://www.un.org/ga/search/view_doc.asp?symbol=A/71/373.

[168] CERD Committee, Consideration of reports submitted by States parties under article 9 of the Convention, Seventeenth periodic report of States parties due in 2007: United Arab Emirates, CERD/C/ARE/12-17 (27 Mar. 2009), at 15.

[169] *See supra* paras. 11-12.

[170] Federal Decree-Law no. (5) of 2012, Issued on 25 Ramadan 1433 AH, Corresponding to 13 August 2012 AD ON COMBATING CYBERCRIMES, *available at* http://ejustice.gov.ae/downloads/latest_laws/cybercrimes_5_2012_en.pdf

> through the means of social media, or any type of written, visual or verbal form.[171]

87. As mentioned above, a violation can be penalized with imprisonment of up to 15 years, or fines of up to AED 500,000.[172] Reports indicate that this prohibition is interpreted strictly, and penalties imposed severely. For example, Amnesty International reported that an Emirati man, Ghanim Abdallah Matar, was arrested by UAE authorities for contravening the law by posting a video online "in which he expressed sympathy towards the people of Qatar."

88. UAE has also launched a discriminatory assault on press freedom in the region by taking action against media outlets with ties to Qatar. UAE has blocked the transmission of Al Jazeera and other Qatari stations and websites.[173] The 13 demands issued by UAE and the other States as conditions for ending the Coercive Measures included a demand that Qatar shut down Al Jazeera and its affiliates, as well as other media outlets with links to Qatar.[174] A United Kingdom ("U.K.") parliamentary briefing paper notes that "[t]he closure of Al-Jazeera would be a blow to the vibrant Arab-language press, which has developed in recent years, partly following the example of the Qatari network."[175]

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171 Miriam M. Al Serkal, *Qatar Sympathisers to Face Fine, Jail*, GULF NEWS (7 June 2017), http://gulfnews.com/news/UAE/government/qatar-sympathisers-to-face-fine-jail-1.2039631.

172 *Id*; *see also Supporting Qatar on social media a cybercrime, says UAE attorney general*, THE NATIONAL (7 June 2017), https://www.thenational.ae/uae/supporting-qatar-on-social-media-a-cybercrime-says-uae-attorney-general-1.31515.

173 Zahraa Alkhalisi, *Blocked in Dubai: Qatar cartoon and soccer channels*, CNN MEDIA (8 June 2017), http://money.cnn.com/2017/06/08/media/uae-qatar-media-blocked/index.html; UAE-Measures Relating to Trade in Goods and Services, and Trade-Related Aspects of Intellectual Property Rights—Request for Consultations by Qatar, Doc. No. WT/DS528/1 (31 July. 2017), *available at* https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds526_e.htm.

174 *See, e.g.*, Patrick Wintour, *Qatar Given 10 Days to Meet 13 Sweeping Demands by Saudi Arabia*, THE GUARDIAN (23 June 2017), https://www.theguardian.com/world/2017/jun/23/close-al-jazeera-saudi-arabia-issues-qatar-with-13-demands-to-end-blockade; Jack Moore, *Qatar Crisis: Here are the 13 Things Saudi Arabia has Demanded from Its Gulf Neighbor*, NEWSWEEK, (23 June 2017), http://www.newsweek.com/qatar-crisis-here-are-13-things-saudi-arabia-has-demanded-gulf-state-628473.

175 Ben Smith, *Briefing Paper on Qatar Crisis*, Number CBP 8030 (30 June 2017), at 12, *available at* http://researchbriefings.files.parliament.uk/documents/CBP-8030/CBP-8030.pdf.

89. A UAE government official, Dhahi Khalfan Tamim, former chief of the Dubai Police Force and current Head of General Security for the Emirate of Dubai, has also gone so far as to call for the bombing of Al Jazeera on his official Twitter account (*see* Image 2).[176]

90. UAE has even included the editor-in-chief of a Qatari newspaper in its updated terrorist list, solely by virtue, it appears, of his role as a prominent figure in Qatari media.[177]

Image 2: Tweet from UAE Government Official

ضاحي خلفان تميم

على التحالف أن يقصف الالة الداعيه للارهاب..قناة داعش والقاعدة والنصره جزيره الارهاب

91. These measures are clearly an unlawful attempt to silence independent voices in the region merely because the government of UAE does not like what they have to say, violating the right to freedom of expression and transgressing the principles of inclusion and respect for diversity that underlie the CERD.

c. Violations of the Right to Public Health and Medical Care

92. The expulsion of Qataris and prohibition on travel between UAE and Qatar have also gravely impacted rights to health and medical care. These rights are protected not only under the CERD, but also under international law and other treaties and agreements to which UAE and Qatar are parties.[178] These rights encompass both the liberty to control one's own health and body, and the entitlement to a system of health protection that provides equality of opportunity for people to enjoy the highest attainable level of health.[179]

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[176] Dhahi Khalfan (@Dhahi_Khalfan), Twitter (24 Nov. 2017), https://twitter.com/Dhahi_Khalfan/status/934069452261425152 (unofficial translation: "The alliance should bomb the terrorism propaganda machine. The channel of ISIS, Al Qaeda and Al Nusra, the Jazeera of terrorism."); *Dubai security chief calls for bombing of Al Jazeera*, AL JAZEERA (25 Nov. 2017), https://www.aljazeera.com/news/2017/11/dubai-security-chief-calls-bombing-al-jazeera-171125143439231.html.

[177] OHCHR Report, para. 18.

[178] *See, e.g.*, UN General Assembly, Convention on the Rights of the Child (20 Nov. 1989, ratified by UAE on 3 Jan. 1997), Art. 24; *see also* UN General Assembly, Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. Doc. A/810 at 71 (10 Dec. 1948), Art. 25; UN General Assembly, Convention on the Elimination of All Forms of Discrimination against Women (18 Dec. 1979, ratified by UAE on 6 October 2004), Art. 12.

[179] *Migrant and International Human Rights Law, A Practitioner's Guide*, International Commission of Jurists (2014), at 247 (citing International Covenant on Economic, Social and Cultural Rights ("ICESCR"), General Comment No. 14, para. 8).

The Committee has affirmed that States have the obligation to "[e]nsure [...] the right of non-citizens to an adequate standard of physical and mental health by, inter alia, refraining from denying or limiting their access to preventive, curative, and palliative health services."[180]

93. As of 23 November 2017, the Qatar Ministry of Health had received 130 reports of medical complications resulting from the Coercive Measures.[181] Due to the restrictions imposed by the Four States, Qatari nationals receiving medical treatment at hospitals in those States were prohibited from continuing their treatment.[182]

d. Violations of the Right to Education

94. The Coercive Measures imposed by UAE have also unduly interfered with the right to education, a right protected under the CERD and other agreements to which UAE and Qatar are parties.[183] CERD General Recommendation XXX specifically notes that this provision applies to access to higher education as well as to elementary or secondary school education.[184]

95. University students have been particularly affected, as many of them were forced to interrupt their programs of study in UAE and return home to Qatar.[185] For example, A.G. is a Qatari citizen and a student in the last year of secondary school in UAE. His mother is Emirati. Because of the Coercive Measures, he was forced to return to Qatar and could not return to Abu Dhabi to complete his exams. As a result, he could not obtain a secondary

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180 CERD Committee, General Recommendation XXX, para. 36.

181 OHCHR Report, para. 43.

182 *See* NHRC Second Report, at 23; Peter Beaumont, *Human cost of the Qatar crisis: 'families are being torn apart'*, THE GUARDIAN (14 June 2017), https://www.theguardian.com/world/2017/jun/14/human-cost-of-the-qatar-crisis-families-are-being-torn-apart.

183 *See, e.g.*, Organization of the Islamic Conference, Cairo Declaration on Human Rights in Islam (5 Aug. 1990), Art. 9 (signed by UAE). *See also* UN General Assembly, Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. Doc. A/810 at 71 (10 Dec. 1948), Art. 26.

184 CERD Committee, General Recommendation XXX (2004), para. 31.

185 For example, a 23-year-old Qatari medical student was forced to leave classes in UAE shortly after the Coercive Measures were declared, before she could take her final exams and graduate after five years of study. Molly Hennessy-Fiske, *With a Blockade deadline looming, families in Qatar face a tough choice: Stay or go?*, LOS ANGELES TIMES (19 June 2017), http://www.latimes.com/world/middleeast/la-fg-qatar-blockade-20170619-story.html.

school certificate. And without proof of his educational achievement, he could not apply to any university. A.G. submitted a complaint to the relevant Abu Dhabi educational authority, and his submission was rejected. N.A., a Qatari citizen, is a second-year law student at the Ajman University in Fujairah. Because of the Coercive Measures, she was forced to return to Qatar in the midst of her final exams.[186]

96. These deprivations of educational opportunity are directly caused by UAE's Coercive Measures—by UAE's collective expulsion and restrictions on movement and residence, as well as by UAE's creation of a culture of hostility toward Qatari nationals. As such, UAE's Coercive Measures have caused, in purpose and effect, violations of the right to education.

e. Violations of the Right to Work

97. The Convention prohibits States Parties, including UAE, from discriminating in relation to the enjoyment of the "rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration."[187] The right to work is also recognized by international law and is protected under an agreement to which UAE is a signatory.[188]

98. The Coercive Measures, and in particular the forced expulsion of Qatari citizens from UAE and the restrictions on future travel, have forced many people to abandon their jobs for fear of severe punishment if they did not comply.[189] By way of example, Mr. H.A., a Qatari national born in 1953, contacted the National Human Rights Committee, then visited its headquarters and stated: "I reside in the Emirate of Abu Dhabi in the UAE since 30 years and I am working there. After the decision to sever relations with the State of Qatar, I was forced to leave everything in Abu Dhabi and return to my country, and I lost my work and my life."[190] As a result, business relationships and operations involving UAE have been

186 NHRC Third Report, at 6.

187 CERD, Art. 5(e)(i).

188 *See, e.g.*, League of Arab States, Arab Charter on Human Rights, May 22, 2004, *entered into force* March 15, 2008, art. 34.

189 NHRC Second Report, at 12. At the beginning of the crisis, the NHRC received numerous complaints from UAE nationals who were unable to work following the Coercive Measures.

190 NHRC Third Report at 7.

compromised, threatening the livelihood of Qataris working or with interests in UAE. In addition, thousands of workers have reportedly been forced to return to their countries of origin, in some cases, losing their only job and source of financial support.[191]

99. Qatari business owners have been prevented from entering UAE in order to manage and oversee their businesses, renew necessary business and worker licenses, or renew their leases.[192] The NHRC received reports of 71 Qataris working in Dubai when the Coercive Measures were imposed who were forced to leave the country.[193] There are also reports of business people of different Gulf nationalities abandoning their lifelong businesses and rightful properties in Qatar to return to their countries of origin.[194]

f. Violations of the Right to Property

100. Given the extensive economic ties between Qatar and UAE, the Coercive Measures have severely disrupted property rights, with devastating impacts on individual livelihoods. The Convention prohibits States Parties, including UAE, from discriminating against individuals in relation to the right to own property by themselves as well as in association with others.[195] The right to property is widely recognized under international law and is also protected under other treaties and agreements to which UAE is a State Party and signatory.[196]

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191 Barbara Bibbo, *EuroMed urges GCC Countries to lift Qatar Blockade*, AL JAZEERA (24 Jan. 2018), http://www.aljazeera.com/news/2018/01/euro-med-urges-gcc-countries-lift-qatar-blockade-180124190054488.html.

192 *The boycott of Qatar is hurting its enforcers*, THE ECONOMIST (19 Oct. 2017), https://www.economist.com/news/middle-east-and-africa/21730426-if-saudis-and-emiratis-will-not-trade-doha-iranians-will-boycott (UAE refused to renew Qatar Insurance's business license, "forcing it to close its branch in the Emirati capital.").

193 *First Report Regarding the Human Rights Violations as a Result of the Siege on the State of Qatar*, National Human Rights Committee (13 June 2017) (hereinafter "NHRC First Report"), at 13.

194 Barbara Bibbo, *EuroMed urges GCC Countries to lift Qatar Blockade*, AL JAZEERA (24 Jan. 2018), http://www.aljazeera.com/news/2018/01/euro-med-urges-gcc-countries-lift-qatar-blockade-180124190054488.html.

195 CERD, Art. 5(d)(v).

196 *See, e.g.*, League of Arab States, Arab Charter on Human Rights, May 22, 2004, *entered into force* March 15, 2008, art. 26(2); Organization of the Islamic Conference, Cairo Declaration on Human Rights in Islam (5 Aug. 1990), Art. 15 (adopted by UAE).

101. Many Qatari citizens own property in UAE, including private residences, investment properties, financial assets, livestock, and real property.[197] As a result of the Coercive Measures and, in particular, the forced expulsion of Qatari citizens from UAE, Qatari citizens have been denied the ability to access enjoy, utilize, or manage their property in violation of the Convention.

102. The measures implemented by UAE have violated the property rights of hundreds of Qatari nationals. Some Qataris have been unable to access their commercial properties. For example:

i) Three Qatari brothers have been unable to access several properties in the industrial zone in Sharjah, and to collect rents on the properties.[198]

ii) The Qatari owner of B.E. purchased property in Dubai for 1.2 million riyals prior to the implementation of the Coercive Measures. Thereafter, he was unable to travel to Dubai to register the property under his name; as a result, he cannot acquire legal title to the property. Because he is unable to access his property or put it to use, he attempted to sell it. He was told that this is not possible because he does not possess legal title to the property.[199]

103. In many instances, property owners do not even know the status or the security of their property in UAE because they have been unable to enter the country. For example, a Qatari man who owns four residential lands in Masfout Strip, Amjan area, and one industrial land in Arqoub area, Sharjah city has been unable to enter UAE and access his property as a result of the Coercive Measures.[200] Similarly, another Qatari man reported to the NHRC that he has been unable to access his two studios in Jebel Ali in UAE, two studios in Dubai,

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197 OHCHR Report, para. 39.

198 NHRC Third Report, at 10.

199 *See* file no. 1196, received by the Government of Qatar's Compensation Claims Committee. An interview was held with this entity on October 23, 2017

200 NHRC First Report, at 17.

a car park, and a hotel apartment with one car park since the Coercive Measures were imposed.[201]

104. Other Qatari nationals have lost access to and use of their homes and apartments. Qataris bought approximately USD 500 million worth of property in Dubai in 2016 alone.[202]

105. Still others have lost livestock and other animals. For example, 600 racing camels owned by Qatari nationals were stranded in UAE. Getting the camels back required a long and arduous journey through Oman, where the animals were loaded onto ships for a circuitous journey to Qatar. Many of the camels were in critical condition upon arrival, dehydrated and exhausted. Some camels died.[203]

106. In addition to these direct effects, the Coercive Measures have had broad and long term impacts. For example, many Qatari nationals are effectively banned from engaging in property transactions due to requirements that they enter into a power of attorney to enable a non-Qatari to sell property on their behalf. Valid powers of attorney must be authenticated by a UAE embassy, but the UAE embassy in Qatar is closed, and UAE embassies in other jurisdictions have reportedly refused to authenticate such powers of attorney for Qatari nationals. Additionally, Qataris have reported that Emiratis are unwilling to enter into business transactions for fear of sanction by their own government, including prosecution for showing "sympathy" to Qatar.

107. UAE also advanced or condoned measures against property held by Qataris, including freezing assets of Qatari nationals and limiting financial transfers to citizens or residents

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201 NHRC Second Report, at 20.

202 *The boycott of Qatar is hurting its enforcers*, THE ECONOMIST (19 Oct. 2017), https://www.economist.com/news/middle-east-and-africa/21730426-if-saudis-and-emiratis-will-not-trade-doha-iranians-will-boycott; Simon Atkinson, *Qatar row: Economic impact threatens food, flights and football*, BBC NEWS (5 June 2017), http://www.bbc.com/news/business-40156029.

203 Cajsa Wikstrom, *Weary camels sent back to Qatar amid GCC rift*, AL JAZEERA (27 Sept. 2017), http://www.aljazeera.com/indepth/features/2017/09/travel-weary-camels-qatar-gcc-rift-170926095418401.html.

of Qatar.[204] The claimed basis for these measures was the named individuals' and entities' "links" to Qatar.[205]

g. Violations of the Right to Equal Treatment Before Tribunals

108. The Convention prohibits States Parties, including UAE, from discriminating in relation to the enjoyment of the "the right to equal treatment before the tribunals and all other organs administering justice."[206]

109. Despite this, UAE has imposed numerous measures that deny Qatari citizens and companies access to a fair, transparent, effective, non-discriminatory and accountable justice system. As a result of the Coercive Measures, Qatari nationals have been effectively unable to enter UAE, hire an attorney, or otherwise exercise their rights, challenge discrimination, or have their voices heard. The OHCHR Report in particular underscored the absence of any formal and available litigation mechanism for these victims to claim and/or manage their assets.[207] For example, a Qatari man with ownership interests in a UAE company has been unable to pursue legal remedy for a business dispute. Prior to the implementation of the Coercive Measures, he suspected his two business partners were embezzling funds. In 2016, he filed a criminal suit in UAE against the two partners. Although the suit is still in progress, the Coercive Measures have made it impossible for him to pursue the legal suit because he is prohibited from traveling to UAE and communicating with individuals or courts in UAE.

110. Furthermore, due to the pervasive smear campaign against Qatar and the severe punishments threatened to those who speak out against the Coercive Measures, the obstacles faced by would-be litigants are difficult to overstate, and largely insurmountable. As explained in the OHCHR Report, "[L]egal cooperation has been suspended, including power of attorney. Furthermore, lawyers in these countries are unlikely to defend Qataris

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204 NHRC Third Report, at 9; NHRC Fourth Report, at 12 and 13.

205 *UAE asks banks to freeze accounts of those named on Qatar-linked blacklist: WAM*, REUTERS (27 July 2017), https://www.reuters.com/article/us-gulf-qatar-emirates/uae-asks-banks-to-freeze-accounts-of-those-named-on-qatar-linked-blacklist-wam-idUSKBN1AC0YH.

206 CERD, Art. 5(a).

207 OHCHR Report, para. 40.

as this would likely be interpreted as an expression of sympathy towards Qatar."[208] The Coercive Measures therefore not only preclude victims from seeking recompense but also infringe the right of individuals and companies to defend themselves if claims are brought against them in UAE.

D. Inciting Racial Hatred

1. Obligation to Condemn Racial Hatred and Incitement

111. Under Article 4 of the CERD, parties to the Convention "[s]hall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination."[209] Furthermore, States must "declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, [and] incitement to racial discrimination..."[210] UAE also has an obligation to condemn propaganda that promotes racial hatred or discrimination in any form.[211] Importantly, the Committee has made clear "that the provisions of article 4 are **of a mandatory character**."[212] As confirmed by the Committee, "[p]ublic authorities **at all administrative levels** . . . are bound by this paragraph."[213]

112. The Committee has recognized that prohibited racist hate speech "can take many forms and is not confined to explicitly racial remarks."[214] It includes statements that discriminate on grounds of national origin, such as statements directed against immigrants or non-citizens.[215] States Parties' obligations under CERD thus mandate "resolute action to counter any tendency to target, stigmatize, stereotype or profile, on the basis of...national

208 *Id.*

209 CERD, Art. 4(c).

210 *Id.* Art. 4(a).

211 *Id.* Art. 4.

212 CERD Committee, General Recommendation XV (1993), para. 2 (emphasis added).

213 *Id.* at para. 7 (emphasis added).

214 CERD Committee, General Recommendation No. 35 (2013), para. 7.

215 *Id.* at para. 6.

or ethnic origin, members of 'non-citizen' population groups."[216] This includes with respect to statements made by officials, educators, and the media and statements made on the Internet and other electronic communications networks, and in society at large.[217]

2. UAE's Incitement of Racial Hatred and Failure to Condemn Racial Hatred

113. UAE has directly incited racial hatred against Qatar and Qatari nationals. The malicious cyberattack described above, which resulted in the publication of incendiary statements falsely attributed to Qatar's Emir, was specifically designed to encourage hostility and incite hatred against Qataris and the Qatari State through manipulation and deception. Notwithstanding Qatar's immediate disavowal of the statements, UAE disseminated them broadly, and seized upon them as the immediate precipitating event to justify institution of the Coercive Measures.

114. Further, UAE has promulgated measures criminalizing "sympathizing" with Qataris. As stated above, shortly after the Coercive Measures were imposed UAE announced that any expressions of sympathy towards Qatar on social media or in any other form would be considered a violation of federal law.[218] According to the Public Prosecutor's statement, the penalties for expressing "sympathy" for Qatar include up to 15 years of incarceration alongside a minimum fine of 500,000 dirhams (USD 136,000). The Attorney General of UAE, Hamad Saif al-Shamsi threatened that "[s]trict and firm action will be taken against anyone who shows sympathy or any form of bias towards Qatar, or against anyone who objects to the position of the United Arab Emirates, whether it be through the means of social media, or any type of written, visual or verbal form."

115. Criminalizing sympathy has been coupled with an international anti-Qatar media campaign. In late 2017, SCL Social, a British communications company, revealed in its public disclosures pursuant to the U.S. Foreign Agents Registration Act that the National

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216 CERD Committee, General Recommendation XXX (2004), para. 12; *see also* CERD Committee, General Recommendation No. 35 (2013), para. 10 ("The Committee recalls the mandatory nature of Article 4.").

217 CERD Committee, General Recommendation XXX (2004), para 12.

218 United Arab Emirates Public Prosecutions (2017), http://ejustice.gov.ae/downloads/latest_laws/cybercrimes_5_2012_en.pdf.

Media Council of UAE had paid it USD 330,000 to launch a public relations campaign against Qatar on social media.[219] According to news reports, the contract involved creating advertisements for Facebook, Twitter, and YouTube linking Qatar with terrorism and using the hashtag #boycottqatar.[220] The company was directed to launch this English-language campaign during the United Nations General Assembly meeting in September 2017.[221]

116. Together, UAE's laws, policies, and actions engender incitement of racial hatred against Qataris. They have also contributed to a general culture of fear for Qataris and those related to them. A Qatari woman with brothers in UAE told Amnesty International that they "are scared to speak to us even over the phone. The law does not allow them to sympathise with us. They are very reserved in the conversations we have, as if we were strangers."[222]

117. Within this hostile environment, government officials have fanned the flames of racist and inciting behavior. On 18 August 2017, an adviser to the Saudi royal court created a hashtag on Twitter, #TheBlacklist, with the stated intention of compiling accusations of "conspiracy" by Qatari nationals against the Four States.[223] He claimed that individuals so accused by online Twitter users would be unable to escape trial.[224] These tweets quickly gained support from UAE's State Minister for Foreign Affairs, Anwar Gargash, who

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219 SCL Social Limited Registration Statement Pursuant to the Foreign Agents Registration Act (6 Oct. 2017), *available at* https://www.fara.gov/docs/6472-Registration-Statement-20171006-1.pdf; Anita Kumar & Ben Wieder, *Steve Bannon's already murky Middle East ties deepen*, MCCLATCHY WASHINGTON BUREAU (23 Oct. 2017), http://www.mcclatchydc.com/news/politics-government/white-house/article180111646.html.

220 Julia Ainsley, Andrew W. Lehren and Anna R. Schecter, *The Mueller effect: FARA filings, soar in shadow of Manafort, Flynn probes*, NBC NEWS (19 Jan. 2018), https://www.nbcnews.com/news/us-news/mueller-effect-fara-filings-soar-shadow-manafort-flynn-probes-n838571.

221 SCL Social Limited Registration Statement Pursuant to the Foreign Agents Registration Act (6 Oct. 2017), *available at* https://www.fara.gov/docs/6472-Registration-Statement-20171006-1.pdf.

222 *Gulf dispute: Six months on, individuals still bear brunt of political crisis*, Amnesty International (14 Dec. 2017), https://www.amnesty.org/en/documents/mde22/7604/2017/en/.

223 *Saudi Twitter users urged to expose Qatar sympathizers*, AL JAZEERA (20 Aug. 2017), http://www.aljazeera.com/news/2017/08/saudi-twitter-users-urged-expose-qatar-sympathisers-170820100619561.html.

224 *Id.*

tweeted that this movement of accusation and hatred "[was] extremely important" as a way of exposing nationals who were sympathetic to Qatar.[225]

118. On 24 November 2017, a senior security official in UAE called for the bombing of Al Jazeera. On Twitter, the security official falsely accused the Qatari-based media network of having provoked an attack in Egypt and demanded violent reprisal.[226]

119. The culture of hostility negatively impacts Emiratis as well. In December, the President of UAE General Sports Authority, Yousef Al Serkal, was discharged from his position after having been criticized by Emirati media for hugging a Qatari official.[227]

E. Denial of Effective Protection and Remedies Against Acts of Racial Discrimination

1. Obligation to Assure Effective Protection and Remedies Against Acts of Racial Discrimination

120. Under CERD Article 6, UAE has an obligation to "assure to everyone within [its] jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to [the] Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination."

2. UAE's Failure to Assure Effective Protection and Remedies Against Acts of Racial Discrimination

121. As a result of the Coercive Measures, UAE has failed to provide effective protection and remedies to Qatari nationals to seek redress against acts of racial discrimination through UAE courts and institutions. As discussed above, the travel and entry bans quite literally

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225 *Tweet names of Qatar sympathisers to 'blacklist': Saudi royal aide*, MIDDLE EAST EYE (18 Aug. 2017), http://www.middleeasteye.net/news/saudi-royal-adviser-calls-names-add-blacklist-qatar-sympathisers-1564107564.

226 *Dubai security chief calls for bombing Al Jazeera*, AL JAZEERA (25 Nov. 2017), http://www.aljazeera.com/news/2017/11/dubai-security-chief-calls-bombing-al-jazeera-171125143439231.html.

227 *Qatar's blockade in 2017, day by day developments*, AL JAZEERA (21 Oct. 2017), http://www.aljazeera.com/news/2017/10/qatar-crisis-developments-october-21-171022153053754.html.

prohibit Qataris from appearing in UAE courts in order to vindicate their rights. Further, the criminalization of certain statements of "sympathy" for Qatar, in combination with the general, state-sponsored climate of hostility towards Qatar and Qataris, critically undermines the ability of Qataris to pursue remedies through local counsel. Also as discussed above, lawyers operating in UAE are unlikely to represent Qataris in general—let alone in challenging the unlawful discrimination resulting from imposition of the Coercive Measures in UAE courts—for fear of being seen as "sympathizing" with Qataris.

122. As a result, even if any remedies against these discriminatory acts are ostensibly available as a matter of UAE law, Qataris are unable to access such remedies, rendering them wholly ineffective and unable to provide any means of redress to Qatari victims.

IV. PRAYER FOR RELIEF

123. On the basis of the foregoing and consistent with Article 11(1) of the Convention, Qatar respectfully requests that this Committee transmit this Communication to UAE for UAE to (a) respond within the three month period set forth under that Article, and (b) take all necessary steps to end the Coercive Measures, which are in violation of international law and its obligations under the CERD.

124. Qatar reserves its right to supplement and amend this communication in light of developments, as well as its request for relief, and its right to all other dispute resolution avenues that are open to it.

Annex 13

The Committee on the Elimination of Racial Discrimination (*State of Qatar v. United Arab Emirates*), Response of the United Arab Emirates to the Communication Submitted by the State of Qatar pursuant to Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination, 7 August 2018, together with Annex 16

Before the Committee on the Elimination of Racial Discrimination

RESPONSE OF THE UNITED ARAB EMIRATES

To the Communication dated 8 March 2018 Submitted by the State of Qatar Pursuant to Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination

Submitted to the Office of the High Commissioner for Human Rights, United Nations Office, Geneva, Switzerland

7 August 2018

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This Response is submitted by the United Arab Emirates ("**UAE**") pursuant to Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination ("**CERD**" or "**Convention**"). This Response addresses the allegations made by the State of Qatar ("**Qatar**") in its 8 March 2018 communication ("**Submission**") to the Committee on the Elimination of Racial Discrimination ("**Committee**"). A copy of Qatar's Submission was communicated to the United Arab Emirates on 7 May 2018 by the Secretary General of the United Nations (High Commissioner for Human Rights).

I. INTRODUCTION

1. Qatar alleges in its Submission that the UAE has violated the Convention by virtue of certain measures that it has taken following the UAE's termination of relations with Qatar on 5 June 2017. Qatar's complaint misrepresents the facts and the actions taken by the UAE, as well as the circumstances resulting in the UAE's termination of relations with Qatar. Furthermore, Qatar's complaint does not fall within the scope of CERD Article 11 because: (i) it does not involve a situation in which a "State Party is not giving effect to the provisions of this Convention," as the UAE did not expel Qatari citizens and therefore did not deny them any protections provided for in the Convention; (ii) the UAE did not enforce the portion of the 5 June 2017 announcement by the Ministry of Foreign Affairs and International Cooperation ("**MoFA**") calling on Qatari citizens to depart UAE territory; the UAE has since made clear that Qatari citizens resident in the UAE may remain in the country and non-resident Qatari citizens can apply to enter the UAE; and (iii) Qatar has not shown that UAE domestic remedies available to Qatari citizens have been exhausted as required by CERD Article 11(3).

2. This Response first details why, contrary to Qatar's claims, there has been no mass expulsion of Qatari citizens from the UAE. The announcement of 5 June 2017 by MoFA did not constitute an order for deportation. Under UAE law, only the Ministry of Interior has the authority to issue orders for deportation. Subsequent to the 5 June 2017 announcement, neither did the UAE Ministry of Interior issue any such orders, nor did the UAE issue any other legislation or regulations to deport Qatari citizens. Further, the UAE took no other action to compel Qataris to leave the UAE. On the contrary, as discussed in more detail in Section II of this Response, official UAE immigration records indicate that Qatari nationals remained in the UAE in overwhelming numbers and that Qatari nationals continue to reside in and visit the UAE in substantially the same numbers as they did prior to the break in relations.

3. The UAE has also not instituted a travel ban against Qataris who wish to enter the UAE. Instead, the UAE established a new requirement that Qatari nationals request permission to enter the UAE, which is a common requirement that States impose routinely on visitors to their territory of various nationalities. Section III of this Response provides information about this requirement, including official data showing that the majority of applications to enter or re-enter the UAE submitted by Qatari nationals have been approved. Indeed, given Qatar's misstatement of the facts, MoFA made an announcement on 5 July 2018 clarifying that there was never a legal order deporting Qatari citizens from the UAE and that any Qatari citizen

could apply to enter the UAE on an individual basis and would be permitted to do so if they do not pose a security risk and otherwise meet neutral immigration criteria.[1]

4. Qatar's claims regarding the UAE's alleged violations of the right to family, education, and health are premised on the existence of an expulsion order and a travel ban. Since there was no expulsion order and there is no travel ban, Qatar's allegations regarding these alleged violations necessarily lack merit.

5. Qatar's claim of discrimination with respect to access to justice is equally unfounded. Qatari nationals have access to the UAE courts as demonstrated in Section IV.G. There are presently hundreds of active proceedings in the UAE courts to which Qatari citizens are parties.

6. Moreover, the allegation that the UAE is mounting or supporting a campaign of hate speech against Qatari citizens, or that such a campaign exists, is unfounded.

7. The reality is that the UAE's targeted measures are aimed at the Qatari government and not the Qatari people. From the very beginning of the regional crisis, the UAE affirmed its "full respect and appreciation for the brotherly Qatari people on account of the profound historical, religious and fraternal ties and kin relations binding UAE and Qatari peoples."[2] Since then, the UAE has made clear the entry and residence rights applicable to Qatari nationals, including as recently as 5 July 2018, when MoFA issued a public statement confirming that Qataris continue to have the right to live in the UAE and that there is no expulsion order applicable to Qatari citizens.[3]

8. The current situation in the Gulf region unfortunately was precipitated by Qatar's own actions and its failure to respect its international obligations. In 2013, following years of diplomatic engagement on the issues, several members of the Gulf Cooperation Council, including Qatar, concluded an agreement by which Qatar committed itself to cease supporting, financing, or harbouring persons or groups, in particular, terrorist and extremist groups. Two supplemental agreements for the same purpose were concluded among the Gulf Cooperation Council members in 2014. The three agreements are collectively referred to, and known to the larger public as, the "Riyadh Agreements." The obligations under the Riyadh Agreements supplemented the parties' existing obligations under other international legal instruments, including the International Convention for the Suppression of the Financing of Terrorism, relevant UN Security Council resolutions, and customary international law.

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[1] *An Official Statement by The UAE Ministry of Foreign Affairs and International Cooperation,* Statement by the Ministry of Foreign Affairs and International Cooperation (5 July 2018), https://www.mofa.gov.ae/EN/MediaCenter/News/Pages/05-07-2018-UAE-Statement-of-MoFAIC.aspx.

[2] *UAE supports statements of Kingdom of Bahrain and Kingdom of Saudi Arabia on Qatar,* statement by the Ministry of Foreign Affairs and International Cooperation (5 June 2017), https://www.mofa.gov.ae/EN/MediaCenter/News/Pages/05-06-2017-UAE-Qatar.aspx.

[3] *An Official Statement by The UAE Ministry of Foreign Affairs and International Cooperation,* Statement by the Ministry of Foreign Affairs and International Cooperation (5 July 2018), https://www.mofa.gov.ae/EN/MediaCenter/News/Pages/05-07-2018-UAE-Statement-of-MoFAIC.aspx.

9. Qatar failed to abide by the Riyadh Agreements and continues to violate its obligations under other international agreements. To cite just one example, in April 2017 Qatar paid US $1 billion as "ransom" to entities affiliated with known terrorist organizations such as Al Qaida, a matter that the Arab Republic of Egypt brought to the attention of the Security Council.[4]

10. On 5 June 2017, after repeated calls upon Qatar to honour its commitments proved ineffective, the UAE and no less than ten other States took the decision to terminate or downgrade relations with Qatar. Qatar continues to fund numerous terrorist organizations, harbour and provide material support to known terrorists, and interfere in the internal sovereign affairs of States in the region. This violation by Qatar of its express commitments under the Riyadh Agreements and of its other international obligations puts at risk the national security of the UAE and the safety of its citizens.

11. Qatar's Submission conveniently excludes these underlying facts, which provide essential and legally significant context. Instead, Qatar deliberately misrepresents the UAE's measures against the Qatari government as measures taken against the people of Qatar. To the contrary, the UAE has taken significant steps to ensure that the current crisis with Qatar does not affect the rights of ordinary citizens. In this Response, the UAE will demonstrate that the facts do not support Qatar's allegations.

12. Finally, the UAE would like to draw the Committee's attention to the ongoing proceedings in the International Court of Justice ("**ICJ**" or "**Court**") relating to this matter, which were initiated by Qatar. The UAE maintains that Qatar should not be permitted to advance a complaint under Article 11 while simultaneously initiating proceedings in relation to the same issues before the ICJ. The UAE intends to lodge jurisdictional objections with the ICJ on this basis.

13. As part of the ICJ proceedings, an order was issued on 23 July 2018 in respect of provisional measures requested by Qatar. The ICJ refused to grant any measures in the form sought by Qatar, and instead indicated limited measures in three areas (family re-unification, education and access to justice), in which UAE policy already reflects and complies with the order of the Court. Moreover, the Court indicated a general measure urging both parties not to take any steps that could aggravate the dispute. The UAE is confident that its practice in these areas

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[4]United Nations Security Council, *Threats to International Peace and Security Caused by Terrorist Acts*, S/PV.7962 (8 June 2017), http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.7962. *See also* Erika Solomon, *The $1bn Hostage Deal that Enraged Qatar's Gulf Rivals*, FINANCIAL TIMES (5 June 2017), https://www.ft.com/content/dd033082-49e9-11e7-a3f4-c742b9791d43; Michelle Nichols, *Egypt Calls for U.N. Inquiry into Accusation of Qatar Ransom Payment*, REUTERS (8 June 2017), https://www.reuters.com/article/us-gulf-qatar-un/egypt-calls-for-u-n-inquiry-into-accusation-of-qatar-ransom-payment-idUSKBN18Z26W; Alex Lockie, *Qatar May Have Paid $1 Billion in Ransom for Release of Royal Family Members Captured While Hunting with Falcons*, BUSINESS INSIDER (5 June 2017), http://www.businessinsider.com/qatar-ransom-al-qaeda-iran-falconry-2017-6; *Egypt Calls for UN Probe on Qatar Giving Terrorists $1 Bln in Iraq*, AL ARABIYA ENGLISH (8 June 2017), https://english.alarabiya.net/en/News/middle-east/2017/06/08/Egypt-calls-for-probe-on-Qatar-giving-terrorist-groups-in-Iraq-1-billion.html.

fully conforms to both the ICJ's order and to its obligations under the CERD, and that upon a close examination of the facts the Court will reach the same conclusion.

14. The UAE is grateful to the Committee for its work and its attention to the important matters before it. The UAE became a Party to the CERD almost 45 years ago. It has been and remains today firmly committed to the principles that inspired the Convention. The UAE would like to take this opportunity to reaffirm its full commitment to the Convention's objective of eliminating racial discrimination in all its forms.

II. QATARI NATIONALS WERE NOT EXPELLED FROM THE UAE

15. In its Submission, Qatar alleges that the UAE "has expelled all Qatari residents and visitors within its borders."[5] The Submission alleges that expulsions were mass and arbitrary, stating that "UAE authorities expelled Qatari residents with no consideration of the personal circumstances of each individual."[6]

16. The UAE unequivocally rejects these claims. The UAE has carried out no mass expulsion of Qatari citizens, despite Qatar's insistence on repeating these false charges. The UAE urges the Committee to examine the evidence that Qatar has provided in support of these allegations. Beyond merely referring to the statement issued on 5 June 2017 by MoFA, Qatar has not provided any specific or credible evidence of such a mass expulsion or any specific examples of individual expulsions of Qatari citizens based on their nationality.

17. To the contrary, official UAE immigration records show that thousands of Qataris continue to reside in the UAE and have continued to visit its territory since the UAE's termination of relations with Qatar on 5 June 2017.

18. One aspect of the 5 June 2017 announcement was a call for citizens of Qatar to leave UAE territory for precautionary security reasons. While this call was made as a matter of precaution, it does not constitute a legal order for the deportation or expulsion of Qatari citizens. In the UAE, the authority to expel individuals from UAE territory falls solely under the authority of the Ministry of Interior by virtue of Federal Law No. 6 of 1973 Concerning Immigration and Residence ("**Immigration Law**"). Absent an order by the Ministry of Interior, a person cannot be administratively deported from UAE territory. Since the Ministry of Interior issued no such orders, there was never any legal requirement for Qatari citizens to leave UAE territory.

19. UAE's official immigration records confirm beyond any doubt that there were no expulsions and that Qataris residing in the UAE understood that they were not required to leave its territory. Those records show that the vast majority of Qatari residents in the UAE on 5 June 2017 chose to continue their residence in the UAE, and did not depart. As of mid-June 2018,

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[5] Qatar's Submission, para. 4.

[6] *Id*. at, para. 71.

there were 2,194 Qatari nationals in the UAE, largely the same as the number of Qataris residing in the UAE on 5 June 2017.[7]

20. While the UAE issued no deportation orders and took no other steps to compel Qatari citizens to leave its territory, the Committee should note that the Qatari Embassy in the UAE did issue its own instruction for Qatari citizens to depart the UAE.[8] It is possible that some Qataris who left the UAE did so as a result of the instructions of the Qatari Embassy.

21. Qatar recently repeated these false allegations of mass expulsion before the ICJ in the context of its application for provisional measures under the CERD. Qatari government-owned media outlets – which broadcast widely throughout the Middle East – have repeatedly broadcast Qatar's false allegations. Due to this misinformation, MoFA issued a statement on 5 July 2018 affirming the UAE's long-standing policy on the rights of Qatari citizens to travel to and reside in the UAE and, more importantly, confirming that Qatari citizens are not under any expulsion order.[9] The statement reads, in part, as follows:

> "[t]he UAE Ministry of Foreign Affairs and International Cooperation wishes to confirm that Qatari citizens already resident in the UAE need not apply for permission to continue residence in the UAE…. the UAE has not issued any legal or administrative laws or orders relating to the expulsion of Qatari citizens from UAE territory. The UAE took no action to expel Qatari citizens and national[s] who remained in the UAE following the expiry of the 14 day period referred to in the June 5, 2017 announcement."[10]

22. The Committee should note that in its order of 23 July 2018, the ICJ refused to grant the provisional measure requested by Qatar for "suspending operation of the collective expulsion of all Qataris from, and ban on entry into, the UAE." The ICJ's order is a tacit recognition that there has been no collective expulsion, and that no travel ban exists. Qatar's false allegations regarding the "travel ban" are addressed in more detail in the next Section below.

III. THERE IS NO TRAVEL BAN RELATING TO QATARI NATIONALS

23. Qatar's Submission alleges that its citizens are banned from travelling to the UAE. As with the expulsion allegation, this is also false. While Qataris are no longer allowed to travel to the UAE on a visa-free basis, they may still travel to the UAE after requesting permission to do

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[7] *See* Immigration – Qataris in the UAE (Attached as Annex 1); Immigration - ID & Citizenship Authority Cover Letter Re Excel Immigration Stats (Attached as Annex 2).

[8] *Qatar asks citizens to leave UAE within 14 days- embassy*, Reuters (5 June 2017), https://www.zawya.com/uae/en/story/Qatar_asks_citizens_to_leave_UAE_within_14_days_embassy-TR20170605nL8N1J22FFX3/.

[9] *An official Statement by The UAE Ministry of Foreign Affairs and International Cooperation,* Statement by the Ministry of Foreign Affairs and International Cooperation (5 July 2018), https://www.mofa.gov.ae/EN/MediaCenter/News/Pages/05-07-2018-UAE-Statement-of-MoFAIC.aspx.

[10] *Id*.

so. Thousands of Qatari nationals have travelled to or from the UAE on this basis since 5 June 2017.

24. Prior to 5 June 2017, Qatari citizens could travel to the UAE without a visa or any other prior permission. Following the termination of relations with Qatar, the UAE implemented a new system whereby Qatari nationals must obtain prior permission to travel to the UAE. The principle of obtaining permission prior to travel applies to many other nationalities and is a basic immigration control measure used by governments worldwide. The right to apply entry requirements to foreign nationals is a sovereign right reserved for all States and is not ceded in the Convention or under international law more generally. The UAE maintains a limited list of countries whose nationals may enter the UAE on a visa-free basis or with a visa on arrival; citizens of most countries must apply for permission in advance, as is now the case for Qataris.[11]

25. Qatari citizens may and do apply for permission to travel to the UAE through the hotline established on 11 June 2017.[12] Contrary to Qatar's claims, the hotline operates efficiently and the vast majority of applications for permission to travel are approved. In the first six months of 2018 alone, the hotline received 1,390 applications. Of this total number, only 12 applications were rejected for security or other reasons, meaning that approximately 99% of applications for entry were approved.[13]

26. The efficient working of the hotline is evidenced by the extensive travel logs of movements by Qatari citizens across UAE borders, as evidenced by the UAE's official immigration records. Since 5 June 2017, entry and exit records enclosed with this Response show 8,442 movements by Qatari citizens across UAE borders, all of which were facilitated by the work of the hotline.[14]

IV. QATAR'S ALLEGATIONS OF VIOLATION OF OTHER RIGHTS RECOGNIZED UNDER THE CERD LACK MERIT

27. As explained in the prior sections of this Response, Qatar's claim that the UAE has carried out a collective expulsion of Qatari nationals is demonstrably false. Qatar's claim that the UAE has instituted a travel ban against Qatari citizens is also false. These factual matters entirely undermine Qatar's other claims of violations of the CERD that are premised on the purported expulsion and travel ban.

28. In particular, the absence of any expulsion of Qatari nationals or travel ban significantly undermines Qatar's claims that the UAE has interfered with the "right to marriage and choice of spouse," the "right to public health and medical care," the "right to education," the "right to

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[11] *See Do you need an entry permit or a visa to enter the UAE?*, The Official Portal of the UAE Government, https://government.ae/en/information-and-services/visa-and-emirates-id/do-you-need-an-entry-permit-or-a-visa-to-enter-the-uae.

[12] *See* Hotline - UAE MoFA Announcement re Directive for Hotline Addressing Mixed Families (Attached as Annex 3).

[13] *See* Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration, pg. 2 (Attached as Annex 4).

[14] *See* Immigration - Complete Entry-Exit Records (Attached as Annex 5).

work," the "right to property" and the "right to equal treatment before tribunals" of Qatari nationals. No evidence is provided by Qatar to suggest that these rights are denied to Qataris in the UAE. Instead, these claims are premised on the false assumption that Qataris' enjoyment of these rights within the UAE has been obstructed by their inability to enter the UAE. The fact is that none of these rights can be interpreted so expansively so as to allow a foreign national an unconditional right to enter the territory of a State. As indicated earlier in this Response, any interpretation of the CERD must take into account the fact that States have a right to determine for themselves the entry and residence restrictions applicable to foreign nationals who enter their territories. In any event, this is a moot issue, since as discussed in Sections II and III above, official UAE records indisputably show that Qatari citizens continue to reside in the UAE and travel in large numbers across its borders.

29. Nevertheless, the UAE specifically responds below to each of these separate allegations. In the following sub-sections, the UAE will explain why – aside from there having been no expulsion or travel ban – the allegations made by Qatar are without merit.

A. Right to Marriage and Choice of Spouse

30. Qatar alleges that the UAE has unlawfully interfered with the rights to marriage and family life "[i]n forcing family separation by expelling Qatari nationals."[15]

31. The UAE recognizes the importance of ensuring that UAE-Qatari families are not separated and that their lives are not detrimentally impacted by the absence of relations between the UAE and Qatar. As indicated earlier in this Response, the hotline has received and granted thousands of applications, refusing only a very small minority of them, and refusing almost no applications by Qatar-UAE mixed families.[16] To the contrary, not only do Qatari nationals still enter the UAE in large numbers, official UAE records show that a number of marriages involving a Qatari citizen have been registered in the UAE since the start of the crisis.[17] It is simply false to allege that the UAE is interfering in individuals' right to marriage and choice of spouse, as Qatar's Submission suggests.

32. The Committee should note that Qatar's assertions in relation to family separation do not include any specific details to substantiate the allegations made. For example, according to Qatar, its National Human Rights Committee ("**Qatari Committee**") has documented "620 cases of 'family separation' [of which 78 cases are allegedly attributable to the UAE]."[18] Details of these families have not been provided. Further, it is notable that most of the information presented by Qatar regarding "family separation" relates to the days or weeks after the start of the crisis on 5 June 2017. There is no information regarding the current status of any of those cases or anything to suggest that those cases have not been resolved. Given their

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[15] Qatar's Submission, para. 75.

[16] *See* Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration, pgs. 15-27 (Attached as Annex 4); Part 2 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration (Attached as Annex 6).

[17] *See* Immigration – Qataris in the UAE, pg. 50 (Attached as Annex 1).

[18] Qatar's Submission, para. 42.

anonymous nature, there is also no way for the UAE (or the Committee) to confirm that the alleged complaints are in fact authentic.

33. Similarly, other human rights organizations reporting on alleged family separations provide only general statements and statistics. No specific facts are given. For example, the report dated December 2017 in respect of the OHCHR Technical Mission to Qatar ("**OHCHR Report**") does not mention any specific instances of family separation and simply relies upon the overall statistics of mixed-marriages between Qataris and other Gulf states in order to give an indication of the number of families that could potentially be affected.[19] Amnesty International and Human Rights Watch simply offer conclusory statements concerning alleged family separation unsupported by any facts.[20] As such, there is no basis on which the UAE can confirm the authenticity of the complaints.

34. The UAE reiterates that its policy since the start of the crisis has been to ensure that UAE-Qatari mixed families are not separated. With Qataris having entered and exited the UAE at least 8,442 times since the start of the crisis, it is implausible to suggest that the UAE is "forcing family separation," as Qatar alleges.

B. Right to Freedom of Opinion and Expression

35. The UAE does not, and has not, in any manner curtailed freedom of expression or in any way incited hatred against Qatari citizens. Qatar's allegations in this area focus on the statement of the UAE Attorney General, in which he is quoted as saying "strict and firm action will be taken against anyone who shows sympathy or any form of bias towards Qatar…" and that sympathy with the policies of Qatar could amount to a violation of Federal Decree Law No. 5 of 2012.[21] As explained below, there is nothing in the Attorney General's statement that implicates the UAE's obligations under CERD.

36. First, there is nothing in the Attorney General's statement that criminalizes support for Qatari citizens or restricts their freedom of expression. The Attorney General correctly refers to the fact that speech in support of Qatar, in particular its policy of aiding terrorist organizations and individuals, may constitute a criminal offense under UAE law. There is nothing controversial about outlawing statements in support of terrorism, and there is nothing in UAE law, or in the

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[19] *See* OHCHR Technical Mission to the State of Qatar, 17-24 November 2017, Report on the impact of the Gulf Crisis on Human Rights, December 2017, para. 34 (Attached as Annex 7).

[20] *See Gulf Crisis Shows How Discrimination in Saudi Arabia, Bahrain, UAE, and Qatar Tears Families Apart*, Human Rights Watch (21 July 2017), https://www.hrw.org/news/2017/07/21/gulf-crisis-shows-how-discrimination-saudi-arabia-bahrain-uae-and-qatar-tears; *Qatar: Isolation Causing Rights Abuses*, Human Rights Watch (12 July 2017), https://www.hrw.org/news/2017/07/13/qatar-isolation-causing-rights-abuses; *Gulf/Qatar dispute: Human Dignity Trampled and Families facing uncertainty as sinister deadline passes*, Amnesty International (19 June 2017), https://www.amnesty.org/en/latest/news/2017/06/gulf-qatar-dispute-human-dignity-trampled-and-families-facing-uncertainty-as-sinister-deadline-passes/.

[21] Qatar's Submission, paras. 34 and 86.

Attorney General's statement, that indicates a crime for an expression of support for the Qatari people.

37. The Committee should also note Article 7 of the UAE Federal Decree Law No. 2 of 2015 On Combatting Discrimination and Hatred[22] ("**Anti-Discrimination Law**"), which exists to ensure, among other things, that the discriminatory and racially prejudicial views of terrorist groups are not propagated within the UAE. Not only would prosecuting such speech be consistent with the Anti-Discrimination Law, it would also be consistent with the aims of the Convention and, in particular, State Parties' obligations under Article 5 to prohibit and eliminate racial discrimination, and their obligations under Article 2(1)(d) to prohibit racial discrimination by any person, group or organization.

38. Second, UAE Federal Decree Law No. 5 of 2012, which Qatar cites as a law targeting Qatari citizens, is a law of general application that was enacted well in advance of the crisis with Qatar. It includes no provisions that are specific to Qatar or to Qatari citizens. It is similar to the cybercrime laws in existence in many other countries, including the cybercrime law passed by Qatar in 2014.[23] Qatar's suggestion that this law is targeted at speech supporting Qatar or Qatari citizens is entirely false.

39. Third, in furtherance of the objective of limiting discriminatory and hate speech, the UAE has blocked certain Qatari media outlets that are known to provide a platform for terrorist groups and individuals. Chiefly among those outlets is Al Jazeera, which – particularly through its Arabic language network – acts as a major purveyor of discrimination and hate speech in the region. Al Jazeera regularly interviews and disseminates the views of known terrorists, employs program hosts that sympathize with internationally outlawed groups, and gives them an outlet to broadcast their messages to audiences throughout the Middle East.

40. For example, in January 2009, AI Jazeera conducted an interview with the then leader of Al Qaida in the Arabian Peninsula (AQAP) Nasir al-Wuhayshi. During the interview, al-Wuhayshi called for the destruction of "America and Europe" and their "Crusader interests."[24] Al Jazeera has also interviewed senior Al Qaida leader Abu Hafs al-Mauritani several times, including as recently as 2017. In an interview with Al Jazeera, Abu Hafs al-Mauritani emphasized his "joy" in seeing the 9/11 attacks and Al Qaida's readiness to fight US and NATO forces in Afghanistan in a "crusader war."[25]

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[22] UAE Federal Decree Law No. 2 of 2015, Article 7, http://ejustice.gov.ae/downloads/latest_laws2015/FDL_2_2015_discrimination_hate_en.pdf.

[23] Qatar Law No. 14 of 2014 – Promulgating the Cybercrime Prevention Law, http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=100242.

[24] *See Abu Basir: We support Gaza by striking Wester Interests in the region*, Al Jazeera (27 January 2009), http://www.aljazeera.net/news/reportsandinterviews/2009/1/27/أبو-بصير-ننصر-غزة-بضرب-المصالح-الغربية-بالمنطقة.

[25] *See Abu Hafs al-Mauritanian. The Attacks of September 11*, Al Jazeera (20 October 2012), http://www.aljazeera.net/programs/today-interview/2012/10/20/أبو-حفص-الموريتاني-هجمات-11-سبتمبر-ج1.

41. In the end, however, the complaint raised by Qatar against the UAE in relation to these media outlets do not implicate CERD in any way. Contrary to the assertions in paragraph 35 of Qatar's Submission, the CERD applies to individuals and not corporations. Corporations are not beneficiaries of rights under the CERD. Moreover, banning these media outlets, which propagate hate speech, is consistent with the CERD's objectives and does not impermissibly curtail freedom of expression.

42. Beyond all of the above, the UAE's legitimate criticisms of and opposition to the Qatari government's policies of supporting terrorism – which are shared by a number of other countries – do not constitute racial discrimination under the CERD.

C. Right to Health and Right to Medical Treatment

43. Qatar states that "Qataris requiring medical attention in UAE that is not available in Qatar have been denied necessary care."[26] This is followed by the allegation that "the Qatar Ministry of Health had received 130 reports of medical complications resulting from the Coercive Measures."[27] Notably, Qatar neither provides specific details of any of these cases, nor elaborates upon their current status.

44. The UAE is not denying Qatari nationals access to medical treatment. Qatari citizens in the UAE enjoy the same healthcare rights as any other residents or visitors. In fact, over 800 Qatari nationals are currently covered by the UAE Government health insurance provider, Daman (Abu Dhabi).[28] Neither those persons, nor any other Qataris in the UAE, are under any restriction regarding the type of medical attention they may seek within the UAE. Any allegation that the UAE is denying medical treatment to Qataris is false, as evidenced by the official records submitted with this Response, which include registration and visitation records for Qatari citizens to UAE health institutions.

45. Separately, it is unclear why Qatar considers the UAE a sole and essential provider of medical care to Qatari citizens who are outside the UAE. This claim is disingenuous and its sole purpose seems to be to manufacture a perceived breach of the Convention, based on the false claim regarding the existence of a travel ban. In any event, as indicated in Section III above, there is no ban preventing Qatari citizens from traveling to the UAE. Should Qatari citizens consider it fit to seek healthcare in the UAE, they may apply for permission to travel and may make an appointment with any doctor of their choosing, as is the case with any other person of any other nationality.

46. The Committee should note that the OHCHR Report, upon which Qatar relies for evidence, states that "[m]edical services in Qatar are known to be of high quality. Since September 2017,

[26] Qatar's Submission, para. 45.

[27] *Id*. at para. 93.

[28] *See* Health – Qataris with Daman Health Insurance (Attached as Annex 8) (pgs. 13-19 contain records of over 300 visits from July 2017 onward by Qatari nationals to hospitals and clinics within the UAE).

the Ministry of Health recorded 388,000 visits to public health services by patients, including by 260,000 patients from KSA, UAE, Bahrain and Egypt."[29]

47. Also, in paragraph 46 of its Submission, Qatar alleges that "the restrictions on ports and shipping have affected Qatar's access to medicines and medical supplies."[30] Aside from the fact that this allegation in no manner implicates rights under the CERD, the allegation is entirely lacking in credibility given that Qatar appears to have issued a directive to all pharmacies within its territory to remove all medicines and medical supplies imported from the UAE, as well as those from Saudi Arabia, Bahrain and Egypt.[31]

D. Right to Education

48. Qatar's Submission states that "[o]ver 4,000 Qatari students studied alongside peers at universities in the Four States… [u]niversities in the Four States, including [the] UAE, summarily withdrew Qatari students from courses and told them to return to Qatar."[32] Further, Qatar states that "the Ministry of Education of Qatar estimates that over 200 Qatari students have been unable to transfer in order to pursue their studies for a range of reasons."[33] Qatar does not specify whether any of those complaints relate to the UAE, and further does not provide any evidence regarding the current status of those complaints today.

49. The UAE has taken no steps to prevent Qatari students enrolled in UAE educational institutions from continuing their studies, or from obtaining access to records that they may need to continue their studies elsewhere, if they so choose. While it is possible that some Qatari students may have discontinued their studies at the start of the crisis, the UAE's long-standing policy is that those students are welcome to resume their studies within the UAE, should they choose to return and provided that they meet other entry requirements applicable to foreign nationals generally.

50. Owing to the disinformation emanating from Qatar regarding this particular issue, the UAE has taken active steps to ensure that Qatari students know that they are welcome to continue their studies in the UAE. For example, the Office of the Undersecretary of Higher Education sent instructions on 8 March 2018 to Directors of Higher Education Institutions declaring:

> "[b]y following up the information of the university students, it was noted that a number of students from the State of Qatar dropped out [of] university studies in the United Arab Emirates for non-academic reasons. Kindly communicate

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[29] *See* OHCHR Technical Mission to the State of Qatar, 17-24 November 2017, Report on the impact of the Gulf Crisis on Human Rights, December 2017, para. 45 (Attached as Annex 7).

[30] Qatar's Submission, para. 46.

[31] *See* Qatar Health Ministry Letter Re Medical Supplies Removal, 6 June 2018 (Attached as Annex 9).

[32] Qatar's Submission, para. 48.

[33] *Id*. at para. 49.

with the dropped out students immediately and check the reasons, stressing that studies are available to all students who meet the required conditions."[34]

51. Official UAE records indicate that, as of 20 June 2018, there were 694 Qatari students enrolled or re-enrolled in educational institutions in the UAE.[35] Of these, 195 students were enrolled in pre-university educational institutions for the 2017/2018 academic year.[36]

E. Right to Work

52. As part of its allegations that the UAE has violated Qatari citizens' right to work, Qatar claims that "Qatari business owners have been prevented from entering UAE in order to manage and oversee their businesses, renew necessary business and worker licenses, or renew their leases."[37] As indicated in the earlier sections of this Response, it is simply not true that Qataris have been prevented from entering the UAE.

53. The number of Qatari-owned companies in the Emirate of Dubai alone has reached 618 companies, and the number of licenses issued to Qataris nationals has reached 870.[38] From 5 June 2017 to 18 June 2018, there were 390 business license transactions in the Emirate of Dubai, including new issuances of licenses and renewals.[39] Qatari entities and companies owned by Qataris in the UAE, such as the Qatar Insurance Company, Doha Bank and Gulf Liquid Air Factory continue to hold their business licenses to operate and continue to operate without restriction.[40] These are all Qatari-owned and managed companies. It is implausible to suggest that the UAE is preventing Qataris from managing and operating these companies, given their continued operations more than one year after the start of the crisis.

54. Moreover, Qataris living in the UAE continue to be employed in the UAE in significant numbers. UAE records show that Qataris not only continue to work in the private sector, but that Qataris also continue to be employed in public service positions by the UAE Government.[41]

F. Right to Property

55. Qatar's Submission makes two main allegations with respect to the right to property. First, that Qatari nationals are being barred from accessing, buying or selling property within the UAE

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[34] *See* Education - Undersecretary of Academic Affairs Email (Attached as Annex 10).

[35] *See* Immigration - ID & Citizenship Authority Cover Letter Re Excel Immigration Stats (Attached as Annex 2); Immigration - Student Entry Records (Attached as Annex 11).

[36] *See* Qatari Student Records (Attached as Annex 12).

[37] Qatar's Submission, para. 99.

[38] *See* Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration, pg. 14 (Attached as Annex 4).

[39] *Id*.

[40] *See* Commercial Licenses – Sample Materials (Attached as Annex 13).

[41] *See* Business – UAE Embassy – Authentication Records, pg. 27 (Attached as Annex 14).

(including through representatives appointed through a power of attorney).[42] Second, that the UAE has "advanced or condoned measures against property held by Qataris, including freezing assets of Qatari nationals and limiting financial transfers to citizens or residents of Qatar."[43]

56. As stated earlier in this Response, there is no prohibition on the entry of Qataris into the UAE. Thus, it is not true that Qatari nationals are being barred from accessing their property within the UAE.

57. Even if there were such a prohibition, Qatari nationals are able to, and have, executed valid powers of attorney that allow their property to be bought, sold and otherwise managed notwithstanding that such nationals may not themselves be present in the UAE.[44] Such powers of attorney have been authenticated for use in the UAE on behalf of Qataris through the various UAE embassies worldwide. In addition, since the UAE no longer maintains an embassy in Qatar, Qatari nationals can instead submit their powers of attorney, or any other documents for authentication by the UAE, to the Kuwaiti Embassy in Qatar. The Kuwaiti Embassy then forwards them for authentication to the UAE Embassy in Kuwait. After authentication, the documents are sent back to the Kuwaiti Embassy in Qatar for collection by the Qatari applicant, who may then use them for any official purpose within the UAE.[45] At least 36 powers of attorney were registered on behalf of Qatari nationals between 1 June 2017 and 30 May 2018 in the Emirate of Abu Dhabi alone.[46]

58. Regarding Qatar's second allegation relating to the freezing of assets of Qatari nationals, the UAE Central Bank did not issue any circular or decision with regards to dealing with or closing Qatari banks, accounts associated with Qataris or banning dealing with Qatari currency.[47]

59. The UAE Central Bank did issue freezing orders in relation to persons and organizations designated as terrorists or terrorist financiers pursuant to Federal Law No. 7 of 2015 on Combatting Terrorism Crimes ("**Terrorism Crimes Law**"). The designation lists issued by the UAE pursuant to the Terrorism Crimes Law includes citizens of Qatar, as well as a number of other countries. In addition, many of the individuals and entities designated as terrorists by the UAE have also been similarly designated by the United Nations, the United States, the European Union and others.[48]

60. Additionally, the UAE has instituted enhanced due diligence requirements in relation to transactions involving six banks that have facilitated financial transactions for persons designated under the Terrorism Crimes Law. Those six banks are Qatar Islamic Bank, Qatar

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[42] Qatar's Submission, paras. 100-106.

[43] *Id*. at para. 107.

[44] *See* Business – UAE Embassy – Authentication Records, pgs. 19-25 (Attached as Annex 14); Power of Attorney (Attached as Annex 15); International Judicial Cooperation Department – Ministry of Justice Letter (Attached as Annex 16).

[45] *See* Power of Attorney (Attached as Annex 15).

[46] *See* International Judicial Cooperation Department – Ministry of Justice Letter (Attached as Annex 16).

[47] *See* Banking - Central Bank Circulars and Remittances, pg. 2-3 (Attached as Annex 17).

[48] *Id*. at pgs. 6-31.

International Islamic, Bank, Barwa Bank, Masraf Al Rayan, Qatar National Bank and Doha Bank.

61. Notwithstanding the above, there have been very substantial transfers and remittances between the UAE and Qatar covering billions of UAE dirhams since 5 June 2017.[49] Bank transfers between the Central Bank of the UAE and Qatar banks from June 2017 to April 2018 amounted to 42,210,763,000 UAE dirhams (about USD 11,549,087,000) in inward and outward remittances.[50] Thus, Qatar's assertion that its nationals' assets have been frozen because of their Qatari nationality, or that their ability to make financial transfers has been limited, is simply untrue.

G. Right to Equal Treatment before Tribunals

62. Qatar alleges that Qataris have been denied equal treatment before tribunals as they have been "unable to enter [the] UAE, hire an attorney, or otherwise exercise their rights."[51] As indicated in Section IV.F of this Response, Qatari citizens are able to execute valid powers of attorney for any legal purpose, including to appoint lawyers to represent them before the UAE courts. Moreover, should they choose to do so, they may apply for travel permission to attend any legal proceedings within the UAE in person.

63. There is clear evidence showing active court filings, and participation in proceedings in the UAE legal system generally, by Qataris. For the period between 6 June 2017 and 20 June 2018, there have been over 340 cases involving Qataris across the various Emirates.[52] These include first instance cases, appeal cases and cases in the courts of cassation. In addition, Qataris have freely applied for and received notarized documents; in the Emirate of Dubai alone 280 notarized documents have been issued to Qataris since 6 June 2017.[53] There is absolutely no evidence to suggest that Qataris' access to tribunals in the UAE has been hindered or that they do not enjoy equal treatment before those tribunals.

V. QATAR'S ALLEGATIONS ARE NOT SUBSTANTIATED BY ANY DIRECT EVIDENCE

64. Qatar's Submission relies largely on two categories of documents as evidence. The first category of documents is the reporting done by its own human rights organization, the Qatari Committee. The second category of documents is the reporting done by other international human rights bodies, based on information provided to them by the Qatari Committee and by the Qatari government. As alluded to earlier in this Response, there are various deficiencies in the evidence that Qatar has provided. The present Section addresses more specifically the

[49] *Id*. at pg. 4.

[50] *Id*.

[51] Qatar's Submission, para. 109.

[52] *See* International Judicial Cooperation Department – Ministry of Justice Letter (Attached as Annex 16); Judicial Records (Attached as Annex 18).

[53] *Id*.

deficiencies and lack of reliability of the information provided by Qatar to support its allegations, especially that which is sourced from the Qatari Committee.

A. The Qatari Committee Reports

65. Three distinct points should be noted in regards to the reliability of information sourced from the Qatari Committee.

66. First, the Qatari Committee is an entity formed, funded by and subject to the control of the Qatari government. It has quite obviously taken the side of its government in its political dispute with the UAE and the other States that have terminated relations with Qatar. This is evident in particular from the politicized language it uses in its reports, which toes the government line. It writes of the measures taken against Qatar as a "siege" and a "blockade," mimicking the Qatari government's mischaracterization of those measures.[54]

67. There in fact is no "blockade" of Qatar. According to Oxford Public International Law, a "blockade" is "a belligerent operation to prevent vessels and/or aircraft … from entering or exiting specified ports, airports, or coastal areas belonging to, occupied by, or under the control of an enemy nation." A blockade "should not be confused with embargoes."[55] Aircraft and vessels arrive to and depart from Qatar on a daily basis. The UAE has taken no measures that meet the legal definition of "blockade." The measures taken by the UAE are limited to its own territory. The Qatari Committee's deliberate and incorrect use of the term "blockade" in all its publications is a signal of its political bias and lack of independence.

68. In fact, Qatar has announced the launching of new shipping routes to Iraq,[56] Oman[57] and multiple destinations in China and the Mediterranean.[58] Qatar is even constructing a new port (Hamad Port) spanning 26 square kilometers to increase international shipping.[59] Hamad Port director Abdul Aziz Nasser al-Yafei "highlighted the port's commitment to providing all necessary facilities to companies, adding that it was ready to receive all types of shipments from different parts of the world."[60] Qatar is also increasing and expanding flight routes to and from Qatar. In March 2018, Qatar Airways announced 16 new destinations in line with its

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[54] *See* National Human Rights Committee First Report, 13 June 2017 (Attached as Annex 19); National Human Rights Committee Second Report, 1 July 2017 (Attached as Annex 20).

[55] *See* Oxford Public International Law, Definition of "Blockade", http://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e252.

[56] *Iran Plans Direct Shipping Route to Qatar*, Financial Tribune (8 July 2017), https://financialtribune.com/articles/economy-domestic-economy/67886/iran-plans-direct-shipping-route-to-qatar.

[57] *Qatar launches new shipping routes to Oman amid food shortage fears*, Reuters (12 June 2017), https://www.reuters.com/article/gulf-qatar-ports-idUSL8N1J9112.

[58] *Qatar Launches Shipping Routes to China, East Mediterranean to Bypass Blockade*, Albawaba Business (18 September 2017), https://www.albawaba.com/business/qatar-launches-shipping-routes-china-east-mediterranean-bypass-blockade-1023270.

[59] http://www.npp.com.qa/overview.html.

[60] *Qatar Launches Shipping Routes to China, East Mediterranean to Bypass Blockade*, Albawaba Business (18 September 2017), https://www.albawaba.com/business/qatar-launches-shipping-routes-china-east-mediterranean-bypass-blockade-1023270.

"aggressive expansion plans for 2018."[61] Qatar Airways Chief Executive, Akbar Al Baker stated "[d]uring the blockade Qatar Airways continued its expansion…and Qatar Airways will keep on expanding and keep on raising the flag for my country all over the globe."[62] These are not the actions of a country subject to a blockade.

69. Second, the listing in the Qatari Committee reports of the complaints by anonymous individuals, which forms the foundation of each one of the Qatari Committee's reports Qatar has relied upon in its Submission, constitute mere assertions, which are unverified (and unverifiable), and unsubstantiated by any primary documentary evidence. Indeed, even assuming these represent actually initiated complaints, there is no way of knowing whether any or all of the alleged complaints have been resolved.

70. For example, it is stated that the Qatari Committee has found that "at least 78 families have been separated…"[63] Yet only two anonymous cases are cited in the reports.[64] Moreover, 85% of the complaints referred by the Qatari Committee in relation to the UAE were lodged prior to 30 August 2017, and more than half of those were reported prior to the end of June 2017, mere weeks after the start of the crisis. Assuming for the sake of argument that these claims were actually made (a fact the Committee can neither assume nor verify), such claims would have obviously been made in the immediate, and undoubtedly confused, aftermath of the termination of diplomatic relations and before use of the hotline had become routine.

71. Third, as inherently unreliable as the Qatar Committee's reports appear to be, there is the highly relevant fact that since September 2017, the number of complaints recorded by the Qatari Committee itself has dramatically fallen. For example, since 1 September 2017, according to the Qatari Committee, there have been no complaints recorded against the UAE about "work" or "residency" matters, only two complaints about health care and only four complaints about "family separation."[65] Since 6 December 2017, the number of complaints has fallen further; not a single complaint was recorded as having been received by the Qatari Committee against the UAE concerning "residency" matters, "work" matters or "health" care matters, and only two complaints regarding "education" and "family separation" matters were said to have been received.[66]

72. What the Qatari Committee's own statistics indicate as to the incidence of complaints since 5 December 2017 is that they have dramatically dropped, and in some cases disappeared

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[61] *Qatar Airways to add 16 destinations this year*, The Peninsula (8 March 2018), https://www.thepeninsulaqatar.com/article/08/03/2018/Qatar-Airways-to-add-16-destinations-this-year.

[62] *Id*.

[63] *See* National Human Rights Committee Third Report, pg. 5 (Attached as Annex 21).

[64] *Id*. at pg. 6.

[65] *Compare* tables in National Human Rights Committee Third Report, pg. 5 (Attached as Annex 21), National Human Rights Committee Fourth Report, 5 December 2017, pg. 6 (Attached as Annex 22), and National Human Rights Committee Fifth Report, June 2018, pg. 13 (Attached as Annex 23).

[66] *Id*.

altogether. For example, since 5 December 2017, the Qatari Committee has registered the following numbers of complaints supposedly involving the UAE:

a) Under Article 5(d)(iv) of CERD, right to family life: two complaints;[67]

b) Under Article 5(e)(iv) of the CERD, right to medical care: no complaints;[68]

c) Under Article 5(e)(v) of the CERD, right to education: two complaints;[69]

d) Under Article 5(e)(i) of the CERD, right to work: no complaints; and [70]

e) Under Article 5(a) of the CERD, right to equal treatment before tribunals: one complaint.[71]

The dearth of new complaints in the Qatari Committee's own reporting demonstrates that Qatar's allegations that the UAE has systematically targeted Qatari citizens for discrimination are untrue and without basis.

B. Reports by Various Human Rights Bodies

73. In conjunction with the reports of the Qatari Committee, Qatar's Submission relies on reports by Amnesty International and Human Rights Watch, as well as referring to the OHCHR Report. All of these reports are based substantially on information provided by Qatar. While best international practice requires human rights organizations to contact States that are concerned with their reports for comments, the reports cited by Qatar do not include any comments or input from the UAE, and therefore disregard the facts contained in this Response. The Committee must take note of these issues when assessing the reliability and completeness of these reports.

74. It is also important for the Committee to bear in mind how the OHCHR Report – which was never intended to be published – became public. As the High Commissioner for Human Rights is aware, the Qatari Committee improperly leaked the OHCHR Report during a press conference held in Doha, Qatar, on 8 January 2018, notwithstanding that the OHCHR Report was intended to be used only for internal purposes. Instead, after having requested the OHCHR Report under the guise of technical assistance, Qatar presented it as the formal and conclusive findings of the OHCHR.

75. We remind the Committee of the following statement by the High Commissioner for Human Rights to the Representative of Qatar, made on 8 March 2018, during the 37th Session of the

[67] *Id*.
[68] *Id*.
[69] *Id*.
[70] *Id*.
[71] *Id*.

Human Rights Council, in which he expressed his disapproval of Qatar's leak of the OHCHR Report:

> "*There was another question from the State of Qatar concerning the coercive measures taken against Qatar and its effects and its demand for providing reparations.*
>
> *I have publicly spoken on this issue and a technical mission was undertaken at the request of Qatar and an **internal report** was prepared, drafted and released to the authorities of Qatar. **It was not meant to be public** but it became public.*"[72]

This statement was repeated by the High Commissioner in a letter to the UAE dated 29 June 2018. The High Commissioner re-affirmed that the OHCHR Report was not meant to be public.[73] He further stated that "the OHCHR Mission to Qatar (17-24 November 2017) was technical in nature and did not aim at qualifying the *Gulf crisis* nor determining states' responsibilities/liabilities."

76. This would not be the first time that Qatar has misrepresented the OHCHR's position. We remind the Committee that in June 2017 the OHCHR took the extraordinary step of publicly rebuking Qatar for distorting remarks made by the High Commissioner. Qatar deliberately misrepresented the comments made by the High Commissioner regarding the current crisis, prompting the UN Human Rights Office to issue a statement that said, in part, "[t]he UN Human Rights Office does not normally comment on bilateral meetings with States, except on the rare occasions where it believes the State concerned has publicly misrepresented the content of the meeting."[74]

77. Qatar similarly misrepresented other UN reports during the ICJ provisional measures hearings that took place in June 2018. In its pleadings before the ICJ, Qatar quoted sections of the Joint Communication from Special Procedures Mandate Holders of the Human Rights Council to the United Arab Emirates, AU ARE 5/2017 (18 August 2017) as definitive findings of fact, while neglecting to acknowledge with clarity to the ICJ that the portions it included in its pleadings begin with the following language "While we do not wish to prejudge the accuracy of these allegations …."[75]

78. The Amnesty International report, upon which Qatar relies heavily, was released on 19 June 2017, a mere two weeks after the break in relations between the UAE and Qatar and one week

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[72] *See* Letter from the UAE to the OHCHR, 16 May 2018, pg. 3 (Attached as Annex 24).

[73] *See* Letter from the OHCHR Regarding UAE letter of 16 May 2018, 29 June 2018 (Attached as Annex 25).

[74] http://english.alarabiya.net/en/News/gulf/2017/06/30/UNHCR-issues-correction-to-distorted-reports-appearing-in-Qatari-media-.html.

[75] *See* CR 2018/12, pg. 55, paras. 15-16 (Goldsmith), the pleadings of Qatar before the International Court of Justice in *the case concerning Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), 27 June 2018, https://www.icj-cij.org/files/case-related/172/172-20180627-ORA-01-00-BI.pdf.

after the procedures for use of the telephone hotline were announced.[76] Other than the limited information that was available to the Amnesty International, this brief report was obviously issued in the immediate, and undoubtedly confused, aftermath of the termination of diplomatic relations and before use of the hotline had become routine. Moreover, the report clearly cannot be relied upon as evidence of the circumstances of Qatari citizens in the UAE following that date, which as the evidence provided by the UAE has demonstrated, is much the same as it was before 5 June 2017. Finally, the report obviously does not address the question whether any of the difficulties noted have since been resolved.

79. Similarly, the Human Rights Watch report was released on 12 July 2017, a little over a month after the break in relations between the UAE and Qatar.[77] These brief statements – again, made over a year ago – cannot possibly be regarded as evidence of the circumstances prevailing in the UAE for Qatari citizens, particularly in light of the evidence showing that Qatari citizens are living their lives in the UAE today much the same as they were before. Moreover, it is notable that the Human Rights Watch report makes no specific allegations in respect of the UAE's treatment of Qatari citizens within the UAE other than noting several cases of students who said they had to interrupt their education and return to Qatar.[78] The evidence provided by the UAE together with this Response, showing that all UAE educational institutions were instructed to establish contact with any Qatari students who had interrupted their studies to advise them that they were welcome to return, and that almost 700 Qatari students are currently enrolled in in the UAE, indicates that the reported difficulties of the students did not concern the UAE or in any case have since been adequately resolved.

80. All of these reports relied considerably upon Qatari sources including the Qatari Committee and other Qatari government entities. Because of this reliance, these reports likewise only list broad general statistics with very little supporting detail regarding specific alleged violations.[79] As examples, the OHCHR Report states that 130 individuals (from all Four States, not specifically from the UAE) reported medical issues.[80] But only three anonymous examples are given, all related to KSA and not the UAE.[81] In a similar fashion, it is stated that 157 students from the UAE have been affected; but no individual examples are given.[82] Regarding the right to equal treatment before tribunals, the OHCHR Report simply states "legal cooperation has been suspended, including power of attorney."[83] Again no examples are given and the

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[76] *Gulf/Qatar dispute: Human Dignity Trampled and Families facing uncertainty as sinister deadline passes*, Amnesty International (19 June 2017), https://www.amnesty.org/en/latest/news/2017/06/gulf-qatar-dispute-human-dignity-trampled-and-families-facing-uncertainty-as-sinister-deadline-passes.

[77] *Qatar: Isolation Causing Rights Abuses*, Human Rights Watch (12 July 2017), https://www.hrw.org/news/2017/07/13/qatar-isolation-causing-rights-abuses.

[78] *Id*. at pgs. 3, 7 and 8.

[79] *See* OHCHR Technical Mission to the State of Qatar, 17-24 November 2017, Report on the impact of the Gulf Crisis on Human Rights, December 2017 (Attached as Annex 7).

[80] *Id*. at para. 43.

[81] *Id*. at para. 44.

[82] *Id*. at para. 52.

[83] *Id*. at para. 40.

statement that no powers of attorney have been issued is demonstrably false, as shown in the official records enclosed with this Response.

VI. STATEMENT OF LAW

A. Substantive and Procedural Defects in Qatar's Submission

81. Qatar's complaint is defective because it does not conform to the terms of CERD Article 11, which states:

> ***Article 11***
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> 1. If a State Party considers that another State Party is not giving effect to the provisions of this Convention, it may bring the matter to the attention of the Committee. The Committee shall then transmit the communication to the State Party concerned. Within three months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.
>
> 2. If the matter is not adjusted to the satisfaction of both parties, either by bilateral negotiations or by any other procedure open to them, within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter again to the Committee by notifying the Committee and also the other State.
>
> 3. The Committee shall deal with a matter referred to it in accordance with paragraph 2 of this article after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged.
>
> 4. In any matter referred to it, the Committee may call upon the States Parties concerned to supply any other relevant information.
>
> 5. When any matter arising out of this article is being considered by the Committee, the States Parties concerned shall be entitled to send a representative to take part in the proceedings of the Committee, without voting rights, while the matter is under consideration.

82. Qatar's complaint fails to meet key requirements of Article 11 for several reasons.

83. First, Qatar has not demonstrated that the UAE is "not giving effect to the provisions" of the Convention pursuant to Article 11(1). As this Response shows, there has been no mass expulsion of Qatari citizens from the UAE. Qatari citizens are able to enter and reside in the UAE upon prior application and they enjoy the same rights within the UAE as other foreign nationals. Qatar's complaint simply ignores the fact that the UAE did not take any steps to

deport Qatari citizens and that the Ministry of Interior, which is the UAE government entity charged with the regulating and altering the residence status of non-citizens, did issue an order deporting Qatari citizens. Above, the Committee will find detailed information showing that the vast majority of Qatari citizens remained in the UAE after 5 June 2017. Qatar's complaint also conveniently ignores that the Qatari government itself issued orders for its citizens to leave the UAE.

84. Second, whatever the significance the Committee might ascribe to the portion of the 5 June 2017 announcement calling upon Qatari citizens to depart from UAE territory, the UAE subsequently made clear that there is no deportation order in effect and that Qatari citizens may remain within the UAE. As mentioned above, on 5 July 2018, MoFA announced that Qatari citizens in the UAE could remain and affirmed procedures – which have existed since the start of the crisis – allowing Qatari citizens outside the UAE to enter the country. Thus, there is no current or ongoing basis for Qatar to allege that the UAE "is not giving effect to the provisions of" the Convention as required by CERD Article 11(1). It is important to note in this regard that Article 11(1) uses the word "is," evidencing an intention for the Committee to consider only matters involving present conflicts with CERD. It does not appear to contemplate that the Committee would examine measures that are no longer in effect, or were never in effect. This interpretation is confirmed by Articles 11(2) and 11(3), which call for the Committee to take up a complaint only if the parties cannot resolve the matter within six months and the Committee is convinced that available domestic remedies have been exhausted. To the extent that any of these conditions has not been met, a matter is not properly before the Committee.

85. Finally, the UAE would like to draw the Committee's attention to Article 11(3) of the CERD, which provides that the Committee shall deal with a matter referred to it in accordance with Article 11(2) after it has ascertained that "all available domestic remedies have been invoked and exhausted." Two issues should be noted with respect to this requirement. First, Qatar has failed to provide any evidence to show that domestic remedies have been invoked or exhausted. Second, as this Response demonstrates, it should be clear that if any individual Qatari considers himself or herself entitled to redress for any loss of rights, whether related to the CERD or otherwise, such redress is readily available through UAE institutions. Qatari nationals who seek entry to the UAE are able to apply for entry through the hotline. Persons whose property and other rights are improperly prejudiced, no matter the cause, may seek redress through the UAE judicial system, in which there is presently active participation by Qatari nationals.

B. <u>There is no Violation of the Convention</u>

86. Qatar claims that the UAE has unlawfully targeted Qatari citizens on the basis of their nationality.[84] Qatar raises claims under Articles 2, 4, 5, and 6 of the CERD, in addition to which it alleges that the UAE is in breach of the "moral principles underlying the CERD and the customary law principle of non-discrimination on arbitrary grounds."[85] Qatar asserts that the

[84] Qatar's Submission, para. 58.

[85] *Id.* At para. 57.

UAE has not only "failed to enact measures to prevent, prohibit, and criminalize racial discrimination," but has also "engaged in racial discrimination and criminalized actions intended to benefit Qataris."[86]

87. Given the pending proceedings before the ICJ, the UAE does not consider it appropriate to put forward detailed legal arguments in this Response. Instead, in this Section the UAE briefly outlines two main arguments to show that the facts alleged in Qatar's Submission –even if assumed to be true, which they are not – do not amount to violations of the CERD.

88. First, the CERD contains no express reference to nationality as a ground of discrimination. Qatar's entire Submission, and allegations that the UAE has violated the CERD, is predicated on the interpretation of the term "national…origin" in the definition of racial discrimination as encompassing present nationality.[87] The CERD contains no express reference to nationality as a prohibited ground of discrimination but instead, based on the plain reading of Article 1 and in conjunction with the drafting history, the CERD allows for special measures based on an individual's present nationality.

89. Differentiation based on nationality is common in the international practice of States and is not uncommon in international law. Countries routinely apply different entry and residence rules to nationals of different States, and periodically review and revise those rules. This "discrimination" based on nationality is further supported in General Recommendation XXX in which the Committee explicitly recognized that "Article 1, paragraph 2, provides for the possibility of differentiating between citizens and non-citizens."[88] As the UAE's measures are based on present Qatari nationality, and as the measures relate at their core to entry and residence restrictions, there is no violation of the CERD as there is no racial discrimination as defined in Article 1.[89]

90. Second, the rights contained in the CERD do not create a general right of entry to a country, which is suggested and relied upon throughout Qatar's Submission. Even assuming for the sake of argument that difference in treatment based on present nationality amounts to a violation of the CERD (as Qatar claims in its Submission), the rights asserted by Qatar are over-broad and in fact are not contained within the CERD. Qatar takes the rights enumerated in the CERD and treats each provision (e.g. right to health, right to education etc.) as encompassing an absolute right for an individual to enter a State for that purpose. The provisions of the CERD are intended to outlaw racial discrimination and ensure equal treatment in the various areas enumerated. These rights do not encompass an absolute ability for an individual to receive the treatment listed (e.g. right to health, right to education etc.) or the right of an individual to enter a State in order to do so. As such, Qatar's Submission attempts

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[86] *Id.* at para. 57.

[87] *Id.* at paras. 59 and 64-65.

[88] *See* CERD Committee, General Recommendation XXX (2004), para. 1 (Attached as Annex 26).

[89] *See* CR 2018/13, pgs. 38-48, paras. 17-60 (Olleson), the pleadings of the UAE before the International Court of Justice in *the case concerning Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), 28 June 2018 https://www.icj-cij.org/files/case-related/172/172-20180628-ORA-01-00-BI.pdf.

to create rights not contained within the CERD. As such, the UAE cannot violate these rights asserted by Qatar and furthermore, has not violated the CERD rights of Qatari individuals.[90] Any conclusion to the contrary would be contrary to established State practice, which gives countries the ability to regulate the entry and residence conditions within its territory applicable to foreign nationals.

VII. ICJ PROCEEDINGS

91. Finally, the UAE recalls that Qatar has instituted proceedings against the UAE in the ICJ under Article 22 of the CERD. Specifically, on 11 June 2018, Qatar filed an Application Instituting Proceedings as well as a Request for the Indication of Provisional Measures of Protection under the CERD. The ICJ issued its order in respect of the provisional measures requested by Qatar on 23 July 2018. The ICJ refused to grant any measures in the form sought by Qatar, and instead indicated limited measures in three areas (family re-unification, education and access to justice), in which UAE policy already reflects and complies with the order of the Court. Moreover, the Court indicated a general measure urging both parties not to take any steps that could aggravate the dispute.

92. The ICJ's provisional measures order reflects the UAE's long-standing policy and practice with respect to the UAE residence and entry rights applicable to Qatari citizens, as well as the availability to Qatari citizens of access to UAE courts and tribunals. The UAE is confident that its practice in these areas fully conforms to both the ICJ's order and to its obligations under the CERD, and that upon a close examination of the facts the Court will reach the same conclusion.

93. Notwithstanding the above, the UAE intends to lodge objections under which it will challenge the ICJ's jurisdiction to hear the case on the merits. The UAE has significant jurisdictional objections in respect of Qatar's claims in the ICJ proceedings, based on, *inter alia*, the pre-conditions to jurisdiction of the Court set out in Article 22 of the CERD. In particular, the UAE maintains that, having submitted an Article 11 complaint to the Committee, Qatar should not be permitted to simultaneously initiate proceedings in relation to the same issues in the ICJ. Having made the choice to submit an Article 11 complaint, Qatar must wait for that process to be completed prior to commencing proceedings in the ICJ, as is required by the plain text of Article 22 of the Convention. At this stage of the ICJ proceedings, the UAE has not yet had the opportunity to challenge the jurisdiction of the ICJ to hear Qatar's complaint.

VIII. CONCLUSION

94. The UAE urges the Committee to reject the complaints made by Qatar. The UAE believes that upon an examination of the evidence enclosed with this Response, the Committee will find that the UAE is not in violation of any aspect of the CERD. There are no measures instituted by the UAE limiting the rights of Qatari citizens; the restriction on entry into UAE territory is

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[90] *Id.* at pgs. 51-53, paras. 77-91.

applied to individuals of numerous nationalities and does not constitute any infringement of rights of Qataris. Official UAE data shows that applications are accepted in the vast majority of cases. Today, substantially the same number of Qataris live in the UAE as prior to the start of the crisis on 5 June 2017. The entry and residence rights applicable to Qatari citizens, and the rights that they may exercise within the UAE more generally, are consistent with those available to foreign nationals of many other countries in the UAE.

95. The UAE reserves its right to supplement and amend this Response.

CERTIFICATE OF TRANSLATION

TRANSPERFECT LEGAL SOLUTIONS

TransPerfect Translations Ltd, 33 Aldgate High Street, Aldgate House, 1st Floor, London EC3N 1AH, a professional translation agency and international communications firm, is competent to translate from Arabic into English. We hereby certify that the translation attached hereto is, to the best of our professional knowledge and belief, a faithful rendering of the original document.

Signed:

Name: Gleb Kornevs

Title: Project Manager

Date: 12 July 2018

International Cooperation Department

Date: 11/10/1439AH
Corresponding to: 25/06/2018AD

Execution Level: Ordinary, ordinary
Reference: ADJD-ADMB/OUT/ICS/2018/124262

Honourable Judge/ Abdel Rahman Murad Al-Beloushi
The Esteemed Director of the International Judicial Cooperation Department – Ministry of Justice

Peace be upon you and God's mercy and blessings,,,

Subject: Regarding the Request for Information on the Qatari Lawsuits Being Heard before the Court

Reference to your letter, Ref. # (TDT/3/2/8/11013) dated 20 June 2018, regarding the abovementioned subject, attached please find the following information:

- Statistics of the power of attorneys concluded in the period from 01 June 2017 to 30 May 2018AD for Qatari Citizenship.
- Qatari First Instance lawsuits as listed on the Lawsuits Department System from 01 April 2017 to 20 June 2018AD.
- Qatari Appeal lawsuits as listed on the Lawsuits Department System from 01 April 2017 to 20 June 2018AD.
- Execution files as listed on the Lawsuits Department System from 01 April 2017 to 20 June 2018AD.
- Appeals files as listed on the Lawsuits Department System from 01 April 2017 to 20 June 2018AD.
- Total lawsuits.

Kindly accept the utmost respect and regards,,,

Nadia Abdullah Al-Alei
Director of the International Cooperation Department
[signature]

www.adjd.gov.ae

Statistics Regarding the Powers of Attorneys Concluded in the Period from 01/06/2017 to 30/05/2018 With Respect (to Qatari Citizenship) at all Notary Public Branches – Emirate of Abu Dhabi

Qatar	**Branch**										
Period	**Bauwabet El-Sharq Mall**	**Economic Development Department**	**Chamber of Commerce and Industry**	**Jazeerah Branch**	**Abu Dhabi Court**	**Al-Rahba Court**	**Ruwais Court**	**Bani Yas Court**	**Tam-Ghayathi Centre**	**Legal Services Unit**	**Grand Total**
Jun-17			2					1			3
Jul-17					1			1			2
Aug-17					2						2
Sep-17		1							1		2
Oct-17					2						2
Nov-17	1				1					3	5
Dec-17					1						1
Jan-18					1	1	1	1			4
Feb-18					1						1
Mar-18		2			2			2		1	7
Apr-18			1		3	1					5
May-18				1				1			2
Grand Total	**1**	**3**	**3**	**1**	**14**	**2**	**1**	**6**	**1**	**4**	**36**

Qatari First Instance Lawsuits as Listed on the Lawsuit Department System from 01 April 2017 to 20 June 2018

Case No.	Court	Type of Lawsuit		Claimant Nationality		Defendant Nationality	Date of Listing	Subject of Lawsuit	Stage
Grievance-355-2017-A-Persons-MR-B-AN-2017-38	Al Ain	Grievance		Qatari		Emirati	02-04-2017	Grievance	Final ruling
P-Person-MR-B-AD-2017-890	Abu Dhabi	Petition		Emirati		Qatari	02-04-2017	Cancellation of travel ban	Decision made
P-Person-MR-B-AD-2017-927	Abu Dhabi	Petition		Moroccan		Qatari	05-04-2017	Travel ban	Ongoing
Person S-MR-B-AN-2017-465	Al Ain	Personal Status		Qatari		Emirati	11-04-2017	Contact between father and children	Final ruling
CP-MT-B-AB-2017-882	Abu Dhabi	Commercial Partial		Emirati		Qatari	19-04-2017	Financial claim	Final ruling
Estate-MR-B-AD-2017-479	Abu Dhabi	Estate		Qatari		Emirati	19-04-2017	Request for waiver permit in the estate	Dismissed
Overlook-843-2015-Person S-MR-B-AD-2017-8	Abu Dhabi	Overlooking requests		Qatari		Emirati	19-04-2017	Overlooking expenditure	Dismissed
CP-MT-B-AD-2017-914	Abu Dhabi	Commercial Partial		Emirati		Qatari	24-04-2017	Financial claim	Ongoing
Person S-MR-B-AD-2017-731	Abu Dhabi	Personal Status		Emirati		Qatari	30-04-2017	Divorce for damage	Ongoing
Person S-MR-B-AN-2017-563	Al Ain	Personal Status		Qatari		Emirati	04-05-2017	Interdiction and Guardianship	Final ruling
CP-MT-B-AD-2017-1247	Abu Dhabi	Commercial Plenary		Emirati		Qatari	15-05-2017	Appointment of expert	Final ruling
Person S-MR-B-AD-2017-880	Abu Dhabi	Personal Status		Omani		Qatari	24-05-2017	Divorce for damage	Final ruling
P Person-880-2017-Person S-MR-BAD-2017-1370	Abu Dhabi	Petition		Omani		Qatari	25-05-2017	Extraction of evidence	Decision made
P Person-880-2017-Person S-MR-BAD-2017-1385	Abu Dhabi	Petition		Omani		Qatari	25-05-2017	Extraction of evidence	Decision made
G-P-MR-LB-AD-2017-291	Abu Dhabi	Lease Petition		Qatari		Emirati	25-05-2017	Reconnection of electric current	Decision made
P Person-MR-B-AN-2017-632	Al Ain	Petition		Qatari		Emirati	05-06-2017	Travel permit for applicant	Decision made
Person S-MR-B-AD-2017-955	Abu Dhabi	Personal Status		Qatari		Emirati	07-06-2017	Proof of marriage	Final ruling
P Person-MR-B-AD-2017-1478	Abu Dhabi	Petition		Emirati		Qatari	07-06-2017	Travel ban	Decision made
Person S-MR-B-AN-2017-757	Al Ain	Personal Status		Emirati		Qatari	22-06-2017	Drop custody	Dismissed
P Person-MR-B-AD-2017-1757	Abu Dhabi	Petition		Emirati		Qatari	06-07-2017	Travel ban	Decision made
CP-MR-B-AD-2017-570	Abu Dhabi	Civil Partial		Emirati		Qatari	09-07-2017	Division and appropriation	Ongoing
P Person-MR-B-AD-2017-1797	Abu Dhabi	Petition		Qatari		Emirati	10-07-2017	Delivery of passports	Decision made
Lease-MR-LB-AN-2017-664	Al Ain	Lease		Emirati		Qatari	11-07-2017	Eviction	Final ruling
Person S-MR-B-AN-2017-880	Al Ain	Personal Status		Qatari		Emirati	30-07-2017	Submission of children passports	Final ruling
Estate-MR-B-AD-2017-753	Abu Dhabi	Estate		Emirati		Qatari	30-07-2017	Devolution of estate	Final ruling
P Person-MR-B-AD-2017-2051	Abu Dhabi	Petition		Emirati		Qatari	02-08-2017	Trust card renewal	Decision made
CP-MR-B-AN-2017-368	Al Ain	Commercial Plenary		Qatari		Emirati	10-08-2017	Lawsuit to appoint expert	Final ruling
Person S-BS-B-AD-2017-161	Abu Dhabi	Personal Status		Yemeni		Qatari	13-08-2017	Divorce for damage	Final ruling
Expedited-MR-B-AD-2017-186	Abu Dhabi	Expedited		Emirati		Qatari	13-08-2017	Appointment of expert and establish a case	Dismissed
P Person-MR-B-AN-2017-1037	Al Ain	Petition		Qatari		Emirati	22-08-2017	Travel permit	Decision made
P Person-MR-B-AD-2017-2352	Abu Dhabi	Petition		Qatari		Emirati	28-08-2017	Temporary alimony	Decision made
P Person-MR-B-AD-2017-2435	Abu Dhabi	Petition		Qatari		Emirati	05-09-2017	Alimony and access to house	Decision made
P Person-93-2017-Person S-MR-B-AD-2017-2450	Abu Dhabi	Petition		Moroccan		Qatari	06-09-2017	Education fees	Decision made
P Person-MR-B-AD-2017-2460	Abu Dhabi	Petition		Emirati		Qatari	07-09-2017	Travel ban	Ongoing
Grievance-2460-2017-P Person-MR-B-AD-2017-451	Abu Dhabi	Grievance		Emirati		Qatari	10-09-2017	Grievance of order on petition	Dismissed

P Person-MR-B-AD-2017-2482	Abu Dhabi	Petition		Emirati		Qatari	10-09-2017	Establish a case children entry	Decision made
P Person-MR-B-AD-2017-2485	Abu Dhabi	Petition		Qatari		Emirati	10-09-2017	Entry to residence	Ongoing
P Person-93-2017-Person S-MR-B-AD-2017-2543	Abu Dhabi	Petition		Moroccan		Qatari	13-09-2017	Education fees	Decision made
A.Petition-MR-B-AN-2017-2092	Al Ain	Petition		Iraqi		Qatari	13-09-2017	Cancellation of order on petition	Ongoing
Estate-MR-B-AD-2017-886	Abu Dhabi	Estate		Qatari		Emirati	19-09-2017	Addition of an element in estate	Final ruling
A.Petition-MR-B-AD-2017-6352	Abu Dhabi	Petition		Emirati		Qatari	19-09-2017	Addressing	Decision made
P Person-MR-B-AD-2017-2638	Abu Dhabi	Petition		Emirati		Qatari	19-09-2017	School	Decision made
A.Petition-MR-B-AN-2017-2182	Al Ain	Petition		Emirati		Qatari	24-09-2017	Addressing the Traffic Department	Ongoing
CP-MT-B-AD-2017-52	Abu Dhabi	Commercial Plenary		Qatari		Emirati	10-10-2017	Appoint banking expert	Ongoing
P Person-MR-B-AN-2017-1304	Al Ain	Petition		Emirati		Qatari	12-10-2017	Travel ban	Decision made
Estate-SA-B-DF-2017-23	Dhufra	Estate		Qatari		Emirati	23-10-2017	Waiver in estate	Final ruling
Estate-MR-B-AD-2017-1000	Abu Dhabi	Estate		Qatari		Emirati	31-10-2017	Request to establish waiver in estate	Final ruling
P Person--MR-B-AN-2017-1408	Al Ain	Petition		Emirati		Qatari	02-11-2017	Handover of children	Decision made
Person S-MR-B-AD-2017-1708	Abu Dhabi	Personal Status		Emirati		Qatari	05-11-2017	Divorce + establish custody	Final ruling
P Person-MR-B-AD-2017-3175	Abu Dhabi	Petition		Emirati		Qatari	05-11-2017	Travel ban	Decision made
Person S-BS-B-AD-2017-241	Abu Dhabi	Personal Status		Emirati		Qatari	09-11-2017	Divorce for abandonment	Final ruling
Person S-MR-B-AN-2017-1295	Al Ain	Personal Status		Emirati		Qatari	15-11-2017	Dropping custody	Final ruling
Estate-MR-B-AD-2017-1054	Abu Dhabi	Estate		Emirati		Qatari	16-11-2017	Adding element	Final ruling
CP-MR-B-AD-2017-380	Abu Dhabi	Civil Plenary		Qatari		Emirati	19-11-2017	Appointment of expert	Ongoing
Estate-MR-B-AD-2017-1063	Abu Dhabi	Estate		Emirati		Qatari	20-11-2017	Request to eliminate heirs from property	Referred
Person S-MR-B-AD-2017-1812	Abu Dhabi	Personal Status		Emirati		Qatari	22-11-2017	Custody	Ongoing
P Person-1708-2017- Person S-MR-B-AD-2017-3470	Abu Dhabi	Petition		Emirati		Qatari	04-12-2017	Not take children from school	Decision made
P Person-MR-B-AN-2017-1562	Al Ain	Petition		Qatari		Emirati	10-12-2017	True copies	Decision made
CP-MT-B-AD-2017-2949	Abu Dhabi	Commercial Plenary		Qatari		Emirati	13-12-2017	Financial claim	Ongoing
P Person-MR-B-AN-2017-1648	Al Ain	Petition		Qatari		Emirati	27-12-2017	Travel permit	Decision made
Lease-MR-LB-AD-2018-136	Abu Dhabi	Lease		Emirati		Qatari	08-01-2018	Eviction and payment of lease value	Final ruling
P Person-MR-B-AD-2018-81	Abu Dhabi	Petition		Emirati		Qatari	09-01-2018	Addressing	Decision made
P Person-MR-B-AD-2018-93	Abu Dhabi	Petition		Emirati		Qatari	09-01-2018	Suspension of temporary alimony	Decision made
Estate-MR-B-AF-2018-4	Dhufra	Estate		Qatari		Emirati	14-01-2018	Waiver in estate	Final ruling
Estate-MR-B-AD-2018-68	Abu Dhabi	Estate		Qatari		Emirati	17-01-2018	Request permission to sell	Final ruling
Person S-BS-B-AD-2018-13	Abu Dhabi	Personal Status		Emirati		Qatari	22-01-2018	Establish divorce	Final ruling
P Person-MR-B-AN-2018-107	Al Ain	Petition		Qatari		Emirati	25-01-2018	Addressing Al Ain Municipality	Decision made
Lease-MR-LB-AN-2018-188	Al Ain	Lease		Emirati		Qatari	05-02-2018	Eviction request	Final ruling
P Person-MR-B-AD-2018-454	Abu Dhabi	Petition		Moroccan		Qatari	14-02-2018	Copy of passport	Decision made
CP-MR-B-AN-2018-243	Al Ain	Civil Partial		Emirati		Qatari	19-02-2018	Permit to sell land	Ongoing
CP-MR-B-AD-2018-165	Abu Dhabi	Civil Partial		Bangladeshi		Qatari	22-02-2018	Financial claim	Final ruling
Person S-MR-B-AD-2018-299	Abu Dhabi	Personal Status		Qatari		Emirati	22-02-2018	Divorce and alimony	Final ruling
P Person-299-2018-Person S-MR-B-AD-2018-541	Abu Dhabi	Petition		Qatari		Emirati	22-02-2018	Enable access to house	Decision made
P Person-299-2018-Person S-MR-B-AD-2018-564	Abu Dhabi	Petition		Qatari		Emirati	26-02-2018	Temporary alimony	Decision made

P Person-MR-B-AD-2018-583	Abu Dhabi	Petition		Qatari		Emirati	27-02-2018	Renewal of health cards	Decision made
P Person-MR-B-AD-2018-597	Abu Dhabi	Petition		Qatari		Emirati	28-02-2018	Addressing Passport Dept.	Decision made
P Person-MR-B-AD-2018-622	Abu Dhabi	Petition		Qatari		Emirati	01-03-2018	Receipt of ID cards	Decision made
P Person-MR-B-AD-2018-621	Abu Dhabi	Petition		Qatari		Emirati	01-03-2018	Transfer of servant alimony on son	Decision made
P Person-MR-B-AD-2018-659	Abu Dhabi	Petition		Emirati		Qatari	05-03-2018	Handover of children	Ongoing
P Person-299-2018-Person S-MR-B-AD-2018-655	Abu Dhabi	Petition		Qatari		Emirati	05-03-2018	Handover of house keys	Decision made
A.Petition-MR-B-AD-2018-1665	Abu Dhabi	Petition		Emirati		Qatari	07-03-2018	Renewal of work cards	Decision made
P Person-MR-B-AD-2018-703	Abu Dhabi	Petition		Qatari		Emirati	08-03-2018	Handover of children	Decision made
P Person-MR-B-AD-2018-767	Abu Dhabi	Petition		Omani		Qatari	14-03-2018	ID renewal	Decision made
A.Petition-MR-B-AD-2018-1889	Abu Dhabi	Petition		Emirati		Qatari	15-03-2018	Lifting precautionary seize	Decision made
P Person-MR-B-AN-2018-368	Al Ain	Petition		Emirati		Qatari	20-03-2018	Addressing	Decision made
P Person-MR-B-AD-2018-844	Abu Dhabi	Petition		Omani		Qatari	21-03-2018	ID renewal	Decision made
Personal S-MR-B-AD-2018-495	Abu Dhabi	Personal Status		Emirati		Qatari	26-03-2018	Spouse obedience	Final ruling
CP-MR-B-AD-2018-276	Abu Dhabi	Civil Partial		Emirati		Qatari	27-03-2018	Request to eliminate heirs	Dismissed
CP-MR-B-AN-2018-487	Al Ain	Civil Partial		Egyptian		Qatari	10-04-2018	Financial claim	Referred
P Person-MR-B-AD-2018-1104	Abu Dhabi	Petition		Emirati		Qatari	12-04-2018	Transfer of car ownership	Decision made
Estate-MR-B-AD-2018-373	Abu Dhabi	Estate		Qatari		Emirati	12-04-2018	Establish Withdrawal	Final ruling
P Person-MR-B-AD-2018-1123	Abu Dhabi	Petition		Qatari		Emirati	15-04-2018	Empower to receive children	Decision made
Lease-MR-LB-AN-2018-408	Al Ain	Lease		Emirati		Qatari	16-04-2018	Eviction for default on payment	Final ruling
P Person-MR-B-AD-2018-1163	Abu Dhabi	Petition		Qatari		Emirati	18-04-2018	Handover of children passports	Decision made
P Person-MR-B-AN-2018-517	Al Ain	Petition		Qatari		Emirati	19-04-2018	Travel permit	Decision made
P Person-MR-B-AD-2018-1189	Abu Dhabi	Petition		Qatari		Emirati	22-04-2018	Children meeting and pick up	Decision made
P Person-MR-B-AD-2018-1181	Abu Dhabi	Petition		Qatari		Emirati	22-04-2018	Receipt of children	Ongoing
Person S-MR-B-AD-2018-652	Abu Dhabi	Personal Status		Qatari		Emirati	22-04-2018	Receipt of children	Ongoing
Person S-MR-B-AD-2018-680	Abu Dhabi	Personal Status		Qatari		Emirati	24-04-2018	Spouse obedience	Final ruling
Person S-MR-B-AD-2018-679	Abu Dhabi	Personal Status		Emirati		Qatari	24-04-2018	Divorce and alimony	Dismissed
Grievance-1163-2018-Personal S-MR-B-AD-2018-267	Abu Dhabi	Grievance		Qatari		Emirati	26-04-2018	Grievance	Dismissed
CP-MR-B-AN-2018-691	Al Ain	Commercial Partial		Egyptian		Qatari	06-05-2018	Financial claim	Final ruling
P Person-MR-B-AN-2018-659	Al Ain	Petition		Emirati		Qatari	15-05-2018	Cancel travel ban	Decision made
P Person-MR-B-AN-2018-717	Al Ain	Petition		Qatari		Emirati	28-05-2018	Addressing Al Ain Municipality	Decision made
Person S-MR-B-AN-2018-673	Al Ain	Personal Status		Qatari		Emirati	28-05-2018	Restraining order	Ongoing
Lease-MR-LB-AD-2018-2265	Abu Dhabi	Lease		Emirati		Qatari	06-06-2018	Eviction	Ongoing
P Person-MR-B-AN-2018- 792	Al Ain	Petition		Qatari		Emirati	10-06-2018	Receipt of children	Decision made

Qatari Appeal Lawsuits as Listed on the Lawsuit Department System from 01 April 2017 to 20 June 2018

Case No.	Court	Type of Lawsuit	Claimant	Claimant Nationality	Defendant	Defendant Nationality	Date of Listing	Subject of Lawsuit	Stage
Personal-MR-S-AN-2017-222	Al Ain	Personal Status Appeal		Emirati		Qatari	10-04-2017	Appeal execution	Final ruling
Personal-MR-S-AN-2017-323	Al Ain	Personal Status Appeal		Qatari		Emirati	28-05-2017	Appeal execution	Final ruling
Personal-MR-S-AN-2017-372	Al Ain	Personal Status Appeal		Qatari		Emirati	22-06-2017	Annul appealed ruling	Final ruling
Personal-MR-S-AD-2017-929	Abu Dhabi	Personal Status Appeal		Emirati		Qatari	04-07-2017	Annul appealed ruling	Final ruling
Commercial-MT-S-AD-2017-1421	Abu Dhabi	Commercial Appeal		Emirati		Qatari	16-07-2017	Annual appealed ruling	Ongoing
Personal-MR-S-AN-2017-480	Al Ain	Personal Status Appeal		Qatari		Emirati	27-09-2017	Disengage from guardianship	Annexed
Personal-MR-S-AD-2017- 1232	Abu Dhabi	Personal Status Appeal		Omani		Qatari	23-10-2017	Annul appealed ruling	Final ruling
Commercial-MT-S-AD-2017-1949	Abu Dhabi	Commercial Appeal		Emirati		Qatari	26-10-2017	Annul appealed ruling	Final ruling
Personal-MR-S-AD-2017-1328	Abu Dhabi	Personal Status Appeal		Moroccan		Qatari	15-11-2017	Amend ruling	Final ruling
Commercial-MT-S-AD-2017-2120	Abu Dhabi	Commercial Appeal		Emirati		Qatari	21-11-2017	Annul appealed ruling	Final ruling
Commercial-MT-S-AD-2017-2246	Abu Dhabi	Commercial Appeal		Qatari		Jordanian	28-11-2017	Annul ruling	Final ruling
Personal-MR-S-AD-2017-1445	Abu Dhabi	Personal Status Appeal		Qatari		Moroccan	10-12-2017	Annul appealed ruling	Annexed
Commercial-MT-S-AD-2017-2394	Abu Dhabi	Commercial Appeal		Qatari		Emirati	17-12-2017	Annul ruling	Final ruling
Personal-MR-S-AD-2018-49	Abu Dhabi	Personal Status Appeal		Emirati		Qatari	17-01-2018	Amend ruling	Final ruling
Personal-MR-S-AD-2018-166	Abu Dhabi	Personal Status Appeal		Emirati		Qatari	13-02-2018	Annul ruling	Final ruling
Commericial-MT-S-AD-2018-479	Abu Dhabi	Commercial Appeal		Qatari		Emirati	21-02-2018	Annul appealed ruling	Final ruling
Commercial-MT-S-AD-2018-599	Abu Dhabi	Commercial Appeal		Emirati		Qatari	27-02-2018	Annul appealed ruling	Ongoing
commercial-MR-S-AN-2018-511	Al Ain	Commercial Appeal		Egyptian		Qatari	06-06-2018	Annul appealed ruling	Ongoing

Qatari Execution Files as Listed on the Lawsuit Department System from 1 April 2017 to 20 June 2018

Lawsuit No.	Court	Office	Claimant Nationality	Defendant Nationality	Entry Date
General E-MR-T-AD-2017-256	Abu Dhabi	General Execution Office	Qatari	Emirati	06 April 2017
Input E-MR-T-AD-2017-501	Abu Dhabi	General Execution Office	Emirati	Qatari	09 April 2017
Output E-MR-T-AD-2017-316	Abu Dhabi	General Execution Office	Emirati	Qatari	09 April 2017
General E-MR-T-AD-2017-296	Abu Dhabi	General Execution Office	Emirati	Qatari	24 April 2017
General E-MR-T-AD-2017-313	Abu Dhabi	General Execution Office	Qatari	Indian	02 May 2017
Output E-MR-T-AD-2017-424	Abu Dhabi	General Execution Office	British	Qatari	11 May 2017
PSE-MR-T-AD-2017-1159	Abu Dhabi	Personal Status Office	Qatari	Emirati	29 August 2017
PSE-MR-T-AD-2017-1201	Abu Dhabi	Personal Status Office	Emirati	Qatari	07 September 2017
Lease E-MR-T-AN-2017-567	Al Ain	Lease Office	Emirati	Qatari	07 November 2017
CE-MR-T-AD-2017-2442	Abu Dhabi	Commercial Office	Qatari	Emirati	23 November 2017
Output E-MR-T-AD-2017-1081	Abu Dhabi	General Execution Office	Emirati	Qatari	10 December 2017
PSE-MR-T-AD-2018-358	Abu Dhabi	Personal Status Office	Qatari	Emirati	27 February 2018
PSE-MR-T-AD-2018-388	Abu Dhabi	Personal Status Office	Emirati	Qatari	05 March 2018
PSE-MR-T-AD-2018-403	Abu Dhabi	Personal Status Office	Emirati	Qatari	06 March 2018
Input E-MR-T-AD-2018-317	Abu Dhabi	Personal Status Office	Emirati	Qatari	06 March 2018
PSE-MR-T-AD-2018-399	Abu Dhabi	Personal Status Office	Qatari	Emirati	06 March 2018
PSE-MR-T-AD-2018-400	Abu Dhabi	Personal Status Office	Qatari	Emirati	06 March 2018
PSE-MR-T-AD-2018-424	Abu Dhabi	Personal Status Office	Qatari	Emirati	12 March 2018
CE-MR-T-AD-2018-1101	Abu Dhabi	Commercial Office	Emirati	Qatari	13 March 2018
PSE-MR-T-AD-2018-671	Abu Dhabi	Personal Status Office	Emirati	Qatari	18 April 2018
PSE-MR-T-AD-2018-673	Abu Dhabi	Personal Status Office	Moroccan	Qatari	18 April 2018
CE-MR-T-AD-2018-1287	Abu Dhabi	Commercial Office	Emirati	Qatari	23 April 2018
PSE-MR-T-AD-2018-709	Abu Dhabi	Personal Status Office	Emirati	Qatari	23 April 2018
PSE-MR-T-AD-2018-726	Abu Dhabi	Personal Status Office	Qatari	Emirati	25 April 2018
Input E-MR-T-AD-2018-488	Abu Dhabi	Personal Status Office	Qatari	Emirati	25 April 2018
Output E-MR-T-AD-2018-565	Abu Dhabi	General Execution Office	Qatari	Qatari	07 June 2018
Problem-256-2017-General E-MR-T-AD-2017-40	Abu Dhabi	Execution Lawsuits	Qatari	Emirati	25 September 2017

Qatari Appeal Files as Listed on the Lawsuit Department System from 01 April 2017 to 20 June 2018

Lawsuit No.	Court	Type of Lawsuit		Claimant Nationality		Defendant Nationality	Date of Listing	Phase
Commercial-MR-Q-AD-2017-383	Appeal	Commercial		Egyptian		Qatari	12-04-2017	Closed
Civil-MR-Q-AD-2017-151	Appeal	Civil		Qatari		Emirati	31-05-2017	Ongoing
Personal-MR-Q-AD-2017-340	Appeal	Personal Status		Emirati		Qatari	12-07-2017	Ongoing
Commercial-MR-Q-AD-2017-979	Appeal	Commercial		Emirati		Qatari	12-12-2017	Closed
Personal-MR-Q-AD-2017-515	Appeal	Personal Status		Emirati		Qatari	20-12-2017	Ongoing
Personal-MR-Q-AD-2018-165	Appeal	Personal Status		Moroccan		Qatari	18-03-2018	Ongoing
Civil-MR-Q-AD-2018-64	Appeal	Civil		Qatari		Qatari	25-03-2018	Ongoing
Commercial-MR-Q-AD-2018-322	Appeal	Commercial		Emirati		Qatari	01-04-2018	Ongoing
Commercial-MR-Q-AD-2018-400	Appeal	Commercial		Qatari		Emirati	17-04-2018	Ongoing
Commercial-MR-Q-AD-2018-460	Appeal	Commercial		Qatari		Jordanian	30-04-2018	Ongoing
Plea-81-2017-Civil-MR-Q-AD-2017-13	Appeal	Reconsideration plea		Emirati		Qatari	21-12-2017	Plea

S	Type of Lawsuit	First Instance	Appeal	Repeal	Execution	Total
1	Personal Status	19	10	3	14	46
2	Estate	10				10
3	Commercial Plenary	8	8	5	2	23
4	Lease	5			2	7
5	Civil	5		2	8	15
6	Expedited	1				1
7	Petitions	55				55
8	Grievance	3			1	4
9	Post Ruling Requests	1		1		2
Total		107	18	11	27	163

International Cooperation
Department
إدارة التعاون الدولي

التاريخ: 1439/10/11 هـ
الموافق : 2018/06/25 مـ

درجة التنفيذ: عادي، عادي
المرجع: ADJD-ADMB/OUT/ICS/2018/124262

سعادة القاضي/ عبدالرحمن مراد البلوشي

مدير إدارة التعاون القضائي الدولي–وزارة العدل المحترم,,,

السلام عليكم ورحمة الله وبركاته ،،،،

الموضوع: بخصوص طلب بيانات للقضايا القطرية المنظورة

أمام المحكمة

بالإشارة لكتابكم المرجع رقم (ت د ت / 3 /2/ 8 /11013) المؤرخ 20 يونيو 2018 ، بخصوص الموضوع المشار إليه أعلاه نرفق لكم البيانات التالية : –

- **الاحصائية الخاصة بالوكالات التي تمت خلال الفترة من 1 يونيو 2017 الى 30 مايو 2018 م الخاصة بالجنسية القطرية .**
- **دعاوى القطريين الابتدائية المقيدة على نظام ادارة القضايا من 1 ابريل 2017 و حتى تاريخ 20 يونيو 2018 م .**
- **دعاوى القطريين الاستئنافية المقيدة على نظام ادارة القضايا من 1 ابريل 2017 و حتى تاريخ 20 يونيو 2018 م .**
- **ملفات التنفيذ المقيدة على نظام ادارة القضايا من 1 ابريل 2017 و حتى تاريخ 20 يونيو 2018 م .**
- **ملفات الطعون المقيدة على نظام ادارة القضايا من 1 ابريل 2017 و حتى تاريخ 20 يونيو 2018 م .**
- **اجمالي الدعاوى .**

وتفضلوا بقبول فائق الاحترام والتقدير,,,

نادية عبدالله العلي

مدير إدارة التعاون الدولي

www.adjd.gov.ae

الإحصائية الخاصة بالوكالات التي تمت خلال الفترة من 2017/6/1 الى 2018/5/30 والخاصة (بالجنسية القطرية) بجميع أفرع الكاتب العدل- إمارة أبوظبي

Qatar	Branch										
Period	بوابة الشرق مول	دائرة التنمية الاقتصادية	غرفة التجارة والصناعة	فرع الجزيرة	محكمة أبوظبي	محكمة الرحبة	محكمة الرويس	محكمة بني ياس	مركزتم- غياثي	وحدة الخدمات العدليه	Grand Total
Jun-17			2					1			3
Jul-17					1			1			2
Aug-17					2						2
Sep-17		1							1		2
Oct-17					2						2
Nov-17	1				1					3	5
Dec-17					1						1
Jan-18					1	1	1	1			4
Feb-18					1						1
Mar-18		2			2			2		1	7
Apr-18			1		3	1					5
May-18				1				1			2
Grand Total	**1**	**3**	**3**	**1**	**14**	**2**	**1**	**6**	**1**	**4**	**36**

دعاوى القطريين الابتدائية المقيدة على نظام إدارة القضايا من الأول من أبريل 2017 وحتى تاريخ 20 يونيو 2018

رقم الدعوى	المحكمة	نوع الدعوى	المدعي	جنسية المدعي	المدعى عليه	جنسية المدعى عليه	تاريخ القيد	موضوع الدعوى	المرحلة
تظلم-2017-355-ع نفس-م ر-ب-ع ن-2017-38	العين	تظلم		قطري		إماراتي	2017-04-02	تظلم	حكم قطعي
ع نفس-م ر-ب-أ ظ-2017-890	أبوظبي	عريضة		إماراتي		قطري	2017-04-02	الغاء منع سفر	اتخذ القرار
ع نفس-م ر-ب-أ ظ-2017-927	أبوظبي	عريضة		مغربي		قطري	2017-04-05	منع من السفر	متداولة
ح نفس-م ر-ب-ع ن-2017-465	العين	أحوال نفس		قطري		إماراتي	2017-04-11	تواصل الاب مع ابنائه	حكم قطعي
تج جز-م ت-ب-أ ظ-2017-882	أبوظبي	تجاري جزئي		إماراتي		قطري	2017-04-19	مطالبة مالية	حكم قطعي
تر كة-م ر-ب-أ ظ-2017-479	أبوظبي	تركة		قطري		إماراتي	2017-04-19	طلب إذن تنازل في التركة	شطبت
إغفال-2015-843-ح نفس-م ر-ب-أ ظ-2017-8	أبوظبي	اغفال طلبات		قطري		إماراتي	2017-04-19	اغفال نفقات	شطبت
تج جز-م ت-ب-أ ظ-2017-914	أبوظبي	تجاري جزئي		إماراتي		قطري	2017-04-24	مطالبة مالية	متداولة
ح نفس-م ر-ب-أ ظ-2017-731	أبوظبي	أحوال نفس		إماراتي		قطري	2017-04-30	طلاق للضرر	متداولة
ح نفس-م ر-ب-ع ن-2017-563	العين	أحوال نفس		قطري		إماراتي	2017-05-04	حجر وقوامه	حكم قطعي
تج كل-م ت-ب-أ ظ-2017-1247	أبوظبي	تجاري كلي		إماراتي		قطري	2017-05-15	ندب خبير	حكم قطعي
ح نفس-م ر-ب-أ ظ-2017-880	أبوظبي	أحوال نفس		عماني		قطري	2017-05-24	طلاق للضرر	حكم قطعي
ع نفس-880-2017-ح نفس-م ر-ب-أ ظ-2017-1370	أبوظبي	عريضة		عماني		قطري	2017-05-25	استخراج ثبوتيات	اتخذ القرار
ع نفس-880-2017-ح نفس-م ر-ب-أ ظ-2017-1385	أبوظبي	عريضة		عماني		قطري	2017-05-25	استخراج ثبوتيات	اتخذ القرار
ج.عريضة-م ر-ل ب-أ ظ-2017-291	أبوظبي	عريضة إيجاري		قطري		إماراتي	2017-05-25	اعادةالتيار الكهربائي	اتخذ القرار
ع نفس-م ر-ب-ع ن-2017-632	العين	عريضة		قطري		إماراتي	2017-06-05	الاذن بالسفر لطالبة الامر	اتخذ القرار
ح نفس-م ر-ب-أ ظ-2017-955	أبوظبي	أحوال نفس		قطري		إماراتي	2017-06-07	إثبات زواج	حكم قطعي
ع نفس-م ر-ب-أ ظ-2017-1478	أبوظبي	عريضة		إماراتي		قطري	2017-06-07	منع سفر	اتخذ القرار
ح نفس-م ر-ب-ع ن-2017-757	العين	أحوال نفس		إماراتي		قطري	2017-06-22	إسقاط حضانه	شطبت
ع نفس-م ر-ب-أ ظ-2017-1757	أبوظبي	عريضة		إماراتي		قطري	2017-07-06	منع سفر	اتخذ القرار
مد جز-م ر-ب-أ ظ-2017-570	أبوظبي	مدني جزئي		إماراتي		قطري	2017-07-09	فرز وتجنيب	متداولة
ع نفس-م ر-ب-أ ظ-2017-1797	أبوظبي	عريضة		قطري		إماراتي	2017-07-10	تسليم جوازات سفر	اتخذ القرار
ايجار-م ر-ل ب-ع ن-2017-664	العين	إيجاري		إماراتي		قطري	2017-07-11	اخلاء	حكم قطعي
ح نفس-م ر-ب-ع ن-2017-880	العين	أحوال نفس		قطري		إماراتي	2017-07-30	تسليم جوزات سفر الابناء	حكم قطعي
تر كة-م ر-ب-أ ظ-2017-753	أبوظبي	تركة		إماراتي		قطري	2017-07-30	حصر ارث	حكم قطعي
ع نفس-م ر-ب-أ ظ-2017-2051	أبوظبي	عريضة		إماراتي		قطري	2017-08-02	تجديدبطاقه ثقة	اتخذ القرار
تج كل-م ر-ب-ع ن-2017-368	العين	تجاري كلي		قطري		إماراتي	2017-08-10	دعوى ندب خبير	حكم قطعي
ح نفس-ب س-ب-أ ظ-2017-161	أبوظبي	أحوال نفس		يمني		قطري	2017-08-13	الطلاق للضرر	حكم قطعي
مستعجل-م ر-ب-أ ظ-2017-186	أبوظبي	المستعجل		إماراتي		قطري	2017-08-13	ندب خبير واثبات حاله	شطبت
ع نفس-م ر-ب-ع ن-2017-1037	العين	عريضة		قطري		إماراتي	2017-08-22	الاذن بالسفر	اتخذ القرار
ع نفس-م ر-ب-أ ظ-2017-2352	أبوظبي	عريضة		قطري		إماراتي	2017-08-28	نفقة مؤقتة	اتخذ القرار
ع نفس-م ر-ب-أ ظ-2017-2435	أبوظبي	عريضة		قطري		إماراتي	2017-09-05	نفقة وتمكين دخول المسكن	اتخذ القرار
ع نفس-93-2017-ح نفس-م ر-ب-أ ظ-2017-2450	أبوظبي	عريضة		مغربي		قطري	2017-09-06	رسوم دراسية	اتخذ القرار
ع نفس-م ر-ب-أ ظ-2017-2460	أبوظبي	عريضة		إماراتي		قطري	2017-09-07	منع سفر	متداولة
تظلم-2017-2460-ع نفس-م ر-ب-أ ظ-2017-451	أبوظبي	تظلم		إماراتي		قطري	2017-09-10	تظلم من أمر على عريضة	شطبت

ع نفس-م ر-ب-أ ظ-2017-2482	أبوظبي	عريضة	إماراتي	قطري	2017-09-10	اثبات حاله دخول الابناء	اتخذ القرار
ع نفس-م ر-ب-أ ظ-2017-2485	أبوظبي	عريضة	قطري	إماراتي	2017-09-10	دخول المسكن	متداولة
ع نفس-93-2017-ح نفس-م ر-ب-أ ظ-2017-2543	أبوظبي	عريضة	مغربي	قطري	2017-09-13	رسوم الدارسة	اتخذ القرار
أ.عريضة-م ر-ب-ع ن-2017-2092	العين	عريضة	عراقي	قطري	2017-09-13	الغاء امر على عريضة	متداولة
تر كة-م ر-ب-أ ظ-2017-886	أبوظبي	تركة	قطري	إماراتي	2017-09-19	اضافة عنصر في التركة	حكم قطعي
أ.عريضة-م ر-ب-أ ظ-2017-6352	أبوظبي	عريضة	إماراتي	قطري	2017-09-19	مخاطبة	اتخذ القرار
ع نفس-م ر-ب-أ ظ-2017-2638	أبوظبي	عريضة	إماراتي	قطري	2017-09-19	مدرسة	اتخذ القرار
أ.عريضة-م ر-ب-ع ن-2017-2182	العين	عريضة	إماراتي	قطري	2017-09-24	مخاطبة ادارة المرور	متداولة
تج كل-م ت-ب-أ ظ-2017-52	أبوظبي	تجاري كلي	قطري	إماراتي	2017-10-10	ندب خبير مصرفي	متداولة
ع نفس-م ر-ب-ع ن-2017-1304	العين	عريضة	إماراتي	قطري	2017-10-12	منع من السفر	اتخذ القرار
تر كة-س ع-ب-ظ ف-2017-23	الظفرة	تركة	قطري	إماراتي	2017-10-23	تنازل في التركة	حكم قطعي
تر كة-م ر-ب-أ ظ-2017-1000	أبوظبي	تركة	قطري	إماراتي	2017-10-31	طلب اثبات تنازل في تركة	حكم قطعي
ع نفس-م ر-ب-ع ن-2017-1408	العين	عريضة	إماراتي	قطري	2017-11-02	تسليم اولاد	اتخذ القرار
ح نفس-م ر-ب-أ ظ-2017-1708	أبوظبي	أحوال نفس	إماراتي	قطري	2017-11-05	طلاق +اثبات حضانة	حكم قطعي
ع نفس-م ر-ب-أ ظ-2017-3175	أبوظبي	عريضة	إماراتي	قطري	2017-11-05	منع من السفر	اتخذ القرار
ح نفس-ب س-ب-أ ظ-2017-241	أبوظبي	أحوال نفس	إماراتي	قطري	2017-11-09	طلاق للهجر	حكم قطعي
ح نفس-م ر-ب-ع ن-2017-1295	العين	أحوال نفس	إماراتي	قطري	2017-11-15	اسقاط حضانة	حكم قطعي
تر كة-م ر-ب-أ ظ-2017-1054	أبوظبي	تركة	إماراتي	قطري	2017-11-16	إضافة عنصر	حكم قطعي
مد كل-م ر-ب-أ ظ-2017-380	أبوظبي	مدني كلي	قطري	إماراتي	2017-11-19	ندب خبير	متداولة
تر كة-م ر-ب-أ ظ-2017-1063	أبوظبي	تركة	إماراتي	قطري	2017-11-20	طلب اخراج ورثة من عقار	محالة
ح نفس-م ر-ب-أ ظ-2017-1812	أبوظبي	أحوال نفس	إماراتي	قطري	2017-11-22	حضانة	متداولة
ع نفس-1708-2017-ح نفس-م ر-ب-أ ظ-2017-3470	أبوظبي	عريضة	إماراتي	قطري	2017-12-04	عدم اخذ الابناء من المدرسة	اتخذ القرار
ع نفس-م ر-ب-ع ن-2017-1562	العين	عريضة	قطري	إماراتي	2017-12-10	صور طبق الاصل	اتخذ القرار
تج كل-م ت-ب-أ ظ-2017-2949	أبوظبي	تجاري كلي	قطري	إماراتي	2017-12-13	مطالبة مالية	متداولة
ع نفس-م ر-ب-ع ن-2017-1648	العين	عريضة	قطري	إماراتي	2017-12-27	أذن بالسفر	اتخذ القرار
ايجار-م ر-ل ب-أ ظ-2018-136	أبوظبي	إيجاري	إماراتي	قطري	2018-01-08	اخلاء وسداد القيمه الايجاريه	حكم قطعي
ع نفس-م ر-ب-أ ظ-2018-81	أبوظبي	عريضة	إماراتي	قطري	2018-01-09	مخاطبة	اتخذ القرار
ع نفس-م ر-ب-أ ظ-2018-93	أبوظبي	عريضة	إماراتي	قطري	2018-01-09	وقف نفقة مؤقته	اتخذ القرار
تر كة-م ر-ب-ظ ف-2018-4	الظفرة	تركة	قطري	إماراتي	2018-01-14	تنازل في تركة	حكم قطعي
تر كة-م ر-ب-أ ظ-2018-68	أبوظبي	تركة	قطري	إماراتي	2018-01-17	طلب اذن بالبيع	حكم قطعي
ح نفس-ب س-ب-أ ظ-2018-13	أبوظبي	أحوال نفس	إماراتي	قطري	2018-01-22	اثبات طلاق	حكم قطعي
ع نفس-م ر-ب-ع ن-2018-107	العين	عريضة	قطري	إماراتي	2018-01-25	مخاطبة بلدية العين	اتخذ القرار
ايجار-م ر-ل ب-ع ن-2018-188	العين	إيجاري	إماراتي	قطري	2018-02-05	طلب اخلاء	حكم قطعي
ع نفس-م ر-ب-أ ظ-2018-454	أبوظبي	عريضة	مغربي	قطري	2018-02-14	صورة من جواز السفر	اتخذ القرار
مد جز-م ر-ب-ع ن-2018-243	العين	مدني جزئي	إماراتي	قطري	2018-02-19	اذن بيع ارض	متداولة
مد جز-م ر-ب-أ ظ-2018-165	أبوظبي	مدني جزئي	بنجلاديش	قطري	2018-02-22	مطالبة مالية	حكم قطعي
ح نفس-م ر-ب-أ ظ-2018-299	أبوظبي	أحوال نفس	قطري	إماراتي	2018-02-22	طلاق ونفقة	حكم قطعي
ع نفس-299-2018-ح نفس-م ر-ب-أ ظ-2018-541	أبوظبي	عريضة	قطري	إماراتي	2018-02-22	تمكين من دخول المسكن	اتخذ القرار
ع نفس-299-2018-ح نفس-م ر-ب-أ ظ-2018-564	أبوظبي	عريضة	قطري	إماراتي	2018-02-26	نفقه مؤقته	اتخذ القرار

ع نفس-م ر ب-أ ظ-2018-583	أبوظبي	عريضة		قطري		إماراتي	2018-02-27	تجديد بطاقات الصحة	اتخذ القرار
ع نفس-م ر ب-أ ظ-2018-597	أبوظبي	عريضة		قطري		إماراتي	2018-02-28	مخاطبة إدارة الجوازات	اتخذ القرار
ع نفس-م ر ب-أ ظ-2018-622	أبوظبي	عريضة		قطري		إماراتي	2018-03-01	استلام بطاقات الهوية	اتخذ القرار
ع نفس-م ر ب-أ ظ-2018-621	أبوظبي	عريضة		قطري		إماراتي	2018-03-01	نقل كفالة خادمة علي الابن	اتخذ القرار
ع نفس-م ر ب-أ ظ-2018-659	أبوظبي	عريضة		إماراتي		قطري	2018-03-05	تسليم ابناء	متداولة
ع نفس-م ر ب-أ ظ-2018-655-ح نفس-م ر ب-أ ظ-2018-299-ع نفس	أبوظبي	عريضة		قطري		إماراتي	2018-03-05	تسليم مفاتيح المنزل	اتخذ القرار
أ.عريضة-م ر ب-أ ظ-2018-1665	أبوظبي	عريضة		إماراتي		قطري	2018-03-07	تجديد بطاقات العمل	اتخذ القرار
ع نفس-م ر ب-أ ظ-2018-703	أبوظبي	عريضة		قطري		إماراتي	2018-03-08	تسليم الابناء	اتخذ القرار
ع نفس-م ر ب-أ ظ-2018-767	أبوظبي	عريضة		عماني		قطري	2018-03-14	تجديد الهوية	اتخذ القرار
أ.عريضة-م ر ب-أ ظ-2018-1889	أبوظبي	عريضة		إماراتي		قطري	2018-03-15	رفع الحجز التحفظي	اتخذ القرار
ع نفس-م ر ب-ع ن-2018-368	العين	عريضة		إماراتي		قطري	2018-03-20	مخاطبه	اتخذ القرار
ع نفس-م ر ب-أ ظ-2018-844	أبوظبي	عريضة		عماني		قطري	2018-03-21	تجديد الهوية	اتخذ القرار
ح نفس-م ر ب-أ ظ-2018-495	أبوظبي	أحوال نفس		إماراتي		قطري	2018-03-26	طاعة زوجية	حكم قطعي
مد جز-م ر ب-أ ظ-2018-276	أبوظبي	مدني جزئي		إماراتي		قطري	2018-03-27	طلب اخراج ورثة	شطبت
مد جز-م ر ب-ع ن-2018-487	العين	مدني جزئي		مصري		قطري	2018-04-10	مطالبة مالية	محالة
ع نفس-م ر ب-أ ظ-2018-1104	أبوظبي	عريضة		إماراتي		قطري	2018-04-12	نقل ملكية السيارة	اتخذ القرار
تر كة-م ر ب-أ ظ-2018-373	أبوظبي	تركة		قطري		إماراتي	2018-04-12	اثبات تخارج	حكم قطعي
ع نفس-م ر ب-أ ظ-2018-1123	أبوظبي	عريضة		قطري		إماراتي	2018-04-15	التمكين من استلام الابناء	اتخذ القرار
ايجار-م ر-ل ب-ع ن-2018-408	العين	إيجاري		إماراتي		قطري	2018-04-16	اخلاء لعدم السداد	حكم قطعي
ع نفس-م ر ب-أ ظ-2018-1163	أبوظبي	عريضة		قطري		إماراتي	2018-04-18	تسليم جوزات سفر الابناء	اتخذ القرار
ع نفس-م ر ب-ع ن-2018-517	العين	عريضة		قطري		إماراتي	2018-04-19	الاذن بالسفر	اتخذ القرار
ع نفس-م ر ب-أ ظ-2018-1189	أبوظبي	عريضة		قطري		إماراتي	2018-04-22	رؤية الابناء والاصطحاب	اتخذ القرار
ع نفس-م ر ب-أ ظ-2018-1181	أبوظبي	عريضة		قطري		إماراتي	2018-04-22	استلام الابناء	متداولة
ح نفس-م ر ب-أ ظ-2018-652	أبوظبي	أحوال نفس		قطري		إماراتي	2018-04-22	استلام ابناء	متداولة
ح نفس-م ر ب-أ ظ-2018-680	أبوظبي	أحوال نفس		قطري		إماراتي	2018-04-24	طاعه زوجيه	حكم قطعي
ح نفس-م ر ب-أ ظ-2018-679	أبوظبي	أحوال نفس		إماراتي		قطري	2018-04-24	طلاق ونفقه	شطبت
تظلم-2018-1163-ع نفس-م ر ب-أ ظ-2018-267	أبوظبي	تظلم		قطري		إماراتي	2018-04-26	تظلم	شطبت
تج جز-م ر ب-ع ن-2018-691	العين	تجاري جزئي		مصري		قطري	2018-05-06	مطالبة مالية	حكم قطعي
ع نفس-م ر ب-ع ن-2018-659	العين	عريضة		إماراتي		قطري	2018-05-15	إلغاء منع من السفر	اتخذ القرار
ع نفس-م ر ب-ع ن-2018-717	العين	عريضة		قطري		إماراتي	2018-05-28	مخاطبة بلدية العين	اتخذ القرار
ح نفس-م ر ب-ع ن-2018-673	العين	أحوال نفس		قطري		إماراتي	2018-05-28	عدم التعرض	متداولة
ايجار-م ر-ل ب-أ ظ-2018-2265	أبوظبي	إيجاري		إماراتي		قطري	2018-06-06	اخلاء	متداولة
ع نفس-م ر ب-ع ن-2018-792	العين	عريضة		قطري		إماراتي	2018-06-10	استلام الابناء	اتخذ القرار

دعاوى القطريين الاستئنافية المقيدة على نظام إدارة القضايا من الأول من أبريل 2017 وحتى تاريخ 20 يونيو 2018

رقم الدعوى	المحكمة	نوع الدعوى	المستأنف	جنسية المدعي	المستأنف ضده	جنسية المدعى عليه	تاريخ القيد	موضوع الدعوى	المرحلة
شخصية-م ر-س-ع ن-2017-222	العين	استئناف أحوال شخصي		إماراتي		قطري	2017-04-10	استئناف التنفيذ	حكم قطعي
شخصية-م ر-س-ع ن-2017-323	العين	استئناف أحوال شخصي		قطري		إماراتي	2017-05-28	استئناف التنفيذ	حكم قطعي
شخصية-م ر-س-ع ن-2017-372	العين	استئناف أحوال شخصي		قطري		إماراتي	2017-06-22	الغاء الحكم المستأنف	حكم قطعي
شخصية-م ر-س-أ ظ-2017-929	أبوظبي	استئناف أحوال شخصي		إماراتي		قطري	2017-07-04	الغاء الحكم المستانف	حكم قطعي
تجاري-م ت-س-أ ظ-2017-1421	أبوظبي	استئناف تجاري		إماراتي		قطري	2017-07-16	الغاء الحكم المستانف	متداولة
شخصية-م ر-س-ع ن-2017-480	العين	استئناف أحوال شخصي		قطري		إماراتي	2017-09-27	عزل من القوامه	مضمومة
شخصية-م ر-س-أ ظ-2017-1232	أبوظبي	استئناف أحوال شخصي		عماني		قطري	2017-10-23	الغاء الحكم المستأنف	حكم قطعي
تجاري-م ت-س-أ ظ-2017-1949	أبوظبي	استئناف تجاري		إماراتي		قطري	2017-10-26	الغاء الحكم المتستانف	حكم قطعي
شخصية-م ر-س-أ ظ-2017-1328	أبوظبي	استئناف أحوال شخصي		مغربي		قطري	2017-11-15	تعديل حكم	حكم قطعي
تجاري-م ت-س-أ ظ-2017-2120	أبوظبي	استئناف تجاري		إماراتي		قطري	2017-11-21	الغاء الحكم المستأنف	حكم قطعي
تجاري-م ت-س-أ ظ-2017-2246	أبوظبي	استئناف تجاري		قطري		أردني	2017-11-28	الغاء الحكم	حكم قطعي
شخصية-م ر-س-أ ظ-2017-1445	أبوظبي	استئناف أحوال شخصي		قطري		مغربي	2017-12-10	الغاء الحكم المستانف	مضمومة
تجاري-م ت-س-أ ظ-2017-2394	أبوظبي	استئناف تجاري		قطري		إماراتي	2017-12-17	إلغاء الحكم	حكم قطعي
شخصية-م ر-س-أ ظ-2018-49	أبوظبي	استئناف أحوال شخصي		إماراتي		قطري	2018-01-17	تعديل الحكم	حكم قطعي
شخصية-م ر-س-أ ظ-2018-166	أبوظبي	استئناف أحوال شخصي		إماراتي		قطري	2018-02-13	الغاء الحكم	حكم قطعي
تجاري-م ت-س-أ ظ-2018-479	أبوظبي	استئناف تجاري		قطري		إماراتي	2018-02-21	الغاء الحكم المستانف	حكم قطعي
تجاري-م ت-س-أ ظ-2018-599	أبوظبي	استئناف تجاري		إماراتي		قطري	2018-02-27	الغاء الحكم المستانف	متداولة
تجاري-م ر-س-ع ن-2018-511	العين	استئناف تجاري		مصري		قطري	2018-06-06	الغاء حكم المستانف	متداولة

تنفيذات القطريين المقيدة على نظام إدارة القضايا من الأول من أبريل 2017 وحتى تاريخ 20 يونيو 2018

رقم الدعوى	المحكمة	القلم	طالب التنفيذ	جنسية المدعي	المنفذ ضده	جنسية المدعى عليه	تاريخ القيد
ت عام-م ر-ت-أ ظ-2017-256	أبوظبي	قلم التنفيذ العام		قطري		إماراتي	06 April 2017
ت دخل-م ر-ت-أ ظ-2017-501	أبوظبي	قلم التنفيذ العام		إماراتي		قطري	09 April 2017
ت خرج-م ر-ت-أ ظ-2017-316	أبوظبي	قلم التنفيذ العام		إماراتي		قطري	09 April 2017
ت عام-م ر-ت-أ ظ-2017-296	أبوظبي	قلم التنفيذ العام		إماراتي		قطري	24 April 2017
ت عام-م ر-ت-أ ظ-2017-313	أبوظبي	قلم التنفيذ العام		قطري		هندي	02 May 2017
ت خرج-م ر-ت-أ ظ-2017-424	أبوظبي	قلم التنفيذ العام		بريطاني		قطري	11 May 2017
ت ح ش-م ر-ت-أ ظ-2017-1159	أبوظبي	قلم الأحوال الشخصي		قطري		إماراتي	29 August 2017
ت ح ش-م ر-ت-أ ظ-2017-1201	أبوظبي	قلم الأحوال الشخصي		إماراتي		قطري	07 September 2017
ت إجر-م ر-ت-ع ن-2017-567	العين	القلم الإيجاري		إماراتي		قطري	07 November 2017
ت تجر-م ر-ت-أ ظ-2017-2442	أبوظبي	القلم التجاري		قطري		إماراتي	23 November 2017
ت خرج-م ر-ت-أ ظ-2017-1081	أبوظبي	قلم التنفيذ العام		إماراتي		قطري	10 December 2017
ت ح ش-م ر-ت-أ ظ-2018-358	أبوظبي	قلم الأحوال الشخصي		قطري		إماراتي	27 February 2018
ت ح ش-م ر-ت-أ ظ-2018-388	أبوظبي	قلم الأحوال الشخصي		إماراتي		قطري	05 March 2018
ت ح ش-م ر-ت-أ ظ-2018-403	أبوظبي	قلم الأحوال الشخصي		إماراتي		قطري	06 March 2018
ت دخل-م ر-ت-أ ظ-2018-317	أبوظبي	قلم الأحوال الشخصي		إماراتي		قطري	06 March 2018
ت ح ش-م ر-ت-أ ظ-2018-399	أبوظبي	قلم الأحوال الشخصي		قطري		إماراتي	06 March 2018
ت ح ش-م ر-ت-أ ظ-2018-400	أبوظبي	قلم الأحوال الشخصي		قطري		إماراتي	06 March 2018
ت ح ش-م ر-ت-أ ظ-2018-424	أبوظبي	قلم الأحوال الشخصي		قطري		إماراتي	12 March 2018
ت تجر-م ر-ت-أ ظ-2018-1101	أبوظبي	القلم التجاري		إماراتي		قطري	13 March 2018
ت ح ش-م ر-ت-أ ظ-2018-671	أبوظبي	قلم الأحوال الشخصي		إماراتي		قطري	18 April 2018
ت ح ش-م ر-ت-أ ظ-2018-673	أبوظبي	قلم الأحوال الشخصي		مغربي		قطري	18 April 2018
ت إجر-م ر-ت-أ ظ-2018-1287	أبوظبي	القلم الإيجاري		إماراتي		قطري	23 April 2018
ت ح ش-م ر-ت-أ ظ-2018-709	أبوظبي	قلم الأحوال الشخصي		إماراتي		قطري	23 April 2018
ت ح ش-م ر-ت-أ ظ-2018-726	أبوظبي	قلم الأحوال الشخصي		قطري		إماراتي	25 April 2018
ت دخل-م ر-ت-أ ظ-2018-488	أبوظبي	قلم الأحوال الشخصي		قطري		إماراتي	25 April 2018
ت خرج-م ر-ت-أ ظ-2018-565	أبوظبي	قلم التنفيذ العام		قطري		قطري	07 June 2018
إشكال-256-2017-ت عام-م ر-ت-أ ظ-2017-40	أبوظبي	دعاوى التنفيذ		قطري		إماراتي	25 September 2017

طعون القطريين المقيدة على نظام إدارة القضايا من الأول من أبريل 2017 وحتى تاريخ 20 يونيو 2018

رقم الدعوى	المحكمة	نوع الدعوى	الطاعن	جنسية المدعي	المطعون ضده	جنسية المدعى عليه	تاريخ القيد	المرحلة
تجاري-م ر-ق-أ ظ-2017-383	النقض	تجاري		مصري		قطري	2017-04-12	مغلق
مد ني-م ر-ق-أ ظ-2017-151	النقض	مدني		قطري		إماراتي	2017-05-31	متداولة
شخصية-م ر-ق-أ ظ-2017-340	النقض	أحوال شخصية		إماراتي		قطري	2017-07-12	متداولة
تجاري-م ر-ق-أ ظ-2017-979	النقض	تجاري		إماراتي		قطري	2017-12-12	مغلق
شخصية-م ر-ق-أ ظ-2017-515	النقض	أحوال شخصية		إماراتي		قطري	2017-12-20	متداولة
شخصية-م ر-ق-أ ظ-2018-165	النقض	أحوال شخصية		مغربي		قطري	2018-03-18	متداولة
مد ني-م ر-ق-أ ظ-2018-64	النقض	مدني		قطري		قطري	2018-03-25	متداولة
تجاري-م ر-ق-أ ظ-2018-322	النقض	تجاري		إماراتي		قطري	2018-04-01	متداولة
تجاري-م ر-ق-أ ظ-2018-400	النقض	تجاري		قطري		إماراتي	2018-04-17	متداولة
تجاري-م ر-ق-أ ظ-2018-460	النقض	تجاري		قطري		أردني	2018-04-30	متداولة
تماس-81-2017-مد ني-م ر-ق-أ ظ-2017-13	النقض	إلتماس إعادة النظر		إماراتي		قطري	2017-12-21	التماس

م	نوع الدعوى	الابتدائي	استئناف	نقض	تنفيذ	المجموع
1	أحوال نفس	19	10	3	14	46
2	تركة	10				10
3	تجاري كلي	8	8	5	2	23
4	إيجاري	5			2	7
5	مدني	5		2	8	15
6	مستعجل	1				1
7	عرائض	55				55
8	تظلم	3			1	4
9	طلبات ما بعد الحكم	1		1		2
	المجموع	107	18	11	27	163

Annex 14

Note Verbale from Qatar to the Committee on the Elimination of Racial Discrimination, 29 October 2018

HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
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REFERENCE: ICERD-ISC 2018/2
AP/VL/mg

The Secretariat of the United Nations (Office of the High Commissioner for Human Rights) presents its compliments to the Permanent Mission of the United Arab Emirates to the United Nations Office at Geneva, and has the honour to transmit herewith the submission from the State of Qatar dated 29 October 2018, concerning communication ICERD-ISC-2018/2, which was submitted to the Committee on the Elimination of Racial Discrimination for consideration under article 11 of the Convention on the Elimination of All Forms of Racial Discrimination, on behalf of the State of Qatar.

The Secretariat avails itself of the opportunity to renew to the Permanent Mission of the United Arab Emirates the assurances of its highest consideration.

31 October 2018

Mission permanente
de l'État du Qatar
auprès de l'Office
des Nations-Unies à Genève

الوفـد الدائـم لدولـة قطـر
لدى مكتب الأمم المتحدة
جنيـف

Ref: 2018/0076940/5

الوفد الدائم لدولة قطر / جنيف

Subject: Communication Submitted Pursuant to Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination

The Permanent Mission of the State of Qatar to the United Nations Office and other international organizations in Geneva presents its compliments to the Secretariat and to the Committee on the Elimination of Racial Discrimination ("Committee"), and has the honor to refer to the Communication submitted by the State of Qatar under Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination ("Convention") concerning the United Arab Emirates (ICERD-ISC-2018/2) ("Communication"), as well as the Response of the United Arab Emirates received by the Secretariat on 7 August 2018 and transmitted to the State of Qatar on 8 August 2018.

The Permanent Mission of the State of Qatar recalls that pursuant to Article 11(2) of the Convention, "[i]f the matter is not adjusted to the satisfaction of both parties, either by bilateral negotiations or by any other procedure open to them, within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter again to the Committee[.]" Six months have elapsed since the receipt by the United Arab Emirates of Qatar's Communication, and not only has the United Arab Emirates not withdrawn the coercive measures it imposed against Qatar and Qataris that constitute the subject matter of the Communication, but it has also categorically rejected that its discrimination against Qataris could come within the scope of the Convention.

The State of Qatar rejects the claim of the United Arab Emirates that the discrimination set forth in Qatar's Communication could not come within the scope of the provisions of the Convention and hence is outside the competence of the Committee. The State of Qatar affirms its position that by targeting all Qataris and only Qataris with a series of coercive measures, the United Arab Emirates has violated multiple Convention obligations, including its obligations under Articles 2, 4, 5, 6, and 7, and is thereby "not giving effect to the provisions of the Convention" as required for submission of a matter to the Committee under Article 11.

The Response of the United Arab Emirates to the State of Qatar's Communication confirms that the United Arab Emirates is unwilling to engage constructively with the State of Qatar to settle the matter amicably. It is equally clear that Qataris do not have domestic remedies to invoke or exhaust in the United Arab Emirates. Any nominal remedies are either unavailable or ineffective in light of the expulsion of Qataris from the United Arab Emirates and ensuing travel restrictions, as well as the ongoing campaign of hatred against Qatar and Qataris in the territory of the United Arab Emirates.

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Mission permanente
de l'État du Qatar
auprès de l'Office
des Nations-Unies à Genève

الوفـــد الدائــم لدولـة قطـــر
لدى مكتب الأمم المتحدة
جنيـــــف

In view of the above, the matter has not been adjusted to the satisfaction of the State of Qatar. Accordingly, the Permanent Mission of the State of Qatar hereby informs the Committee that the State of Qatar elects to exercise its right under Article 11(2) to refer the matter again to the Committee.

The Permanent Mission of the State of Qatar also recalls the Committee's 30 August 2018 information note on inter-state communications, in which the Committee observed that "if one of the States will refer the matter again to the Committee before 8 November 2018, the Committee will have to consider the admissibility of the communication. The Committee has also to ascertain that all available domestic remedies have been exhausted." Accordingly, as further suggested in the Committee's 30 August 2018 note, the State of Qatar stands ready to provide the Committee with any other relevant information that the Committee may request.

In accordance with Article 11(2), the State of Qatar respectfully requests that this notification be provided to the United Arab Emirates.

The Permanent Mission of the State of Qatar avails itself of this opportunity to renew to the Secretariat and to the Committee on the Elimination of Racial Discrimination the assurances of its highest consideration.

Geneva, October 29th, 2018

Committee on the Elimination of Racial Discrimination

Human Rights Treaties Division (HRTD)

Office of the United Nations High Commissioner for Human Rights (OHCHR)

UNOG-OHCHR

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Annex 15

Letter of the Permanent Mission of the United Arab Emirates to the United Nations Office and Other International Organisations to the State of Qatar, 7 November 2018

MISSION PERMANENTE DES
EMIRATS ARABES UNIS
GENÈVE

البعثة الدائمة
للإمارات العربية المتحدة
جنيف

Ref: 2/3/32 - 552
Date: 7 November 2018

The Permanent Mission of the United Arab Emirates to the United Nations Office and Other International Organizations in Geneva presents its compliments to the Secretariat of the United Nations, (Office of the High Commissioner for Human Rights) and with reference to its note verbal dated 9 October 2018, concerning **subject: ICERD-ISC-2018/2,** has the honour to forward the response of the United Arab Emirates regarding the submission from the State of Qatar dated 29 October 2018, pursuant to Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination.

The Permanent Mission of the United Arab Emirates to the United Nations Office and Other International Organizations in Geneva avails itself of this opportunity to renew to the Secretariat of the United Nations, (Office of the High Commissioner for Human Rights), the assurances of its highest consideration.

Secretariat of the United Nations, (Office of the High Commissioner for Human Rights)

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MISSION PERMANENTE DES
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البعثة الدائمة
للإمارات العربية المتحدة
جنيف

The Permanent Mission of the United Arab Emirates to the United Nations Office and other international organizations in Geneva presents its compliments to the Committee on the Elimination of Racial Discrimination ("Committee") and to the Secretariat of the United Nations (Office of the High Commissioner for Human Rights) ("Secretariat"), and refers to the Secretariat´s note of 31 October 2018 transmitting the submission from the State of Qatar dated 29 October 2018.

The United Arab Emirates reiterates its unwavering commitment to eliminating racial discrimination in all of its forms and to combatting hate speech.

Qatar's allegations contained in its submission are unfounded both in fact and in law. As explained in its previous submission dated 7 August 2018, as a matter of fact the United Arab Emirates has not expelled Qatari citizens from its territory, nor has there been any law passed or administrative practice adopted having that effect; further, Qatari citizens are not prohibited from travelling to the United Arab Emirates. The allegation of an "ongoing campaign of hatred" against Qataris in the territory of the United Arab Emirates is plainly contradicted by repeated public statements made by officials of the United Arab Emirates. In addition, Qatar's accusations are based on the incorrect premise that distinctions made on the basis of present nationality constitute "racial discrimination" falling within the scope of the Convention. These issues are all matters for the ad hoc Conciliation Commission in considering the merits.

Qatar's submission of 29 October 2018 presents no new evidence or argument and fails to provide any substantive response to the points made in the United Arab Emirates' prior submission.

Article 11, paragraph 3 of the Convention provides that the Committee "shall deal with a matter referred to it in accordance with paragraph 2 of this article after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law". The question of whether available domestic remedies have in fact been invoked and exhausted is therefore a preliminary question, which must be decided by the Committee before any further steps are

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جنيف

taken in relation to a matter communicated to the Committee under Article 11, paragraph 1 of the Convention.

In its submission of 29 October 2018, as in its earlier submission, Qatar has failed to provide any evidence that the requirement in Article 11, paragraph 3 of exhaustion of available domestic remedies had been complied with in relation to the alleged breaches of the Convention at issue in its communication. Qatar's position in its submission of 29 October 2018 is instead that any remedies "are either unavailable or ineffective in light of the expulsion of Qataris from the United Arab Emirates and ensuing travel restrictions". As already noted, the factual premise underlying that position is fundamentally flawed, insofar as there has been no expulsion of Qataris, as alleged, and Qatari nationals are not, and have not in the past been, prevented from entering and re-entering the United Arab Emirates.

The burden is on Qatar to establish that the express requirement of exhaustion of available domestic remedies foreseen by Article 11, paragraph 3 of the Convention has been fulfilled. Nevertheless, the United Arab Emirates wishes to inform the Committee and the Secretariat that it intends to file a submission directly addressing in more detail Qatar's failure to demonstrate that all available domestic remedies have been invoked and exhausted. The United Arab Emirates intends to submit this document shortly.

To the extent that the Committee finds that all available domestic remedies have been invoked and exhausted, and that Qatar's complaint is therefore admissible, the United Arab Emirates further reserves the right to provide additional submissions and information to the Committee regarding the merits of Qatar's allegations.

Finally, we note that the Committee has indicated that it will consider procedural matters relating to pending communications made under Article 11 of the Convention at its upcoming session. We understand that the Committee is currently scheduled to consider those matters at the meeting to be held on 30 November 2018 at 3 pm. We would be grateful if the Committee could confirm whether the UAE and other States that are parties to pending Article 11 communications will have the opportunity to attend and take part in this meeting in accordance with Article 11, paragraph 5 of the Convention.

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Annex 16

The Committee on the Elimination of Racial Discrimination (*State of Qatar v. United Arab Emirates*), Supplemental Response of the UAE, 29 November 2018

In a matter before the
Committee on the Elimination of Racial Discrimination

ICERD-ISC-2018/2

SUPPLEMENTAL RESPONSE

of the United Arab Emirates
to the request made by the State of Qatar
pursuant to Article 11 of the International Convention on the
Elimination of all Forms of Racial Discrimination

submitted to the Office of the High Commissioner for Human
Rights, United Nations Office, Geneva, Switzerland on

29 November 2018

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C. The Committee must decline to hear Qatar's Article 11 Communication since that communication amounts to no more than empty speculation and thus constitutes an abuse of rights and process 33

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I. INTRODUCTION

1. The Permanent Mission of the United Arab Emirates (the "**UAE**") to the United Nations Office and Other International Organizations in Geneva presents its compliments to the Secretariat of the United Nations (Office of the High Commissioner for Human Rights) and refers to its submission to the Committee on the Elimination of Racial Discrimination (the "**Committee**") and the Secretariat dated 7 November 2018, in which the UAE indicated that it would submit before the Committee a Supplemental Response (the "**Supplemental Response**") on the Communication of the State of Qatar ("**Qatar**") under Article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination (the "**CERD**"), dated 8 March 2018 ("**Qatar's Article 11 Communication**").

2. This Supplemental Response supplements the submission of the UAE of 7 August 2018 (the "**Response**"). It addresses in further detail Qatar's request, dated 29 October 2018, that its Article 11 Communication again be referred to the Committee in accordance with Article 11.2 of the CERD.

II. EXECUTIVE SUMMARY

3. The allegations made in Qatar's Communication and subsequent statements are entirely without merit. They are mere unsupported and empty assertions made up of self-interested speculation. Most importantly for the purposes of the Committee's evaluation of the Communication, Qatar has provided no evidence whatsoever in support of its politically-motivated allegations. Indeed, rather than protecting the integrity of the CERD, Qatar is attempting to manipulate the Committee to further Qatar's foreign policy, which notoriously includes the financing and promotion of extremism and international terrorism. For the present case, the Committee does not need to enter into any difficult evaluation of the level of proof required to proceed with the dispute resolution mechanisms of the CERD in an inter-State complaint: it cannot be possible that an inter-State complaint can proceed to the appointment of an *ad hoc* Commission without any evidence whatsoever of the assertions being made.

4. Qatar has had multiple opportunities to provide evidence in support of its factual assertions, including in response to the UAE's specific and detailed denials of the allegations being made. If there had been any evidence, Qatar would have been in possession of it and would have, of course, already submitted it to the Committee. It is notable that judges at the International Court of Justice (the "**ICJ**") in a pending parallel case concerning the application of the CERD to these very same facts[1] also noted that Qatar had failed to submit any evidence to support its allegations in that proceeding. So, in two separate judicial or investigatory proceedings dealing with the same allegations and supposed facts, Qatar has repeatedly failed to submit any evidence of what it alleges are publicly known facts. It would make a mockery of the CERD dispute resolution mechanisms and certainly delegitimise the institutions of the CERD were the Committee to proceed with an inter-State complaint merely on the basis of politically-motivated, self-interested assertions with no evidence whatsoever of the alleged wrongdoings. If the Committee determines that that is the standard required, it will be opening the CERD up to become a tool for baseless and abusive manipulation.

5. With respect, the Committee lacks jurisdiction to consider Qatar's Article 11 Communication because even on its face, Qatar's allegations fall outwith the scope of the CERD. Any action taken by the Committee to further Qatar's complaint would thus be *ultra vires*.

6. The UAE also submits that the Committee should decline to pursue the dispute resolution process envisaged under Article 11 of the CERD any further. In the present circumstances, it is clear that there is no ongoing situation of prejudice to Qatari nationals and there is certainly no evidence to support a different conclusion. Consequently, there is no role to play for the CERD's forward-looking facilitation of an amicable solution and no jurisdiction for the Committee to take any action under the CERD.

7. The Committee should also dismiss Qatar's Article 11 Communication as inadmissible. The UAE submits that three grounds of inadmissibility apply to Qatar's complaint:

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[1] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice.

a. First, no Qatari national supposedly affected by the measures adopted by the UAE has invoked or exhausted the available and effective domestic remedies, as required under Article 11.3 of the Convention. For that reason alone, the Committee cannot proceed to consider the matter referred to it by Qatar;

b. Second, the Committee should decline to entertain Qatar's complaint on the basis that Qatar has abused the CERD process by prematurely referring its CERD complaint to the ICJ. By doing this, Qatar has created a situation where two separate proceedings under the CERD dispute resolution mechanisms are being pursued in parallel. This is not allowed under the architecture of the CERD dispute resolution. When Qatar began the CERD process, the architecture of the CERD dispute resolution provisions required it to allow the CERD process to run its course. Under the architecture of the CERD dispute resolution provisions, an application to the ICJ is only possible if that process has not been successful. By making its premature application to the ICJ, Qatar abandoned the CERD process. It is not open for Qatar to pick and choose which parts of the CERD dispute resolution architecture it wishes to pursue, when and in which order. The case before the ICJ (the "**Pending ICJ CERD Proceedings**") on 23 July 2018 produced an Order on the Request for the Indication of Provisional Measures (the "**CERD Provisional Measures Order**").[2] By doing so, Qatar itself has made the Committee process moot. Yet despite that Order, the content of which must be deemed to resolve any question about the future application of the CERD within the UAE in relation to the issues raised by Qatar in its Article 11 Communication, Qatar now seeks to resume the very process under the CERD that it previously abandoned in favour of seeking and obtaining the CERD Provisional Measures Order. Qatar is thereby illegally making the UAE the respondent in two parallel proceedings. This is not permissible under the procedures set out in the CERD. It amounts to an abuse of process and an abuse of Qatar's rights under the CERD that affects the admissibility of its Article 11 Communication;

[2] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice, Request for the Indication of Provisional Measures, Order, 23 July 2018 ("**CERD Provisional Measures Order**").

c. Third, Qatar's allegations are completely without merit on fact and law. They should therefore not be allowed to trigger a further process involving the appointment of a Conciliation Commission. It is not consistent with a good faith interpretation of the relevant provisions of the CERD that a State Party should be allowed to subject other States Parties to completely spurious claims without presenting any proof of its allegations.

8. For all of the above reasons, the UAE respectfully submits that the Committee must dismiss Qatar's request. It must decline to entertain Qatar's Article 11 Communication any further. Qatar's litigation tactics have deprived the Committee of its legitimate role with respect to this matter and the Committee's further actions in this matter would be *ultra vires*.

9. The UAE is mindful of the importance of the CERD and the work of the Committee and therefore respectfully requests that the Committee carefully consider the precedents that would be set if it progressed Qatar's Article 11 Communication. Qatar's Article 11 Communication represents nothing but the latest gambit in Qatar's notorious policy of seeking to disguise its support, instigation, financing and fomenting of extremism and international terrorism through public relations diversions. Qatar is trying to use the Committee, an innocent bystander, as an instrument in its international public relations campaign to obfuscate the situation in the region and distract from its own violations of numerous international agreements. These violations include Qatar's historic and ongoing violation of the Riyadh Agreements, UN Security Council resolutions and Qatar's violations of its own obligations under the CERD through its support and sponsorship of terrorism and its propagation of hate speech.

III. QATAR'S ALLEGATIONS ARE UNFOUNDED, MADE WITHOUT EVIDENCE AND DISTORT THE TURBULENT GEOPOLITICAL BACKGROUND UNDERLYING ITS ARTICLE 11 COMMUNICATION

10. In its Article 11 Communication, Qatar refers to "[t]he arbitrariness of the Coercive Measures" of which it complains.[3] Yet not less than the first 40 paragraphs of its

[3] Qatar's Article 11 Communication, 8 March 2018, paragraph 61.

Article 11 Communication describe in detail the diplomatic crisis among GCC countries and responses of Qatar's neighbours to its policies and conduct, of which the UAE Statement of June 2017 is one. This exposes Qatar's Article 11 Communication for what it is: a politically-motivated public relations exercise; there is no good faith attempt to promote and protect the CERD. Not only does this part of Qatar's Article 11 Communication confirm that this geopolitical reality is the true reason why Qatar has made the present application to the CERD, as well as initiating other aggressive actions more broadly against the UAE elsewhere. Through this lengthy background description to its complaint, Qatar also distorts the facts underpinning the actions of its neighbours and seeks to mislead the Committee. It is notorious on the public record that Qatar has been responsible for supporting, instigating, financing and fomenting terrorism throughout the Middle East and beyond. It was in response to this overriding security imperative that, since 5 June 2017, the UAE and almost every one of Qatar's neighbours severed or downgraded diplomatic relations with Qatar. The reasons given by Qatar's neighbours for this cited Qatar's ongoing breaches of international law and its continued support for extremist and terrorist groups, including the Muslim Brotherhood, as well as Qatar's sustained endeavours to promote the ideologies of Daesh and Al Qaeda, which rank amongst the gravest threats to human rights and peace and security in the region and beyond.

11. Qatar egregiously violates its international obligations – including the CERD – through its direct and indirect support for terrorist activities. This is most unapologetically perpetrated in relation to heinous terrorism crimes committed against, *inter alia*, Christian Copts in the Arab Republic of Egypt ("**Egypt**"). It is notorious that Qatar is responsible for supporting, instigating, financing and fomenting terrorism throughout the Middle East and beyond.[4] It is notorious that Qatar has offered and continues to offer support for the Muslim Brotherhood, which has caused untold suffering to innocent human beings, in particular in Egypt, where it has targeted the Coptic Christian minority. It is on the public record that the Muslim Brotherhood officially espouses violence, including terrorism, to promote its Islamist agenda where it deems that peaceful methods are ineffective. It has been a main instigator of terrorist attacks

[4] See for instance Robert F. Worth, "Kidnapped Royalty Become Pawns in Iran's Deadly Plot," *The New York Times Magazine*, 14 March 2018 (recounting how Qatar in a ransom deal "paid vast sums to terrorists on both sides of the Middle East's sectarian divide, fueling the region's spiraling civil wars").

in the region, in particular in Egypt,[5] where in 2013 its supporters attacked 70 Coptic Christian churches and put to the flame more than 1,000 homes and businesses of Coptic Christian families.[6] At least six States have banned or designated the Muslim Brotherhood as a terrorist organisation and many other countries are actively contemplating the same.[7] Qatar's support – both historic and ongoing – of such activities amounts to violation *inter alia* of Article 6(b) of the CERD.

12. Qatar also owns and funds Al Jazeera, which is a notorious spokespiece for propaganda of violent extremists in the Middle East, Africa and beyond.[8] By allowing its State media company to propagate hate speech, Qatar fails to give effect to CERD provisions with respect to, *inter alia*, Articles 1.1, 4(a) and 5(b).

13. Qatar has further attracted severe international criticism for its treatment of migrant workers as it prepares to host the 2022 FIFA World Cup. Such treatment has been "widely depicted as a form of bonded if not forced labor".[9] In 2016, the ILO had given Qatar 12 months to end migrant worker exploitation. The ILO withdrew its complaints following the signature by Qatar of 36 worker protection agreements with countries that provide much of its labour force.[10] A recent report by Amnesty International however asserts that these problems persist.[11] Qatar's actions fails to give effect to Article 5(d)(ii) of the CERD (the right to leave any country, including one's own, and to return to one's country) and Article 5(e)(i) CERD (rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work and to just and favourable remuneration).

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[5] See, for example, Institute for Economics and Peace, Global Terrorism Index 2016: Measuring and Understanding the Impact of Terrorism (2016), page 33.

[6] *See* Muslim Brotherhood Terrorist Designation Act, H.R. 3892, 114th Cong. (2015-2016), page 17.

[7] *See for instance* Muslim Brotherhood Terrorist Designation Act, H.R. 3892, 114th Cong. (2015-2016), pages 2 to 3 (referring to Egypt, the Kingdom of Saudi Arabia, the UAE, the Kingdom of Bahrain, the Syrian Arab Republic and the Russian Federation). *See also* Muslim Brotherhood Terrorist Designation Act of 2017, H.R. 377, 115th Cong. (2017-2018).

[8] Several States in the Middle East share this assessment, see for instance "Saudi Arabia, Egypt, UAE, Bahrain Issue a Joint Statement on Combating Terrorism", *Asharq Al-Awsat English*, 9 June 2017; "Qatar Must Stop Using Al Jazeera for Aggression Toward Bahrain – Ambassador", *Sputnik News*, 16 June 2017.

[9] John Ruggie, "For the Game. For the World: FIFA and Human Rights," April 2016, page 8. See also Amnesty International, "Unpaid and abandoned: the abuse of Mercury MENA workers," 26 September 2018.

[10] See Reuters, "ILO closes workers' complaint against World Cup host Qatar," 8 November 2017.

[11] See Amnesty International, "Unpaid and abandoned: the abuse of Mercury MENA workers," 26 September 2018. See also "Qatar migrant workers are still being exploited, says Amnesty report", *The Guardian*, 26 September 2018.

14. Furthermore, there are news reports of additional violations by Qatar of international law in its preparations for hosting the World Cup. It has been reported that Qatar is persecuting the Al-Ghufran tribe;[12] revoking the Qatari nationality of many of its members[13] and seizing their lands, including for building football stadiums.[14] In light of Qatar's measures, members of the Al-Ghufran tribe have called on the United Nations,[15] FIFA[16] and international human rights organisations[17] to intervene to bring an end to the discrimination and persecution by the Qatari authorities.

15. The Committee is, of course, already aware of Qatar's violations. During the current ninety-sixth session of the Committee, Qatar has been faulted for allowing employers to abuse migrant workers with impunity and not making sure that judgments of its courts on such matters are made public so as to discourage future violations.[18] Its access to justice for migrant workers and victims of racial discrimination has been deemed lacking, with reports that the burden of proof is unjustifiably imposed on such victims in civil and labour cases.[19] Qatar has also faced criticism regarding transfer of nationality under its law, as reportedly it has within its country over 6,000 people who are Stateless. The UAE understands that the Committee and the country rapporteur has recommended changes to Qatari law in this respect. Qatar also does not ensure decent housing for migrant workers and its current housing policy was decried by one of the Committee's experts as amounting to racial discrimination.[20]

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[12] "Qatari tribe calls on UN to urgently intervene to solve their case", *Al Sharq Al-Awsat English*, 13 March 2018; "Qatar accused of building World Cup stadiums on land stolen from persecuted tribe", *Arab News*, 24 September 2018.

[13] "Qatari Tribe Calls on UN to Urgently Intervene to Solve Their Case", *Al Sharq Al-Awsat English*, 13 March 2018; "Qatar accused of building World Cup stadiums on land stolen from persecuted tribe", *Arab News*, 24 September 2018.

[14] "Qatar accused of building World Cup stadiums on land stolen from persecuted tribe", *Arab News*, 24 September 2018. The persecution against the Al-Ghufran tribe by the Qatari authorities began in 1996, in retaliation for the support provided by some of its members to Sheikh Khalifa Al-Thani, the Qatari emir deposed the by his son Hamad, father of the current emir, Sheikh Tamim. Since then, more than 6,000 members of the Al-Ghufran tribe have been stripped of their citizenship and had their property seized by the Qatari authorities.

[15] "Qatari tribe calls on UN to urgently intervene to solve their case", *Al Sharq Al-Awsat English*, 13 March 2018.

[16] "Qatar accused of building World Cup stadiums on land stolen from persecuted tribe", *Arab News*, 24 September 2018.

[17] "Qatari tribe calls on UN to urgently intervene to solve their case", *Al Sharq Al-Awsat English*, 13 March 2018.

[18] *See* Twitter@IMADR_Geneva #CERD #Qatar #migrant (27 and 28 November 2018).

[19] *See* Twitter@IMADR_Geneva #CERD #Qatar #migrant (27 and 28 November 2018).

[20] *See* Twitter@IMADR_Geneva #CERD #Qatar #migrant (27 and 28 November 2018).

16. Among these multiple and egregious persistent violations, Qatar's support for terrorist acts in particular lie at the very heart of the diplomatic crisis that gave rise to the UAE's declaration of 5 June 2017 invoked by Qatar in its Article 11 Communication.[21] It is unthinkable that this Committee would choose sides in the ongoing geopolitical dispute between, on the one hand, Qatar and its support for terrorism, and, on the other hand, almost all other States in the world. By way of example of the almost-universal condemnation of Qatar's support of terrorism, on 9 June 2017, the President of the United States of America, referring to conversations with other world leaders, stated in a public press conference:

> [Qatar] has historically been a funder of terrorism at a very high level. . . . I decided, along with Secretary of State Rex Tillerson . . . the time had come to call on Qatar to end its funding – they have to end that funding – and its extremist ideology in terms of funding.[22]

17. As set out further in this submission and as accepted by multiple Judges at the ICJ,[23] there is simply no factual or legal basis whatsoever in Qatar's Article 11 Communication that might ground a breach of the CERD or any proper process under Articles 11 to 13 thereof. The only tenable explanation for the Article 11 Communication is that Qatar seeks to manipulate the Committee to further its aggressive foreign policy objectives against the UAE. The UAE respectfully urges the Committee to remain on guard against Qatar's hostile ideology, lest the Committee be unwittingly co-opted, at great damage to the promotion and protection of human rights and the CERD, into providing an instrument for Qatar's continuing campaign to destabilise its neighbours and foment extremism and terrorism in the Middle East region and beyond.

18. In its Article 11 Communication, Qatar maintains that the UAE is in violation of the CERD by virtue of certain measures that the UAE has taken following its termination of relations with Qatar on 5 June 2017. Its allegations are untrue and misrepresent the policies of the UAE. In fact, there has been no change in the treatment of Qatari

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[21] Interview with United Arab Emirates Ambassador Omar Saif Ghobash, *Today (BBC Radio 4)*, 8 June 2017 (calling for Qatar to "completely change Al Jazeera so it isn't just a mouthpiece for violent extremists").

[22] Remarks by President Trump and President Iohannis of Romania in a Joint Press Conference, 9 June 2017, page 2, Official Website of the White House.

[23] See below, *passim*.

nationals, other than the introduction of legitimate and commonplace minimal requirements on the entry of Qatari nationals into the UAE. The UAE has neither expelled Qatari nationals from its territory nor instituted a travel ban against Qatari nationals who wish to enter the UAE.[24]

19. Nationals of Qatar with permission to enter and reside in the UAE enjoy rights to the same extent as other non-UAE nationals lawfully present within the UAE, including freedom of movement and residence, right to marriage and choice of spouse, right to freedom of opinion and expression, right to health and medical treatment, right to education, right to work, right to property and right to equal treatment before tribunals. Qatari nationals who lawfully enter and reside in the UAE enjoy all of the foregoing to the same extent as any other non-national UAE resident without any form of prohibited discrimination (whether racial or otherwise) in form or practice. Critically for the purposes of the Committee's work, there is no evidence to the contrary.

20. It is notable that Qatar has not presented any evidence in support of its allegations to the Committee. In its Communication and over the subsequent months, Qatar has submitted many sweeping rhetorical generalities but it has supplied the Committee with no evidence to support them. The UAE has already addressed in its Response that the two categories of evidence relied upon by Qatar in its Article 11 Communication are wholly unreliable.[25] Clearly, if there were credible evidence of the things that Qatar alleges, Qatar would be in possession of it. Qatar would easily be able to furnish the Committee with this evidence. The fact that Qatar has not submitted any such evidence confirms that Qatar is fabricating sensationalist stories of hardship and woe. It should be emphasised that, in the Pending ICJ CERD Proceedings, Qatar also has failed conclusively to establish that its nationals suffered treatment in violation of CERD.

21. Out of an abundance of caution, and in the face of Qatar's deliberate misrepresentation of the facts, the UAE's Ministry of Foreign Affairs made an announcement on 5 July 2018 clarifying that there was no legal order envisaging the deportation of Qatari

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[24] See *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice, Request for the Indication of Provisional Measures, Order, 23 July 2018, Dissenting Opinion of Judge Crawford ("**Dissenting Opinion of Judge Crawford**"), paragraph 4 ("it appears that no legislative or administrative action was taken to give effect to paragraph 2 [of the State of 5 June 2017 with respect to Qatari nationals]").

[25] UAE's Response dated 7 August 2018, paragraphs 54 to 80.

nationals from the UAE and that any Qatari national could apply to enter the UAE on an individual basis. The announcement also confirmed that Qatari nationals already resident in the UAE need not apply for permission to continue such residence.[26] Again, Qatar has submitted no evidence to rebut this.

22. For Qatari nationals who left the UAE voluntarily at the start of the crisis, the UAE has implemented special re-entry procedures managed through a hotline. This hotline has been available to Qataris since shortly after the termination of relations on 5 June 2017. It has been used successfully by Qataris who wish to do so to gain or re-gain entry into the UAE. No Qatari national has been denied entry through this service by virtue of his or her Qatari nationality – still less, on account of his or her race, colour, descent or national or ethnic origin. The UAE provides this benefit specifically to Qatari nationals, and not to other nationalities, thereby demonstrating the UAE's commitment to supporting the Qatari people during this time of conflict between the UAE and Qatari governments. Yet again, Qatar has submitted no evidence to rebut this.

IV. THE COMMITTEE MUST REJECT QATAR'S ARTICLE 11 COMMUNICATION FOR LACK OF JURISDICTION

23. In this Section IV, the UAE explains why the Committee lacks the jurisdiction to hear Qatar's Article 11 Communication. Consequently, it is respectfully submitted that the Committee must reject Qatar's Article 11 Communication and immediately terminate the procedure under Part II of the CERD with respect to this application.

24. All international bodies established under treaty derive their jurisdiction exclusively from the specific consent of the States Parties to that treaty. Such bodies, including investigatory or dispute resolution bodies, are required to conduct themselves according to the procedures established by the treaty.[27] Under fundamental norms of public international law, States submit to the binding force of a treaty and the authority of any body established by such treaty under the principle of *pacta sunt servanda*.[28] This

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[26] Official Statement by the UAE Ministry of Foreign Affairs and International Cooperation, 5 July 2018.
[27] The Committee is established pursuant to Article 8 of the CERD.
[28] See Article 26 of the 1969 Vienna Convention on the Law of Treaties, 1155 UNTS 331.

consent to submit is necessarily constrained by the terms of the treaty to which the State has consented.

25. The Committee is such an international body. It is established under a treaty. It is subject to the norms of public international law. It enjoys jurisdiction for its authority only to the extent – and no further – that the States Party to the CERD have consented to submit to the dispute resolution procedures established in the CERD. The States Parties to the CERD have vested the Committee with jurisdiction to carry out the dispute resolution functions described in that treaty. The Committee has no jurisdiction beyond that. All other functions fall outwith the scope of the Committee's legitimate authority.

26. The Committee can only act with legitimacy if it acts within the jurisdiction that it has been granted by the States Party to the CERD in the treaty. Any act beyond that is not a legitimate act of authority by the Committee. Such an act would be an act *ultra vires* the authority of the Committee.

27. In the present circumstances, the Committee must examine carefully the basis for its competence to take any action. Being an international dispute settlement body, the Committee has the inherent power to decide on the limits of its competence, within the confines of its constituent treaty. Shabtai Rosenne, a leading authority on the functions of international courts and tribunals, has summarised the legal position on this issue by noting that:

> It is now a generally accepted principle that an international court or tribunal has the power to determine its own jurisdiction. This power is commonly interpreted and applied as referring also to the admissibility of the case as a whole or of an individual claim in the case. … A provision to this effect is commonly found in the constituent instrument of a standing international tribunal, but the rule is also applicable in an *ad hoc* tribunal should a question on jurisdiction arise there.[29]

28. The Committee is being asked by Qatar to act far beyond its authority. This raises important questions that go to the legitimacy of the functioning of the Committee in the

[29] Shabtai Rosenne, "International Courts and Tribunals, Jurisdiction and Admissibility of Inter-State Applications," *Max Planck Encyclopaedia of International Law*, paragraph 23.

present matter. However, these questions of legitimacy are also relevant more broadly. The functions assigned to the Committee are set out in Part II of the CERD. For present purposes, the relevant provisions are found in Articles 11 to 13, which describe the inter-State complaints mechanism under the Convention. The gateway provision in Article 11.1 CERD allows a State Party to bring a matter to the attention of the Committee if it "considers that another State Party *is not giving effect to the provisions of this Convention*" (emphasis added). This language circumscribes the Committee's jurisdiction, in the sense that the Committee has no competence to hear complaints about conduct that is not prohibited by the CERD. Nor can the Committee entertain or investigate allegations of infringement of rights that are not protected under the CERD.

29. The present inter-State communication under Article 11 falls outwith the Committee's jurisdiction for two fundamental reasons, each one of which on its own suffices to dispose of the Article 11 process entirely. First, the Committee lacks any jurisdiction because Qatar's Article 11 Communication goes only to differentiated treatment on the basis of nationality, a matter falling wholly outwith the scope of the CERD. Second, and at the same time, the Committee also lacks jurisdiction because the dispute resolution procedure under Articles 11 to 13 of the CERD is strictly confined to ongoing alleged breaches of the CERD. In the instant case, Qatar's Article 11 Communication is entirely moot because it relies only on a non-binding policy statement made by the UAE that was never implemented in practice, in respect of which the UAE has already taken definitive action to rectify any possible misunderstanding, as recognised expressly by multiple judges in the Pending ICJ CERD Proceedings, and which in any event is currently addressed by the ICJ's CERD Provisional Measures Order.[30] Each of these grounds is addressed in turn below.

[30] *See* Dissenting Opinion of Judge Crawford, paragraphs 3 to 4 ("it appears that no legislative or administrative action was taken to give effect to paragraph 2 [of the State of 5 June 2017 with respect to Qatari nationals]"); *see also* See *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice, Request for the Indication of Provisional Measures, Order, 23 July 2018, Dissenting Opinion of Judge Bhandari ("**Dissenting Opinion of Judge Bhandari**"), paragraph 3.

A. The Committee lacks jurisdiction in the present dispute because Qatar has not made an Article 11 Communication that falls within the scope of the CERD's substantive protections

30. As noted above, the Committee lacks any jurisdiction in the present proceeding because Qatar's Article 11 Communication goes only to differentiated treatment on the basis of nationality, a matter falling wholly outwith the scope of the CERD. Only a claim that falls within the scope of the CERD can possibly fall within the jurisdiction of the Committee and of any *ad hoc* Conciliation Commission that may eventually be appointed.

31. Allegations of differentiated treatment on account of nationality or citizenship do not come within the jurisdiction of the Committee. This is because Article 1 of the CERD critically and deliberately distinguishes between, on the one hand, discrimination on grounds of national origin, which is equated to racial discrimination and prohibited *per se*, and on the other hand, differentiation on the basis of nationality, which is not prohibited under the CERD.[31] The CERD simply does not purport to regulate or govern in any way differentiated treatment of individuals on the basis of their nationality or citizenship, as distinct from racial discrimination on the specific grounds of race, colour, descent or national or ethnic origin. The drafters of the CERD made a deliberate choice in that regard and the States Party to the CERD only signed up to that.

32. The distinction between 'nationality' and 'national origin' is clearly delineated in the *travaux préparatoires* of the CERD. For example, in the discussions on this point, the US representative pointed out that:

> [n]ational origin differed from nationality in that national origin related to the past – the previous nationality or geographical region of the individual or of his ancestors – while nationality related to present status. The use of the

[31] See Dissenting Opinion of Judge Crawford, paragraph 1. See also Patrick Thornberry, *The International Convention on the Elimination of All Forms of Racial Discrimination: A Commentary* (Oxford University Press 2016), pages 103 to 105; Natan Lerner, *The UN Convention on the Elimination of All Forms of Racial Discrimination* (Brill Nijhoff 2015), pages 33 to 34 ("it was made clear that these words ['national origin'] were not utilized as equivalents of the term 'nationality' or 'citizenship'"). See further Karin de Vries, *Integration at the Border* (Hart Publishing 2013), pages 304 to 305 ("nationality as a legal status is not included in the definition of 'racial discrimination' provided in Article 1(1) of the CERD"); Päivi Gynther, *Beyond Systemic Discrimination: Educational Rights, Skills Acquisition and the Case of Roma* (Martinus Nijhoff Publishers 2007), page 127 ("the CERD does not prohibit as a 'racial discrimination' distinctions based on nationality").

> former term in the Convention would make it clear that persons were protected against discrimination regardless of where they or their ancestors had come from.[32]

33. It is notable that neither the provisional measures ordered in the Pending ICJ CERD Proceedings, nor any of the separate or dissenting opinions issued in the case, gave any support to the notion that 'nationality' and 'national origin' are synonymous. On the contrary, the distinction between these two concepts has been authoritatively embraced by a number of distinguished judges in the Pending ICJ CERD Proceedings. For example, in his dissenting opinion, Judge Crawford emphasised that the distinction between 'national origin' and 'nationality':

> finds its reflection in widespread State practice giving preferences to nationals of some countries over others in matters such as the right to enter or to reside, entitlement to social security, university fees and many other things, in peace and during armed conflict.[33]

34. The Joint Declaration of Judges Tomka, Gaja and Gevorgian expressed the same legal conclusion:

> When the Convention considers "national origin" as one of the prohibited bases for discrimination, *it does not refer to nationality. In our view, the two terms are not identical and should not be understood as synonymous*. The *travaux préparatoires* support this view and indicate that *States sought to exclude distinction on the basis of nationality from the scope of CERD*. In the discussions of the draft Convention in the Third Committee of the General Assembly, an amendment specifying that "the expression 'national origin' does not mean 'nationality' or 'citizenship'" was withdrawn by their sponsors, but this was done only in favour of the final text of Article 1, which evidently was considered to make matters equally clear. (Emphasis added.)[34]

35. Similarly, in his dissenting opinion, Judge Salam pointed out that 'nationality' and 'national origin' are two conceptually different notions and that the CERD applies only

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[32] *Travaux préparatoires* of the CERD, UN Doc. A/C.3/SR.1304, paragraph 23.

[33] *See* Dissenting Opinion of Judge Crawford, paragraph 1.

[34] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice, Request for the Indication of Provisional Measures, Order, 23 July 2018, Joint Declaration of Judges Tomka, Gaja and Gevorgian ("**Joint Declaration of Judges Tomka, Gaja and Gevorgian**"), paragraph 4.

to issues related to 'national origin'.[35] Judge Salam echoed the above statement from the *travaux préparatoires* in noting that 'national origin' targets individuals who – "regardless of their nationality at that time"[36] – traced their origin to a particular country and suffered discrimination as a result of that heritage (citing the examples of US citizens of Japanese origin interned following the attack on Pearl Harbour during the Second World War, as well as discrimination against persons of German origin, regardless of their nationality, in several countries after the First World War and during and after the Second World War).[37]

36. Any finding that nationality falls within the scope of the CERD and within the Committee's jurisdiction would upend this legal reality.[38] Any such finding would constitute an improper, dangerous and unacceptable distortion of the clear terms of the carefully negotiated provisions of the CERD which alone determine the extent of the obligations accepted by the CERD's contracting States under public international law. Indeed, if the States Party to the CERD had intended to include 'nationality' instead of 'national origin' in Article 1 of the CERD, they could and would have easily done so.[39] They deliberately chose not to do so. The States Party did not sign up to this. And it is not open to Qatar now to impose this unilaterally upon the UAE. As noted by Judges Tomka, Gaja and Gevorgian in the Pending ICJ CERD Proceedings, "[t]he omission of a reference to nationality may be easily explained."[40] Indeed, these three Judges remarked in their Joint Declaration in the Pending ICJ CERD Proceedings that:

> Should CERD be considered as covering also discrimination based on nationality, the Convention would be a far-reaching instrument, that contains a clause providing that, with regard to the wide array of civil rights that are protected under CERD, all foreigners must be treated by the host State in the

[35] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice, Request for the Indication of Provisional Measures, Order, 23 July 2018, Opinion Dissidente de M. le Juge Salam ("**Opinion Dissidente de M. le Juge Salam**"), paragraphs 3(c) and 5.

[36] *See* Opinion Dissidente de M. le Juge Salam, paragraph 5.

[37] *See* Opinion Dissidente de M. le Juge Salam, paragraphs 5 to 6, with further reference to *Travaux préparatoires* of the CERD, UN Doc. A/C.3/SR.1304 and Report of the Third Committee, 18 December 1965, UN Doc. A/6181.

[38] Karin de Vries, *Integration at the Border* (Hart Publishing 2013), pages 304 to 305 ("adding nationality in the legal sense as a ground to the definition of racial discrimination with be incompatible with the text and history of Article 1 CERD").

[39] *See* Opinion Dissidente de M. le Juge Salam, paragraph 7.

[40] S*ee* Joint Declaration of Judges Tomka, Gaja and Gevorgian, paragraph 4.

> same way as nationals of the State who enjoy the most favourable treatment.[41]

37. The act of conferring nationality is within the jurisdiction of States. It is an attribute of State sovereignty to determine the benefits appertaining to such status.[42] Similarly, it is uncontroversially and entirely properly within the unilateral sovereign jurisdiction of individual States to decide which rights and benefits to confer upon foreign nationals depending on what nationality they hold, provided that distinctions are not drawn on the basis, for example, of colour or religion.[43] Respect for this sovereign right is an incontrovertible norm of customary international law.[44] It is reflected and enshrined in Articles 1.2 and 1.3 of the CERD, which provide that:

> 2. This Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a State Party to this Convention between citizens and non-citizens.
>
> 3. Nothing in this Convention may be interpreted as affecting in any way the legal provisions of States Parties concerning nationality, citizenship or naturalization, provided that such provisions do not discriminate against any particular nationality.

38. To the extent that the Committee as previously constituted might be interpreted to have taken a different view, it is critical to note that a number of eminent ICJ judges, each of whom is independently a highly respected authority on public international law,[45] declared in the Pending ICJ CERD Proceedings that they were unconvinced by statements from the CERD Committee that conflate 'national origin' and 'nationality'.[46]

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[41] *See* Joint Declaration of Judges Tomka, Gaja and Gevorgian, paragraph 4.

[42] Ian Brownlie, *Principles of International Law* (Oxford University Press 1998, 5.ed), pages 385, 388, 390.

[43] *See* W. Michael Reisman et al., *International Law in Contemporary Perspective* (Foundation Press 1981), page 500, notes and questions No. 2. *See* also United Nations Human Rights Office of the High Commissioner, *Handbook for Parliamentarians No. 24* (2015), pages 19 to 20.

[44] *See* Ian Brownlie, *Principles of Public International Law* (Oxford University Press 1998, 5.ed), page 289. *See also* Samantha Besson, "Sovereignty," *Max Planck Encyclopaedia of Public International Law* (2011), paragraph 56. See also *Customs Regime between Germany and Austria*, Advisory Opinion of 5 September 1931, PCIJ, Series A/B, Individual Opinion of Judge Anzilotti, page 57.

[45] The ICJ judges siding with the UAE on this point are eminent scholars and seasoned practitioners of international law. They have published widely on public international law and human rights, held various positions in UN bodies and appeared in various practical functions in international dispute settlement proceedings.

[46] In particular, Judges Tomka, Gaja and Gevorgian unequivocally rejected the view expressed by a previously constituted CERD Committee in its General Recommendation No. XXX in 2004 that the

39. A plurality of ICJ judges that are hearing Qatar's identical allegations as advanced in the context of the Pending ICJ CERD Proceedings have agreed that Qatar has failed to put forward a claim that falls within the scope of the CERD. None of the judges of the ICJ, including the majority, concluded that it was certain that Qatar had put forward a claim that falls within the scope of the CERD.

40. For example, Judge Crawford, one of the foremost authorities on public international law and a pioneer of international human rights law, asserted that Qatar's allegations of collective expulsion of Qataris from UAE territory:

> simply … is not apparently covered by the CERD.[47]

41. Similarly, Judges Tomka, Gaja and Gevorgian underlined in their Joint Declaration in the Pending ICJ CERD Proceedings that:

> [t]he basis of the alleged discrimination in the treatment of individuals by the UAE of which Qatar has complained consists in the Qatari nationality of the persons concerned. However, CERD only applies to some specific factors of discrimination: 'race, colour, descent, or national or ethnic origin'. Nationality is not listed in Article 1, paragraph 1, among the bases of discrimination to which CERD applies.[48]

42. It is critical for the purposes of the Committee and its jurisdiction that not a single ICJ judge supported the interpretation of the CERD put forward by Qatar in the Pending ICJ CERD Proceedings and which Qatar has also, in identical form, put before the CERD Committee in this present Article 11 Communication.

43. Even the narrow majority of only eight judges that granted provisional measures in favour of Qatar in the Pending ICJ CERD Proceedings did not endorse Qatar's erroneous view that the CERD's reference to 'national origin' was synonymous with 'nationality'. They restricted themselves to concluding that they did not need to decide the question at that preliminary stage of the proceedings for the purposes of the CERD

CERD may cover differences of treatment on the basis of nationality, finding that "[i]t would be difficult to give weight to this view of the CERD Committee since it gives no reason for its interpretation that different treatment based on nationality constitutes racial discrimination under CERD, albeit only to a certain extent", *see* Joint Declaration of Judges Tomka, Gaja and Gevorgian, paragraph 5.

47 Dissenting Opinion of Judge Crawford, paragraph 1.

48 Joint Declaration of Judges Tomka, Gaja and Gevorgian, paragraph 3.

Provisional Measures Order.[49] This part of the CERD Provisional Measures Order situates the conclusions of the majority of the Court within the particular context of *prima facie* jurisdiction, as opposed to actual jurisdiction.

44. Qatar has conspicuously failed to furnish the Committee with any arguments or proof that any part of its Article 11 Communication falls properly within the scope of the CERD. In its Communication of 29 October 2018, it merely asserts, with generalised and sweeping rhetoric, that "by targeting all Qataris and only Qataris with a series of coercive measures, the United Arab Emirates has violated multiple Convention obligations, including its obligations under Articles 2, 4, 5, 6, and 7".[50] With respect to the UAE's objection that the conduct described by Qatar in its Article 11 Communication could not come within the scope of the CERD, Qatar simply "rejects" the UAE position. Qatar has provided no reasoning or evidence in support of its "rejection". This failure on the part of Qatar is notable and it is not sufficient for the purposes of the dispute resolution mechanisms of the CERD. It is not tenable that the Committee rely merely on a "rejection" by a State of the evidence of another party. The Committee must bear in mind that how it deals with this sort of imperious disregard for fact and evidence will constitute a precedent for unrelated complaints brought by individuals against States Party to the CERD (and even complaints brought by States Party against other States Party): if a haughty and regal "rejection" is established by the Committee to constitute a sufficient answer, it does not take much imagination to see how genuine complaints in the future will be responded to by States Party. Qatar has not advanced a complaint within the scope of the Committee jurisdiction; therefore, its Article 11 Communication must be dismissed and the present proceeding terminated for lack of jurisdiction.

45. Were the CERD Committee to find, contrary to public international law norms, the text of the CERD itself and the opinions of the preponderance of ICJ judges, that treatment on the basis of nationality falls within the scope of the CERD – for example, by progressing Qatar's Article 11 Communication to an *ad hoc* Conciliation Commission – the Committee would be putting itself at odds with customary international law, eminent judges of the ICJ and leading public international law authorities. It would

[49] CERD Provisional Measures Order, paragraph 27.
[50] Qatar's Communication to the Committee, dated 29 October 2018.

undermine the very foundations of public international law by imposing upon the UAE and other States Party to the CERD a new and extraneous obligation to which those States, by becoming parties to the CERD, had never accepted. The Committee would be doing this all at a time when the ICJ, the pre-eminent Court in the United Nations system, remains seised of the very same question in the Pending ICJ CERD Proceedings and does not support this approach.

B. The Committee lacks jurisdiction over Qatar's Article 11 Communication because there is no evidence of any ongoing violation

46. The Committee and any *ad hoc* Conciliation Commission that may be appointed only has jurisdiction to consider allegations of ongoing violations of the CERD. The mechanism established under Article 11 to 13 of the CERD is a process of conciliation, aimed at arriving at an amicable solution in a situation where a State Party "is not giving effect to the provisions of the Convention".[51] The use of the present tense in the relevant text of the CERD is deliberate and determinative. To achieve an end to the situation in dispute, any *ad hoc* Conciliation Commission appointed under Article 12 is authorised to employ its good offices to assist the disputing Parties and to issue recommendations as it may think proper for the amicable solution of the dispute.[52] The dispute resolution process established under Articles 11 to 13 is deliberately and necessarily framed in the CERD as forward-looking. The role and function of the Committee or the *ad hoc* Conciliation Commission thus presupposes that the situation to be reviewed is still in effect. There is no possible conceptual role for retrospective dispute resolution.

47. Thus, even on the hypothetical scenario that a State Party was failing to give effect to the provisions of the Convention at the time of a first referral to the Committee, the Committee is necessarily prevented from continuing to entertain or progress to an *ad hoc* Conciliation Commission a matter once that previous failure to give effect to CERD's provisions has already been rectified. It is simply not the function or role of the Committee or any *ad hoc* Conciliation Commission to assign blame to States Parties for past transgressions. Thus, if the moving State cannot show an ongoing

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[51] See Articles 11.1, 12.1(a) and 13.1 of the CERD.
[52] Article 13 of the CERD.

situation of prejudice to its nationals in respect of rights covered by the CERD at the time when a decision is to be made on the admissibility of a case for the purposes of appointing an *ad hoc* Conciliation Commission to deal with the matter, there is no place for resort to conciliation under the CERD dispute resolution architecture.

48. In the Pending ICJ CERD Proceedings, a plurality of judges found as points of fact that, at least as of July 2018, any adverse impact that may or may not have afflicted Qatari nationals had been eliminated.[53] For instance, Judge Crawford noted that Qatar had failed to demonstrate that any measures directed at Qatari nationals were still in effect or could still cause prejudice to their rights under the CERD. He acknowledged as an established fact that the UAE took immediate action to assist any Qatari nationals affected by its 5 June 2017 statement, to rectify any misunderstandings about the status and rights of such individuals and to regularise the presence of such individuals in the UAE.[54] From this, Judge Crawford drew the conclusion that:

> [i]t is not clear from the evidence that individuals are continuing to suffer these consequences in July 2018. Most of the reports by national and international organizations submitted by Qatar relate to the period June to August 2017.[55]

49. Indeed, Judge Crawford noted that evidence on the record in the Pending ICJ CERD Proceedings showed that "Qataris have entered or exited the UAE more than 8,000 times since June 2017 and that over 1,300 applications via the hotline system to enter the UAE have been granted."[56] These conclusions of fact are based on evidence on the record and they definitively refute the empty and unsupported allegations made by Qatar.

50. Moreover, Judge Crawford emphasised that the UAE Ministry of Foreign Affairs issued an official statement on 5 July 2018 clarifying the legal position of Qatari nationals living in the UAE, namely that Qatari nationals "need not apply for

[53] Evidence to this effect is also on the record with the Committee, having been annexed to UAE's Response, dated 7 August 2018.

[54] *See* Dissenting Opinion of Judge Crawford, paragraphs 6 to 8.

[55] Dissenting Opinion of Judge Crawford, paragraph 9.

[56] Dissenting Opinion of Judge Crawford, paragraph 15.

permission to continue residence in the UAE" and were encouraged to obtain prior permission for re-entry.[57]

51. Similarly, Judge Bhandari noted the UAE's "unqualified statements that the declaration of 5 June 2017 has not been implemented or given effect to" and the fact that "[c]onversely, Qatar could not produce sufficiently cogent evidence, in writing or orally, to demonstrate that the declaration of 5 June 2017 has been implemented."[58] Judge Bhandari further found, referring to the above-mentioned statement by the UAE's Ministry of Foreign Affairs on 5 July 2018, that the "unqualified undertaking by the UAE [has] removed the risk of irreparable prejudice in the circumstances".[59]

52. It is also worth noting that, in the Pending ICJ CERD Proceedings, Qatar based part of its allegations on a report of the Technical Mission of the OHCHR.[60] This report relates to events which occurred many months before the ICJ's determination. Its relevance to the circumstances prevailing at that moment and *a fortiori* the present moment is highly questionable and certainly has not been established by Qatar.[61]

53. Besides the empty assertion made by Qatar many months ago, there is nothing before the Committee even to suggest that the UAE is in violation of the CERD at this particular time. Indeed, it is notable in this respect that the submission in the instant case from the State of Qatar of 29 October 2018, although it post-dated the above-mentioned findings in the Pending ICJ CERD Proceedings, did not even mention the statement by the UAE's Ministry of Foreign Affairs on 5 July 2018. Even if the Committee were to accept Qatar's complaint at face value, against the UAE's insistent protestations that it is and always has been giving effect to the provisions of the CERD, subsequent judicial opinions by eminent ICJ judges, who have heard the same evidence

[57] *See* Dissenting Opinion of Judge Crawford, paragraphs 12 to 16.

[58] Dissenting Opinion of Judge Bhandari, paragraph 3.

[59] Dissenting Opinion of Judge Bhandari, paragraph 9.

[60] Office of the United Nations High Commissioner for Human Rights ("**OHCHR**"), "*OHCHR Technical Mission to the State of Qatar, 17- 24 November 2017, Report on the impact of the Gulf Crisis on human rights*", December 2017. This report is a gathering of information about the impact of the UAE-Qatar crisis on human rights in Qatar as of December 2017. In its report, the OHCHR concludes that the measures implemented by the UAE "have a potentially durable effect on the enjoyment of the human rights and fundamental freedoms of those affected", see at paragraph 60. The findings of the OHCHR in its report are relied upon by Qatar as factual evidence of "the violations of human rights caused by the unjust blockade and the unilateral coercive measures imposed on [the] country"; *see* CERD Provisional Measures Order, paragraph 37.

[61] *See* CERD Provisional Measures Order, paragraphs 47 and 49.

that is before the Committee, confirm that at the very least as of July 2018, there is no evidence that the UAE fails to give effect to the CERD. As a result, there is no ongoing situation over which the Committee or any *ad hoc* Conciliation Commission has any jurisdiction to seek to resolve through an amicable solution. To continue the procedure before the Committee under such circumstances would be nonsensical and irresponsible. As a result, the Committee must decline any jurisdiction to entertain Qatar's Article 11 Communication any further.

V. THE COMMITTEE MUST REJECT QATAR'S ARTICLE 11 COMMUNICATION FOR LACK OF ADMISSIBILITY

54. In this Section V, the UAE explains why Qatar's Article 11 Communication is inadmissible for any one of three independent reasons:

    a. First, the Committee must decline to hear Qatar's Article 11 Communication because Qatar has failed to establish that local remedies have been exhausted as required under Article 11.3 of the CERD;

    b. Second, the Committee must decline to hear Qatar's Article 11 Communication because Qatar, by commencing the Pending ICJ CERD Proceedings, has abandoned the Article 11 process in favour of a judicial procedure before the pre-eminent United Nations World Court now seised of the very same dispute;

    c. Finally, the Committee must also dismiss the proceeding because Qatar's Article 11 Communication constitutes an abuse of rights and process.

55. Whether taken separately or cumulatively, each of these grounds – addressed in turn in further detail below – suffices to dispose of Qatar's Article 11 Communication entirely. As a result, if the Committee accepts even one of the above grounds, the Committee must dismiss Qatar's Article 11 Communication as inadmissible and immediately terminate the present procedure under Part II of the CERD.

A. The Committee must decline to hear Qatar's Article 11 Communication because Qatar has failed to establish that local remedies have been invoked or exhausted as required under Article 11.3 of the CERD

56. In its Communication of 29 October 2018, Qatar refers the present matter to the Committee again pursuant to Article 11.2 of the CERD. Before advancing to the next step, i.e., any possible appointment by the Chairman of the Committee of an *ad hoc* Conciliation Commission, the Committee is obligated by the terms of its jurisdiction under the CERD to establish that all domestic remedies have been invoked and exhausted by persons on behalf of whom Qatar makes its Article 11 Communication. Article 11.3 of the CERD provides:

> The Committee shall deal with a matter referred to it in accordance with paragraph 2 of this article after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged.

57. This rule is a reflection of the customary international law principle that States may not exercise diplomatic protection on behalf of its nationals by instituting international proceedings unless local remedies first have been exhausted.[62] This well-established rule[63] is embraced in ICJ jurisprudence[64] and codified in the 2006 Draft Articles on Diplomatic Protection[65] and the 2001 Draft Articles on State Responsibility.[66] It guarantees that "the State where the violation occurred should have an opportunity to redress it by its own means, within the framework of its own domestic legal system."[67]

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62 *See*, e.g., General Assembly, Third Committee, Summary Meeting of the 1353rd meeting, 24 November 1965, UN Doc. A/C.3/SR.1353, at paragraph 42.

63 See Christopher F. Dugan, Don Wallace, Jr., Noah Rubins, Borzu Sabahi, *Investor State Arbitration* (Oxford University Press 2008), page 347.

64 See *Interhandel* (Switzerland v. United States of America), I.C.J. Reports 1959, p. 6, at page 27; *Elettronica Sicula S.p.A. (ELSI)* (Italy v. United States of America), I.C.J. Reports 1989, p. 15, at paragraph 50; *Ahmadou Sadio Diallo* (Republic of Guinea v. Democratic Republic of the Congo), Preliminary Objections, I.C.J. Reports 2007, p. 582, at paragraph 42.

65 *See* Article 14 of the 2006 Article on Diplomatic Protection ("[a] state may not present an international claim in respect of an injury to a national … before the injured person has … exhausted all local remedies").

66 Articles on Responsibility of States for Internationally Wrongful Acts, ILC Yearbook 2001, vol. II(2), page 26 ff. (annexed to United Nations General Assembly Resolution 56/83, 12 December 2001, UN Doc. A/RES/56/83).

67 See *Interhandel* (Switzerland v. United States of America), I.C.J. Reports 1959, p. 6, at page 27; *see also Ambatielos* (Greece v. United Kingdom), (1956), XII *Reports of International Arbitral Awards* 83, at

58. The *travaux préparatoires* to the CERD confirm that this rule was adopted with near consensus to operate as a preliminary condition for the bringing of inter-State communications under the Convention. A proposal by the Tanzanian delegation to do away with this essential requirement[68] was emphatically opposed and rejected by vote.[69] Similar requirements can be found in numerous other human rights treaties.[70]

59. If available domestic remedies have not been exhausted in respect of an alleged violation of the CERD, a communication made under Article 11 must be declared inadmissible.[71] The ICJ has previously held that:

> Such an objection consists in the contention that there exists a legal reason, even when there is jurisdiction, why the Court should decline to hear the case, or more usually, a specific claim therein. Such a reason is often of such a nature that the matter should be resolved *in limine litis*, for example where without examination of the merits it may be seen that there has been a failure to comply with the rules as to nationality of claims; failure to exhaust local remedies; the agreement of the parties to use another method of pacific settlement; or mootness of the claim.[72]

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page 120 ("It is the whole system of legal protection, as provided by municipal law, which must have been put to the test before a State, as the protector of its nationals, can prosecute the claim on the international plane.").

68 General Assembly, Third Committee, Summary Meeting of the 1353rd meeting, 24 November 1965, UN doc. A/C.3/SR.1353, paragraph 25 (Tanzania) (inclusion of a requirement of exhaustion "would be an escape clause for any signatory which did not wish to apply the Convention in good faith").

69 *See* General Assembly, Third Committee, Summary Meeting of the 1353rd meeting, 24 November 1965, UN doc. A/C.3/SR.1353, paragraph 57: (the Tanzanian proposal was rejected by 2 votes for, 70 votes against, and 12 abstentions); *see also at* paragraph 28 (Italy): ("States should be left as free as possible to deal with a case through domestic procedures, for it was a recognized international principle that all domestic remedies should be exhausted before a matter was referred to an international body"); and at paragraph 48 (Senegal): (the requirement to exhaust local remedies would "prevent a proliferation of complaints at the international level").

70 *See,* e.g., International Covenant on Civil and Political Rights, Article 41.1 (c); European Convention on Human Rights as amended by Protocols Nos. 11 and 14 and supplemented by Protocols Nos. 1, 4, 6, 7, 12, 13 and 16 ("European Convention on Human Rights"), Article 35. Other human rights bodies have also drawn on the customary general principles relating to exhaustion of domestic remedies, and have required the exhaustion of all remedies that are available and effective. *See*, e.g., HRC, Communication No. 669/1995, *Malik v. The Czech Republic*, Decisions of 21 October 1998, UN doc. CCPR/C/64/D/669/1995, at paragraph 6.2.

71 *See, Application of the Convention on the Prevention and Punishment of the Crime of Genocide* (Croatia v. Serbia), Preliminary Objections, Judgment, I.C.J. Reports 2008, p. 456, paragraph 120 (failure to exhaust local remedies is normally considered as a question relating to the admissibility of the claim). See also J. R. Crawford and T. D. Grant, "Exhaustion of Local Remedies," *Max Planck Encyclopaedia of Public International Law* (2007), paragraph 5.

72 *Application of the Convention on the Prevention and Punishment of the Crime of Genocide* (Croatia v. Serbia), Preliminary Objections, Judgment, I.C.J. Reports 2008, p. 456, paragraph 120.

60. That a failure to exhaust local remedies must result in the inadmissibility of the complaint is further confirmed by the Committee's jurisprudence with respect to the parallel procedure for hearing complaints from individuals under the mechanism described in Article 14 of the CERD.[73] This jurisprudence has bearing *mutatis mutandis* on Qatar's Article 11 Communication, as the requirement to exhaust local remedies is common to Articles 11 and 14 of the CERD. Furthermore, in the proceedings before the ICJ that bear upon this case, Qatar has acknowledged that the "local remedies requirement" applies both to the "inter-state procedure before the Committee and potentially a Conciliation Commission (Articles 11-13)" and to "an individual-State procedure before the CERD Committee (Article 14)."[74]

61. Under Article 11.3, CERD jurisprudence and customary international law, the requirement to exhaust local remedies may be dispensed with if there are no available remedies, if these are ineffective or if they are "unreasonably prolonged".[75] The bar is high for finding that local remedies need not be exhausted. The available exceptions do not pertain to, for instance, the likelihood of success or the difficulty or cost of the process. It is a matter of whether the municipal system of the respondent State is reasonably capable of providing effective relief.[76] Indeed, in the context of individual communications under Article 14, the Committee has found the exception to be applicable only in exceptional situations. This has been the case, for example, when an administrative process had already lasted for two years in a matter that "did not require complex investigation".[77]

62. Under customary international law, Qatar bears the burden "to prove that local remedies were indeed exhausted or to establish that exceptional circumstances relieved

[73] *See*, *Ahmad Najaati Sadic v. Denmark*, CERD/C/62/D/25/2002 16 April 2003, *Sarwar Seliman Mostafa v. Denmark*, CERD/C/59/D/19/2000 15 August 2001, *Nikolas Regerat et al. v. France*, CERD/C/62/D/24/2002 16 April 2003, *POEM and FASM v. Denmark*, Communication No. 22/2002, 21 March 2003, U.N. Doc. No. CERD/C/62/D/22/2002.

[74] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice, Response on behalf of the State of Qatar to the questions posed by Judge Cançado Trindade on Friday, 29 June 2018, 3 July 2018, at paragraph 8.

[75] *See,* Article 15(a) of the Articles on Diplomatic Protection; Article 11.3 of the CERD.

[76] *See,* Articles on Diplomatic Protection, Commentary to draft Article 15, paragraphs 3 to 4, ILC Yearbook 2006, vol. II(2), at pages 47 to 48.

[77] CERD, Communication No. 33/2003, *Mr. Kamal Quereshi v. Denmark,* Opinion of 9 March 2005, UN doc. CERD/C/66/D/33/2003, at paragraph 6.4.

[it]…of the obligation to exhaust available local remedies."[78] Customary international law has bearing upon the CERD in this regard, as the relevant provision builds upon that law and does not provide any specific rule on the allocation of the burden of proof.

63. Under its burden of proof, Qatar must show that local remedies have been exhausted "in the case", pursuant to the wording of Article 11.3.[79] In other words, the case referred to the Committee must be the same case for which available domestic remedies have previously been exhausted. CERD jurisprudence also provides that local remedies must be exhausted by the affected person or persons.[80] It is thus incumbent upon Qatar to demonstrate that, in a concrete case involving an affected individual on whose behalf the present Article 11 Communication is made, all reasonably available domestic remedies have been exhausted. Such remedies include administrative remedies, as well as judicial ones.[81]

64. Qatar has failed to provide any concrete evidence that Qatari nationals have attempted to invoke, let alone exhaust, the local remedies available under Emirati law to seek redress for the supposed injuries they have suffered. Qatar has not established that such remedies are unavailable as a result of measures taken by the UAE. Any perception on behalf of Qatari nationals of a "campaign of hatred" is irrelevant to the Committee's determination on the issue of inadmissibility for failure to exhaust local remedies.

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78 *Ahmadou Sadio Diallo* (Republic of Guinea v. Democratic Republic of the Congo), Preliminary Objections, I.C.J. Reports 2007, p. 582, at paragraph 44; *Elettronica Sicula S.p.A. (ELSI)*, (Italy v. United States of America), I.C.J. Reports 1989, p. 15, at paragraph 53.

79 This follows from an interpretation of the ordinary meaning of the text of the Convention, as prescribed by the customary international law canon of treaty interpretation codified in Article 31 VCLT. This construction finds further support from the CERD Committee's jurisprudence with respect to the identical condition under Article 14(7)(a) of the Convention. *See* CERD, Communication No. 22/2002, *POEM and FASM v. Denmark*, Inadmissibility Decision of 19 March 2003, UN Doc. CERD/C/62/D/22/2002, at paragraph 6.3; *see also* Communication No. 38/2006, *Zentralrat Deutscher Sinti und Roma et al. v, Germany*, Opinion of 22 February 2008, UN Doc. CERD/C/72/D/38/2006, at paragraph 7.4.

80 The Committee has rejected as inadmissible communications where domestic remedies have been pursued by other organizations or individuals than those submitting the communication with the Committee. See CERD, Communication No. 38/2006, *Zentralrat Deutscher Sinti und Roma et al. v. Germany*, Opinion of 22 February 2008, UN Doc. CERD/C/72/D/38/2006, at paragraph 7.4; Communication No. 22/2002, *POEM and FASM v. Denmark*, Inadmissibility Decision of 19 March 2003, UN Doc. CERD/C/62/D/22/2002, at paragraph 6.3.

81 *See Ahmadou Sadio Diallo* (Republic of Guinea v. Democratic Republic of the Congo), Preliminary Objections, I.C.J. Reports 2007, p. 582, at paragraph 47. *See also*, e.g., HRC, Communication No. 1184/2003, *Brough v. Australia*, Views of 17 March 2006, UN Doc. CCPR/C/86/D/1184/2003, at paragraph 8.6; Communication No. 1403/2005, *Gilberg v. Germany*, Inadmissibility Decision of 25 July 2006, UN doc. CCPR/C/87/D/1403/2005, paragraph 6.5. See further Article 14(2) of the Articles on Diplomatic Protection; see also Articles on Diplomatic Protection, Commentary to draft Article 14, paragraph 5, ILC Yearbook 2006, vol. II(2), at page 45.

Similarly, anecdotal accounts of individuals' mistrust or paranoia in respect of the remedies available, including administrative remedies such as hotlines and other application procedures set up by the UAE,[82] are merely self-interested assertions by Qatar and do not constitute evidence of anything. They certainly do not mean that such remedies are unavailable, ineffective or unreasonably prolonged. Such feelings in individuals, even were they fact, do not absolve them of the obligation to seek and exhaust local remedies before escalating the matter to an international dispute. The Committee itself has clarified in respect of individual communications that mere doubts on the part of the petitioner as to the effectiveness of domestic remedies do not absolve a petitioner from pursuing them.[83] Finally, Qatar has not even argued, let alone established, that the resort to local remedies in the UAE is unreasonably prolonged such that local remedies need not be exhausted in the instant case.

65. To the contrary, numerous effective domestic remedies are available within the UAE to any Qatari nationals who claim to be victims of violations of any of the rights set forth in the CERD. Qatari nationals in the UAE have at all times been entitled to access the UAE's courts. The right of access of individuals to the UAE judicial system is firmly recognized in the UAE Constitution.[84] Article 41 of the UAE Constitution guarantees the rights of individuals to challenge perceived violations of their rights and freedoms by filing "a complaint with a competent authority, including a judicial entity."[85] Further, Article 40 of the UAE Constitution enshrines that:

> Foreigners in the UAE enjoy the rights and freedoms stipulated in the applicable international instruments or in the treaties and conventions to which the UAE is a party and have to perform the duties which correspond to those rights and freedoms.[86]

66. Importantly, access to courts specifically to resolve complaints against the UAE Government is guaranteed by Article 102 of the Constitution, which states that:

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82 *See* Qatar's Article 11 Communication, 8 March 2018, paragraphs 44 and 81.

83 Communication No. 19/2000, *Sarwar Seliman Mostafa v. Denmark*, Inadmissibility Decision of 10 August 2001, UN Doc. CERD/C/59/D/19/2000, at paragraph 7.4; Communication No. 21/2001, *D.S v. Sweden*, Inadmissibility Decision of 10 August 2001, UN Doc. CERD/C/59/D/21/2001, at paragraphs 4.2 to 4.3; Communication No. 47/2010, *Kenneth Moylan v. Australia*, Inadmissibility Decision of 27 August 2013, UN doc. CERD/C/83/D/47/2010, at paragraph 6.5.

84 *See* UAE Constitution, Articles 40, 41 and 102 (2011).

85 UAE Constitution, Article 41 (2011).

86 UAE Constitution, Article 40 (2011).

> [t]he UAE shall have one or more Federal Court of First Instance which shall sit in the permanent capital city of the UAE or in certain capital cities of the Emirates. A Federal Court of First Instance has, within the territory of its jurisdiction, the powers to hear … civil, commercial and administrative disputes between the UAE and an individual no matter whether the UAE is the plaintiff or the defendant…[87]

67. The rights and freedoms guaranteed under CERD are therefore amongst the rights and freedoms that can be directly vindicated through complaints to competent authorities, including judicial entities. Court remedies in the UAE are available and effective and can be pursued without difficulty, either in person or through powers of attorney. Numerous effective administrative remedies are also available to Qatari nationals – including through powers of attorney – to the extent that any violation of the CERD is perceived in the form of complaint procedures specific to various governmental authorities.[88]

68. Through the use of powers of attorney, available and effective local remedies may be accessed by Qatari nationals whether or not they are physically present in the UAE. Qatar has put forward not a shred of evidence, despite multiple opportunities to do so, of a single Qatari national seeking to avail himself or herself of these readily available and effective procedures if any violation of the protections in CERD is perceived.

69. Following from this, it is not surprising that evidence already submitted by the UAE shows that Qataris can, and do, continue to use local remedies available to them in the UAE.[89] Contrary to Qatar's allegations, the court system remains fully open to Qatari nationals without any discrimination.[90] The use by Qatari nationals of the UAE judicial

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[87] UAE Constitution, Article 102 (2011).

[88] By way of example, the Government of Dubai Legal Affairs Department (the "**Department**") is tasked pursuant to Law No. (32) of 2008 and Law No. (3) of 1996 with receiving complaints and claims made against the Government of Dubai. Qatari nationals can file a complaint against a Dubai government entity through the Department's website. The Department requests and receives feedback from the appropriate government entity in response to each complaint. The Department then attempts to settle the dispute amicably and if this cannot be achieved, a formal statement is issued to that effect. If no settlement is reached within two months, the complainant can file claims directly against the government entity before the UAE courts. *See* Government of Dubai website "Complaints Against Government Entities," https://legal.dubai.gov.ae/en/Services/Pages/Services-Desc.aspx?ServiceID=10; Government of Dubai website "Complaint filed against a Government Entity," https://cms.legal.dubai.gov.ae/en/Website/Pages/ComplaintAgainstGovernmentEntity.aspx.

[89] UAE's Response of 7 August 2018, paragraphs 62 to 63.

[90] In the period of June 2017 to June 2018, Qatari nationals have made frequent use of the UAE courts for various dispute resolution and status applications. See, for example, the fact that 390 commercial

system is due, no doubt in part, to its ease of access; in particular, a number of courts in the UAE provide various e-services for the filing of a claim.[91]

70. As there are and have been no restrictions on Qataris using this system, these remedies continue to be available and effective. In fact, Qatari nationals use the UAE judicial system in significant numbers in other areas of activity. It is striking that Qatar has made no allegation they have done so in order to complain of any violations of the CERD. Accordingly, even if the UAE were not giving effect to the provisions of the CERD (*quod non*), this Committee has no power to hear the Qatar's Article 11 Communication because Qatar has failed to demonstrate that any Qatari nationals who have allegedly suffered CERD violations have in fact invoked and exhausted the local remedies available to them in the UAE.

71. Since Qatar has failed to overcome the admissibility hurdle in Article 11.3 CERD, the Committee must dismiss its Article 11 Communication and discontinue any further procedure addressing that communication.

B. The Committee must decline to hear Qatar's Article 11 Communication because Qatar, by commencing proceedings before the ICJ, has abandoned the Article 11 process

72. While Article 22 of the CERD does envisage that States can resort to the ICJ to settle disputes with respect to the interpretation or application of the Convention, it makes this recourse available only at the end of a carefully crafted linear and hierarchical process. Article 22 provides:

> Any dispute between two or more States parties with respect to the interpretation or application of this Convention, which is not settled by negotiation or by the procedures expressly provided for in this Convention, shall, at the request of any of the parties to the dispute, be referred to the International

licences to Qatari nationals were either granted or renewed in the period 5 June 2017 to 13 June 2018, pursuant to UAE's Response dated 7 August 2018, Annex 4, page 14 and Annex 13. Similarly, more than 160 cases were pursued by Qatari nationals before the UAE courts during the relevant time period, see UAE's Response dated 7 August 2018, Annex 16; see also for similar data Annex 18.

[91] *See* Government of Dubai website "Case Registration Services," https://www.dxbpp.gov.ae/portal/Services.aspx; *see also* Abu Dhabi Judicial Department website "eService," https://www.adjd.gov.ae/EN/Pages/EserviceHome.aspx.

> Court of Justice for decision, unless the disputants agree to another mode of settlement.

73. It is clear from the plain wording of this provision that the CERD envisages that the treaty-specific dispute resolution mechanism it offers to its States Parties should be explored and exhausted before escalating to an ICJ process. Nevertheless, Qatar submitted the matter for the consideration of the ICJ while the CERD Article 11 process was still underway or in fact had not even properly commenced. Qatar has thus submitted the present matter both to this Committee and to the ICJ. The two proceedings relate to the same factual situation, concern the same alleged violations and apply the same international legal framework. After making its initial Article 11 Communication to the Committee, Qatar allowed the passage of no more than a third of the time prescribed under the CERD for the UAE to provide a written explanation,[92] before making an application to the ICJ.[93] Having done so, and having obtained the CERD Provisional Measures Order from the ICJ, Qatar now comes back to the Committee and seeks to resume the very process it has previously bypassed in favour of the ICJ.

74. Through its actions Qatar has created a *lis pendens* situation, where two parallel proceedings bearing on the exact same dispute are progressing simultaneously. The dangers and disadvantages of litigation tactics that induce parallel proceedings are well documented:

> Such duplicative practices draw heavily on scarce judicial resources, carry the risk of legal havoc, which might be caused by inconsistent decisions, and place an undue burden on some or all of the parties due to increased litigation expenses and reduced legal certainty . . . The co-existence of two or more simultaneous proceedings before different fora places an unusually heavy burden on the parties to litigation, which are required to maintain two legal teams or shuttle between two or more tribunals. It also entails the investment of unnecessarily duplicative judicial time and resources by courts and tribunals that are faced with similar (if not

92 Article 11.1 of the CERD.

93 Application instituting proceedings in the International Court of Justice (Qatar v. United Arab Emirates), 11 June 2018.

> identical) tasks and yet are unable to rely on the work of each other.[94]

75. By prosecuting these two procedures simultaneously, Qatar violates the principle of *electa una via non datur recursus ad alteram* ("when one way has been chosen, no recourse is given to another", sometimes known as the principle of election):

> The choice of a specific forum can be perceived as indicative of the intent to resolve the dispute in the selected forum to the exclusion of all alternative fora. This means that a party is estopped from initiating parallel proceedings or relitigating a settled case if the first-in-time forum was seized on his or her initiative (or with that party's approval).[95]

76. By failing to respect this principle, Qatar has sought to abuse the CERD complaints mechanism process and its rights under the CERD by pursuing in parallel the very same CERD complaint against the UAE before two mutually exclusive *fora*. This is in direct violation of the hierarchical and linear dispute resolution architecture of the CERD.

77. If the Committee nevertheless proceeds with the CERD process, there will no longer be a linear and incremental dispute resolution procedure, as set out in the CERD. This would turn the CERD complaints mechanism from a hierarchical and linear process into an "all you can eat" buffet, where States Parties are allowed to parse the aspects of that process they believe will work in their favour and manipulate the process to fit a grander and, importantly, extra-legal scheme or strategy. The UAE respectfully invites the Committee to consider the broader implications to its legitimacy that are embedded in Qatar's conduct. If the Committee were to allow the present Article 11 Communication to continue – notwithstanding that the ICJ is presently seised of the very same dispute (as a result of Qatar's improper and extra-jurisdictional application to it), between the very same Parties and commenced under the very same instrument – it would cause the breakdown of the legitimate institutions established by the CERD and make a mockery of both the CERD dispute resolution mechanism's systemic integrity and the procedural rights of the UAE.

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[94] Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (Oxford University Press 2003), pages 155 to 156.

[95] Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (Oxford University Press 2003), page 23.

78. With respect, the Committee must therefore decline to entertain Qatar's complaint as a matter of inadmissibility. In the UAE's respectful submission, the termination of the present Article 11 process is a necessary consequence of Qatar's decision to abandon the Article 11 process by invoking the formal ICJ procedure under Article 22 of the CERD, which may be accessed only after the cumulative preconditions that any dispute has "not been settled either by negotiation or by the procedures expressly provided for in this Convention" – including the procedures under Articles 11 to 13 of the CERD – have been met.

79. With respect, given that Qatar has abandoned the present process by commencing the Pending ICJ CERD Proceedings, the Committee must now yield to the ICJ procedures. It would be absurd and paradoxical for the Committee to proceed in parallel at a time when the ICJ, as the pre-eminent World Court in the United Nations system, remains seised of the very same question in the Pending ICJ CERD Proceedings. To continue in parallel would jeopardise the systemic integrity of the system and risk resulting in fragmented jurisprudence. It would wreak irreparable harm on the procedural rights of the UAE, which would be required to defend itself against the same allegations in two simultaneous and overlapping procedures. Such an approach would be particularly indefensible in the present case given that, in the Pending ICJ CERD Proceedings, a plurality of Judges at the ICJ has already rejected unequivocally the view expressed by a differently constituted CERD Committee that the CERD may cover differences of treatment on the basis of nationality.[96]

C. The Committee must decline to hear Qatar's Article 11 Communication since that communication amounts to no more than empty speculation and thus constitutes an abuse of rights and process

80. As demonstrated above, Qatar has failed, despite many of opportunities to do so, to present even a shred of evidence of any ongoing discrimination against Qatari nationals – still less, any discrimination actually falling within the scope of the CERD on the basis of race, colour, descent or national or ethnic origin as required under Article 1(1).

[96] *See* Joint Declaration of Judges Tomka, Gaja and Gevorgian, paragraph 5, noting that "[i]t would be difficult to give weight to this view of the CERD Committee since it gives no reason for its interpretation that different treatment based on nationality constitutes racial discrimination under CERD, albeit only to a certain extent".

Indeed, Qatar cannot produce any evidence as its allegations are without foundation either in fact or in law. Its Article 11 Communication cannot be deemed admissible within the CERD complaints mechanism because it amounts to no more than empty speculation and abuse of process.

81. Allegations that are completely without merit on fact and law should not be further entertained under Article 11 of the CERD, still less under the further procedures under Articles 12 and 13. In particular, empty allegations with no basis in law or fact cannot be used to found the constitution of any Article 12 Conciliation Commission and should be preliminarily dismissed. Although the Conciliation Commission is not a judicial body, it is a fact-finding body and its findings may result in reputational damage to the responding State. The Conciliation Commission's review of the matter, if allowed to continue, will result in the preparation of a report, to which Qatar will be allowed to append a declaration where it may seek to make damning statements about the UAE to affect its standing among its peers. As noted above, it should be unthinkable for this Committee to choose sides in the ongoing geopolitical dispute between, on the one hand, Qatar and its support for terrorism, and, on the other hand, almost all other States in the world. The UAE respectfully urges the Committee to dismiss Qatar's Article 11 Communication as baseless speculation intended only to further Qatar's hostile agenda in the region and beyond.

82. It is worth noting that nothing in the ICJ's CERD Provisional Measures Order runs contrary to this position. This is because the ICJ in the Pending ICJ CERD Proceedings has thus far evaluated Qatar's allegations only against a lower threshold of "plausibility" relevant to the provisional measures stage.[97] As pointed out by Judge Crawford, the Court failed to identify any evidence to support the further statement that the situation of Qataris residing in the UAE prior to 5 June 2017 appears to remain

[97] *See* CERD Provisional Measures Order, paragraphs 43 to 44: "At this stage of the proceedings, the Court, however, is not called upon to determine definitively whether the rights which Qatar wishes to see protected exist; it need only decide whether the rights claimed by Qatar on the merits, and for which it is seeking protection, are plausible. Moreover, a link must exist between the rights whose protection is sought and the provisional measures being requested". The "plausibility" threshold is described by Judge *ad hoc* Cot as "rather low", *see Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice, Request for the Indication of Provisional Measures, Order, 23 July 2018, Opinion Dissidente of Judge *ad hoc* Cot, paragraph 5.

vulnerable with regard to their rights under Article 5 of the CERD.[98] Most importantly, the Court failed to mention UAE's Statement of 5 July 2018.[99]

83. By submitting, in bad faith, a self-serving application based purely on unilateral speculation, Qatar abuses its rights to resort to the process under Article 11 of the CERD. If allowed, Qatar may manage to force the UAE to submit to a futile and redundant fact-finding procedure that will amount to nothing more than an opportunity for Qatar to engage in further public relations theatrics. This is not what the dispute resolution mechanisms of the CERD was intended to achieve. It would tarnish the CERD for it to become a tool of cynical State Party diplomacy.

84. It would be consistent with a good faith interpretation of the CERD in light of its object and purpose, as provided for in Article 31 of the Vienna Convention on the Law of Treaties,[100] to require of Qatar to have proved a genuine case to answer before progressing the matter to an *ad hoc* Conciliation Commission. Otherwise, the Committee will expose the CERD procedure to the risk of abuse of process by Qatar. The Committee is respectfully urged to prevent such abuse by dismissing Qatar's Article 11 Communication as inadmissible. In this respect, the Committee is reminded of its *compétence de la compétence* under public international law and its role, assigned to it under Article 11.3, to ensure that the CERD complaints mechanism is not burdened by claims that do not meet the fundamental criteria of admissibility.

VI. ANY ACTION OF THE COMMITTEE TO ENTERTAIN FURTHER OR PROGRESS QATAR'S ARTICLE 11 COMMUNICATION WOULD BE *ULTRA VIRES*

85. Through its procedural tactics, Qatar has made any recourse to the dispute resolution process under Articles 11 to 13 of the CERD moot. Through its 11 June 2018 application to the ICJ, it abandoned the CERD process. By doing so, Qatar has deprived the Committee of its role and its authority to act. There is no longer any

98 Dissenting Opinion of Judge Crawford, paragraph 14.
99 Dissenting Opinion of Judge Crawford, paragraph 14.
100 Oliver Dörr and Kirsten Schmalenbach, *Vienna Convention on the Law of Treaties: A Commentary* (Springer 2012), page 587, paragraph 59.

jurisdiction for the Committee to move forward with Qatar's complaint and no proper role for the lower-hierarchy stages of the CERD dispute resolution process to play. Indeed, it is imperative that the CERD Committee presently leave the matter where Qatar itself has placed it: into the hands of the ICJ in the Pending ICJ CERD Proceedings.

86. Qatar cannot feasibly and in good faith litigate against the UAE in formal judicial proceedings under the CERD while simultaneously seeking to pursue the recommendatory conciliation process under Articles 11 to 13. Despite this, Qatar – having commenced and while continuing to pursue the Pending ICJ CERD Proceedings – now seeks to resume the Article 11 to 13 process to achieve a two-pronged legal attack on the UAE. For the Committee to accept this abuse of its process would undermine the broader perception of legitimacy of the Committee and the CERD dispute resolution mechanisms. Fatally for Qatar's Article 11 Communication, it would be *ultra vires* the Committee's jurisdiction for the Committee to accept this abuse of process. It is not within the Committee's competence to entertain a recommendatory conciliation process which the moving Party has abandoned by jumping ahead to the CERD's formal judicial process under Article 22. Furthermore, were the Committee to endorse and reward Qatar's tactics, it risks setting a dangerous procedural precedent, allowing States Party to the CERD to pick and choose the order and timing of the different dispute resolution options in the CERD in a manner wholly incompatible with the procedural rights of the responding Party.

VII. CONCLUSION

87. For the reasons set out above in this Supplemental Response and in the previous submissions of the UAE before the Committee, the UAE respectfully requests that the Committee dismiss Qatar's Article 11 Communication *in limine* for lack of jurisdiction and/or lack of admissibility.

88. The UAE reserves the right to respond to any communication submitted by Qatar in this matter and respectfully requests the Committee to make provision for such responses in any time-table or order it may intend to make.

89. The UAE takes this opportunity to reaffirm its unwavering commitment to eliminating racial discrimination in all of its forms and to combating hate speech.

Dated 29 November 2018

Annex 17

The Committee on the Elimination of Racial Discrimination (*State of Qatar v. United Arab Emirates*), Response of the United Arab Emirates on the Issues of Jurisdiction and Admissibility to the request made by the State of Qatar pursuant to Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination, 14 January 2019 (with Annexes)

In a matter before the
Committee on the Elimination of Racial Discrimination

ICERD-ISC-2018/2

SUPPLEMENTAL RESPONSE ON ISSUES OF JURISDICTION AND ADMISSIBILITY

of the United Arab Emirates pursuant to the Decision adopted by the Committee on the Elimination of All Forms of Racial Discrimination during its 97th Session
(26 November – 14 December 2018)

to the request made by the State of Qatar
pursuant to Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination

submitted to the Office of the High Commissioner for Human Rights, United Nations Office, Geneva, Switzerland on

14 January 2019

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I. Introduction

1. The Permanent Mission of the United Arab Emirates (the "**UAE**") to the United Nations Office and Other International Organizations in Geneva presents its compliments to the Secretariat of the United Nations (Office of the High Commissioner for Human Rights) and refers to the Office of the High Commissioner's Note of 14 December 2018 (ICERD-ISC 2018/2) in which the Office of the High Commissioner transmits a decision taken by the Committee on the Elimination of All Forms of Racial Discrimination (the "**Committee**" or the "**CERD Committee**") at its 97th Session (the "**Decision**") concerning the Communication under Article 11 of the Convention on the Elimination of All Forms of Racial Discrimination ("**CERD**" or the "**Convention**"), submitted by the State of Qatar ("**Qatar**") to the Committee on 8 March 2018 ("**Qatar's Article 11 Communication**").

2. The Decision requests the UAE to "inform the Committee whether it wishes – within a period of one month after the receipt of this request – to supply any relevant information on issues of jurisdiction of the Committee or admissibility of the communication, including the exhaustion of all available domestic remedies."[1]

3. In response to the Decision, the UAE has the honour to submit the present Supplemental Response on Issues of Jurisdiction and Admissibility. This submission must be read together with the Response and Supplemental Response submitted by the UAE on 7 August 2018 and on 29 November 2018, respectively, in connection with these CERD Committee proceedings ("**CERD Committee Proceedings**").

4. In particular, the arguments concerning issues of jurisdiction and admissibility set out in the UAE's Supplemental Response of 29 November 2018 (the "**29 November 2018 Submission**") are hereby confirmed. The UAE therefore draws the attention of the Members of the Committee to the arguments set out in the 29 November 2018 Submission, which provide more than sufficient grounds on which the Committee may

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[1] Note from the Secretariat of the United Nations (Office of the High Commissioner for Human Rights), dated 14 December 2018 (ICERD-ISC 2018/2).

proceed to dismiss Qatar's Article 11 Communication out of hand for lack of jurisdiction and for being inadmissible.

5. In light of the detailed arguments and information set out in the 29 November 2018 Submission, the UAE could have seized the possibility, mentioned in the Committee's Decision, to state that it wished "to confine" its reply "to the information already contained in [its] previous notes."[2] It has decided not to do so for two reasons. First, because it considers that it may be of help to the Committee to have at its disposal a synthetic statement of the UAE's objections to jurisdiction and admissibility, which moreover takes account of additional relevant evidence relating to the past several months.[3] In stark contradiction to the unsupported claims of Qatar, such evidence clearly establishes the continuing freedom of entry to the UAE by Qatari nationals and, importantly in relation to the questions before the Committee, the accessibility of the UAE courts to Qatari nationals. Second, because the UAE considers necessary, for legal and policy reasons, to develop further the arguments concerning the relationship between these CERD Committee Proceedings and those pending before the International Court of Justice ("**ICJ**" or "**Court**") ("**Pending ICJ CERD Proceedings**"). Both proceedings involve the same parties and the same factual allegations and legal arguments.[4]

6. This submission is organized as follows. Section II contains general remarks on the context of the dispute and the fatal lack of evidentiary support for Qatar's claims. Section III summarizes the UAE's objections to the Committee's jurisdiction, adding a number of observations related to recent developments which further reinforce the strength of those objections. Section IV then restates the UAE's objections to admissibility of Qatar's claims, including further considerations based on the pending case on the same matter before the ICJ and the lack of exhaustion of local remedies in accordance with Article 11.3 of the Convention. Finally, Section V offers some concluding remarks.

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[2] *Id.*

[3] *See* paras. 8-12, *infra*.

[4] *See* paras. 25-38, *infra*.

II. Context of the Dispute and Lack of Evidence of the Allegations

Qatari Nationals are not Mistreated or Targeted by the UAE

7. The complaint Qatar has brought before this Committee relates to allegations that the UAE has carried out a series of measures targeting Qatari nationals. As the UAE has explained in two previous submissions, and as it will further elaborate in this submission, those allegations are false. While the UAE has, along with twelve other States, severed or downgraded diplomatic relations with Qatar[5] and, for the reasons stated in paragraphs 14-16 below, taken certain other lawful measures to restrict air transportation, postal service and trade (measures which do not in any case implicate obligations under CERD), it has, since the break in diplomatic relations on 5 June 2017, taken only one measure directly affecting the treatment of Qatari nationals. That one measure was the introduction of minimal, cost-free, requirements on the entry of Qatari nationals into the UAE, essentially requiring that they apply for and obtain approval for such entries. These requirements are less burdensome than a typical entry visa which the UAE requires of nationals of many other States around the world. Prior to the current diplomatic crisis between Qatar and the UAE, Qataris enjoyed visa-free access to the UAE as did members of other neighbouring countries. By revoking these privileges and requiring Qataris to meet minimal entry requirements, the UAE is not violating the rights of Qataris or any

[5] Egypt, Saudi Arabia, Bahrain, Chad, Comoros, the Maldives, Mauritania, Senegal and Yemen also severed diplomatic ties with Qatar. *See* Declaration of the Arab Republic of Egypt, 4 June 2017, available at: http://www.sis.gov.eg/section/7278/7261?lang=en-us#1, Declaration of the Kingdom of Saudi Arabia, 5 June 2017, available at: https://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=1637327, Kingdom of Bahrain Ministry Foreign Affairs News Details, "Statement of the Kingdom of Bahrain on the severance of diplomatic relations with the State of Qatar", 5 June 2017, available at: https://www.mofa.gov.bh/Default.aspx?tabid=7824&ItemId=7474&language=en-US, "Chad shuts down Qatar embassy", *Emirates News Agency*, 23 August 2017, available at: http://wam.ae/en/details/1395302628900, "Comoros severs diplomatic relations with Qatar", *Saudi Press Agency*, 7 June 2017, available at: https://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=1638089, "Statement by the Government of Maldives", *Ministry of Foreign Affairs of the Republic of Maldives*, 5 June 2017, available at: https://www.foreign.gov.mv/index.php/en/mediacentre/news/3905-statement-by-the-government-of-maldives-3, "La Mauritanie décide de rompre ses relations diplomatiques avec Qatar", *Agence Mauritanienne d'Information*, 6 June 2017, available at: http://fr.ami.mr/Depeche-41008.html, "Senegal, Gabon join boycott of Qatar", *Middle East Monitor*, 9 June 2017, available at: https://www.middleeastmonitor.com/20170609-senegal-gabon-join-boycott-of-qatar/, "Yemen cuts diplomatic ties with Qatar: state news agency", *Reuters*, 5 June 2017, available at: https://www.reuters.com/article/us-gulf-qatar-yemen-idUSKBN18W0RS. Additionally, Jordan and Niger downgraded diplomatic relations with Qatar. *See* "Jordan downgrades relations with Qatar and bans Al Jazeera", *The National*, 7 June 2017, available at: https://www.thenational.ae/world/jordan-downgrades-relations-with-qatar-and-bans-al-jazeera-1.74433, "Niger recalls ambassador to Qatar", *Khaleej Times*, 10 June 2017, available at: https://www.khaleejtimes.com/region/qatar-crisis/niger-recalls-ambassador-to-qatar.

provision of any international instrument, including CERD, but is merely eliminating an advantage it previously extended to one particular nationality. Notably, in *D.F. v. Australia*, where a New Zealand petitioner ceased to enjoy rights exclusively granted by Australia to New Zealanders, this Committee found no violation of CERD, noting that the act implementing the change "did not result in the operation of a distinction but rather in the removal of a distinction which had placed the petitioner and all New Zealand citizens in a more favourable position compared to other non-citizens."[6]

8. That such cost-free entry requirements are indeed minimal is evidenced by the number of Qatari nationals who have, since 5 June 2017, entered and exited the UAE despite the political difficulties between the two countries. The UAE has submitted uncontested evidence to this Committee and to the ICJ proving that, from 5 June 2017 through June 2018, "Qatari nationals have entered and exited the UAE on over 8,000 occasions".[7] Updated evidence submitted herewith for the Committee's consideration demonstrates that from 9 July 2018 through 31 December 2018, 3,563 applications by Qatari nationals were lodged with the UAE authorities for entry permits to the UAE, 3,353 of which were accepted.[8] The actual registered entries and exits of Qatari nationals into and out of the UAE from 1 June 2018 through 31 December 2018 amounted to 2,876.[9]

9. The UAE respectfully requests the Committee to take particular note that at no time, whether in the course of the proceedings before this Committee or in the proceedings

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[6] CERD, Communication No. 39/2006, *D.F. v. Australia,* Opinion of 22 February 2008, UN doc. CERD/C/72/D/39/2006, para. 7.1.

[7] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Request for the Indication of Provisional Measures: Order, 23 July 2018, Dissenting Opinion of Judge Crawford ("Dissenting Opinion of Judge Crawford"), para. 7, citing to evidence submitted by the UAE in the ICJ proceedings. The same evidence was attached as Annex 5 to the UAE's Response of 7 August 2018.

[8] **Annex 1**, Letter from the Federal Authority for Identity and Citizenship, dated 10 January 2019, summarizing statistics and attaching detailed records in tables in Excel files regarding those statistics. *See*, in particular, **Annex 1.2**, [Excel Redacted] Requests for Entry or Exit of Qatari Nationals from 9 July 2018 until 31 December 2018 (Arabic original, English translation).

[9] **Annex 1**, Letter from the Federal Authority for Identity and Citizenship, dated 10 January 2019, summarizing statistics and attaching detailed records in tables in Excel files regarding those statistics. *See*, in particular, **Annex 1.1**, [Excel Redacted] Entrance and Exit for Qatari Nationals from 1 June 2018 until 31 December 2018 (Arabic original; English translation).

before the ICJ addressing the same factual and legal allegations, has Qatar contested or rebutted this evidence.

10. Neither has Qatar contested nor rebutted the evidence put forward by the UAE demonstrating that Qatari nationals continue to reside freely in the UAE, as clarified by the statement of the UAE Ministry of Foreign Affairs and International Cooperation of 5 July 2018.[10] The documentary evidence submitted by the UAE shows that there are thousands of Qatari nationals that continue to visit and reside in the UAE.[11] As of June 2018, the number of Qataris in the UAE amounted to 2,194.[12] In addition to these figures and those mentioned in paragraph 8 above of Qataris entering or exiting the UAE since the beginning of the crisis in June 2017 until the end of 2018, the UAE Federal Authority for Identity and Citizenship has confirmed that as of 10 January 2019 there are 702 Qatari nationals residing in the UAE who hold UAE identification documents.[13]

11. There is only one conclusion the Committee may reasonably draw from the evidence presented to it, which is that, contrary to the unfounded statements made by Qatar to this Committee, Qatari nationals are free to enter and exit the UAE and are in fact doing so in large numbers. Moreover, Qatari nationals continue residing in the UAE in the same manner as they did before 5 June 2017.

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[10] "An Official Statement by the UAE Ministry of Foreign Affairs and International Cooperation", 5 July 2018, available at: https://www.mofa.gov.ae/EN/MediaCenter/News/Pages/05-07-2018-UAE-Statement-of-MoFAIC.aspx ("The UAE Ministry of Foreign Affairs and International Cooperation wishes to confirm that Qatari citizens already resident in the UAE need not apply for permission to continue residence in the UAE.").

[11] **Annex 1**, Letter from the Federal Authority for Identity and Citizenship, dated 10 January 2019, summarizing statistics and attaching detailed records in tables in Excel files regarding those statistics. *See also*, *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Request for the Indication of Provisional Measures: Verbatim Record of Public Sitting of 28 June 2018, at 10:00 a.m.(CR 2018/13), p. 12, para. 9 (Alnowais).

[12] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Verbatim Record of Public Sitting of 28 June 2018, at 10:00 a.m. (CR 2018/13), p. 64, para. 27 (Shaw).

[13] **Annex 1**, Letter from the Federal Authority for Identity and Citizenship, dated 10 January 2019, summarizing statistics and attaching detailed records in tables in Excel files regarding those statistics. *See*, in particular, **Annex 1.3**, [Excel Redacted] Holders of UAE Resident Permits (Arabic Original, English Translation).

12. Other evidence of particular relevance for this Committee which has remained unrebutted by Qatar throughout these CERD Committee Proceedings and the Pending ICJ CERD Proceedings includes that related to:

    a. The unrestricted access Qatari nationals in or outside the UAE have to domestic courts in the UAE. The evidence submitted by the UAE shows that Qatari nationals have appeared as plaintiffs or defendants before the UAE courts hundreds of times since June 2017.[14]

    b. The number of Qatari nationals in the UAE who have received or are receiving medical treatment at UAE medical facilities. The records show over 300 visits from July 2017 onward by Qatari nationals to hospitals and clinics within the UAE.[15]

    c. The number of Qatari nationals who are enrolled in UAE educational institutions. On this, a 3 January 2019 letter from the Ministry of Education shows that the number of Qatari students who continue to study in all Emirates and at all levels of study for the academic year 2017/2018 amounts to 477 and for the academic year 2018/2019 this number amounts to 310.[16]

    d. The number of Qatari nationals who own or are engaged in operating licensed businesses in the UAE;[17] and

    e. The continuous enjoyment by Qatari nationals of their right to property in the UAE, which is evidenced by their ability to own, purchase, sell and manage real

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[14] *See*, *e.g.*, UAE's Response of 7 August 2018, Annex 16 (International Judicial Cooperation Department – Ministry of Justice Letter) and Annex 18 (Judicial Records). **Annex 2**, Statement of the cases involving a Qatari citizen and being examined by the UAE courts in the period 6 June 2017 until 25 September 2018. These statistics are broken down by the Federal Courts and in some cases they contain information on the courts of some of the emirates.

[15] UAE's Response of 7 August 2018, para. 44, citing to Annex 8 "Health – Qataris with Daman Health Insurance", pp. 13-19.

[16] **Annex 3**, Letter from the Ministry of Education to the Ministry of Foreign Affairs and International Cooperation, dated 3 January 2019. *See also*, UAE's Response of 7 August 2018, para. 51, citing to Annex 11 (Immigration - Student Entry Records) and Annex 12 (Qatari Student Records).

[17] UAE's Response of 7 August 2018, paras. 52-54, citing to Annex 4 (Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration, p. 14) and Annex 13 (Commercial Licenses – Sample Materials).

estate in the UAE, including through the execution of powers of attorney.[18] Regarding powers of attorney, statistics of the Federal Court in the period 6 June 2017 to 25 September 2018 indicate that there were 146 powers of attorney granted by Qatari citizens.[19]

13. Again, the UAE respectfully calls upon the Committee to take due notice that Qatar has not contested this empirical evidence with anything other than unsupported and sensationalized vitriol.[20] Qatar's silence in the face of the facts and its inability to reply in any coherent or direct manner to the evidence submitted by the UAE confirms that Qatar's allegations before this Committee of mistreatment of Qatari nationals by the UAE are false.

Qatar's Support for Extremist Violence and Terrorism Caused the Gulf Crisis

14. In its previous two submissions, the UAE also asked the Committee to consider that the lawful measures taken by the UAE on 5 June 2017 did not occur in a vacuum. The context is the persistent and pernicious support by Qatar for extremist and terrorist groups targeting ethnic and religious minorities, established governments and regional stability. This conduct led in 2013 and 2014 to the conclusion of a series of agreements among the Gulf States, including Qatar (the "**Riyadh Agreements**"[21]) under which Qatar agreed to

[18] UAE's Response of 7 August 2018, paras. 55-57, citing to Annex 14 (Business – UAE Embassy – Authentication Records, pp. 19-25), Annex 15 (Power of Attorney) and Annex 16 (International Judicial Cooperation Department – Ministry of Justice Letter).

[19] **Annex 2**, Statement of the cases involving a Qatari citizen and being examined by the UAE courts in the period 6 June 2017 until 25 September 2018, p. 2.

[20] *See*, *e.g*., *Note Verbale* of Qatar to the CERD Committee, dated 29 October 2018, requesting the Committee to re-initiate Qatar's complaint against the UAE, in which Qatar states, without any support whatsoever, that "It is equally clear that Qataris do not have domestic remedies to invoke or exhaust in the United Arab Emirates. Any nominal remedies are either unavailable or ineffective in light of the expulsion of Qataris from the United Arab Emirates and ensuing travel restrictions, as well as the ongoing campaign of hatred against Qatar and Qataris in the territory of the United Arab Emirates." No reference is made in this unsupported and outrageous statement to the documented ease of access to the UAE and its courts by Qatari nationals.

[21] First Riyadh Agreement, 23 and 24 November 2013, United Nations Registration Number 55378 ("First Riyadh Agreement"); Mechanism Implementing the Riyadh Agreement, 17 April 2014, United Nations Registration Number 55378 ("Mechanism Implementing the Riyadh Agreement"); Supplementary Riyadh Agreement, 16 November 2014, United Nations Registration Number 55378 ("Supplementary Riyadh Agreement"). The Parties to the Riyadh Agreements are: the UAE, Qatar, Bahrain, Kuwait, Oman and Saudi Arabia.

cease support for such groups and to stop the promotion of hate speech, including through its state-owned media outlets such as Al-Jazeera Arabic.[22]

15. The very existence of the Riyadh Agreements, and Qatar's signing up to them, is in itself sufficient proof that Qatar was engaging in the vile behaviour those agreements were intended to bring to an end; indeed, it is an admission by Qatar of that behaviour. Moreover, there is no dearth of other evidence of Qatar's support for groups engaged in extremist violence, both before and after the conclusion of the Riyadh Agreements. The UAE brought this to the Committee's attention in summary fashion in its previous submissions. The UAE further noted that Qatar's violation of the Riyadh Agreements is what directly led to the break in diplomatic relations between numerous States, including the UAE, and Qatar on or about 5 June 2017, as well as to the other measures then taken.[23] Indeed, these events were foreshadowed by the Riyadh Agreements themselves, which provided that in the event any signatory were to violate them, "the other GCC Countries shall have the right to take any appropriate action to protect their security and stability."[24]

16. This context is relevant to the Committee's consideration of this matter not only because it is important that the Members of the Committee appreciate the true nature and character of the Qatari government's actions, but also because it helps explain why Qatar has been prepared to advance outright falsehoods in pursuing its aggressive campaign of legal actions alleging all manner of international responsibility against the UAE, including before this Committee. The answer is abundantly clear. It is through such falsehoods and exaggerations that Qatar seeks to distract attention and cover its own responsibility for its reprehensible behavior.

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[22] Pursuant to the Riyadh Agreements, Qatar expressly undertook not to support "the Muslim Brotherhood or any organizations, groups or individuals that threaten the security of the [GCC] states" or any type of "antagonistic media". First Riyadh Agreement, Articles 1 and 2. Qatar further undertook not to "give refuge, employ, or support […] any person or a media apparatus that harbours inclinations harmful to any [GCC] state". Supplementary Riyadh Agreement, Article 3(c). The Riyadh Agreements also expressly referred to Qatar's State-owned and controlled news network Al Jazeera. Supplementary Riyadh Agreement, Article 3(d).

[23] UAE's Response of 7 August 2018, paras. 8-10; UAE's Supplemental Response of 29 November 2018, paras. 10-12.

[24] Mechanism Implementing the Riyadh Agreement, p. 3 ("Thirdly: Compliance Procedures, 3. With regards to the internal security of the GCC Countries").

III. Lack of Jurisdiction

17. The Committee's attention has previously been drawn to at least two jurisdictional grounds on which Qatar's Article 11 Communication should be rejected. These are (i) Qatar's Article 11 Communication goes only to differentiated treatment on the basis of nationality, a matter falling wholly outside the scope of the CERD; and (ii) the dispute resolution procedure under Articles 11 to 13 of the CERD is strictly confined to ongoing alleged breaches of the CERD, which under any view of the facts of this dispute are not present.

A. The CERD Does Not Prohibit Differentiated Treatment Based on Current Nationality

18. As elaborated in greater detail in the UAE's 29 November 2018 Submission, Qatar's complaint before the CERD Committee is entirely based on alleged differentiated treatment by the UAE of persons having Qatari nationality.[25] While the UAE has provided overwhelming and unrebutted evidence to the Committee that it has not imposed such differentiated treatment on Qatari nationals and that Qatari nationals enjoy the same or better rights in the UAE as persons of other non-UAE nationalities, the definition of racial discrimination under Article 1 of the CERD, and thus the protections provided under the Convention, do not in any case extend to distinctions based on current nationality.[26] Therefore, any such distinctions, even if they were to exist (*quod non*), do not involve rights protected by the CERD and could not provide a basis on which to lodge a complaint with the CERD Committee. For the same reason, and because the CERD Committee's jurisdiction extends only to circumstances in which a State Party "is not giving effect to the provisions of this Convention"[27], the Committee has no jurisdiction to entertain the dispute or to progress it to an *ad hoc* Conciliation Commission as that "dispute" simply does not relate to the provisions of the Convention.

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[25] UAE's Supplemental Response of 29 November 2018, paras. 30-45.

[26] *Id.*

[27] Convention on the Elimination of All Forms of Racial Discrimination, Article 11(1).

19. While the ICJ in the Order for provisional measures rendered on 23 July 2018 deferred the "question whether the expression 'national . . . origin' mentioned in Article 1, paragraph 1, of CERD, encompasses discrimination based on the 'present nationality' of the individual", holding that the Court "need not decide . . . which of these diverging interpretations of the Convention is the correct one,"[28] it should be noted that not a single judge pronounced his or her support for Qatar's inclusion of current nationality as a prohibited basis of differentiated treatment under the CERD.

20. On the contrary, a number of eminent judges whole-heartedly supported the opposite and self-evident conclusion that nationality, as a basis for differentiated treatment, is not proscribed by the CERD. These include Judges Tomka, Gaja, Gevorgian, Crawford and Salam, whose reasoned views on this important issue, quoted below at length, the UAE respectfully urges the Committee to adopt:

   a) Judges Tomka, Gaja and Gevorgian stated in a Joint Declaration that: "When the Convention considers 'national origin' as one of the prohibited bases for discrimination, it does not refer to nationality. In our view, the two terms are not identical and should not be understood as synonymous. The *travaux préparatoires* support this view and indicate that States sought to exclude distinction on the basis of nationality from the scope of CERD. . . The omission of a reference to nationality may be easily explained. Should CERD be considered as covering also discrimination based on nationality, the Convention would be a far-reaching instrument, that contains a clause providing that, with regard to the wide array of civil rights that are protected under CERD, all foreigners must be treated by the host State in the same way as nationals of the State who enjoy the most favourable treatment."[29]

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[28] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Order, 23 July 2018, para. 27.

[29] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Order, 23 July 2018, Joint Declaration of Judges Tomka, Gaja and Gevorgian, para. 4.

b) Judge Crawford stated that the "legal difficulty" with Qatar's request for provisional measures "is that Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) distinguishes on its face between discrimination on grounds of national origin (equated to racial discrimination and prohibited per se) and differentiation on grounds of nationality (not prohibited as such). Moreover, that distinction finds its reflection in widespread State practice giving preferences to nationals of some countries over others in matters such as the rights to enter or to reside, entitlement to social security, university fees and many other things, in peace and during armed conflict."[30]

c) Judge Salam stated that "the terms 'national or ethnic origin' used in the Convention differ in their ordinary meaning to the term nationality. … The aim of CERD is thus to bring an end, in the decolonization and post-decolonization period, to all manifestations and governmental policies of discrimination based on racial superiority or hatred; it does not concern questions relating to nationality. . . This question of the distinction between 'nationality' and 'national origin' should not, in my view, admit of any confusion. They are two different notions. An example that clearly illustrates this difference is the well-known case of American citizens of Japanese origin who were incarcerated following the attack on Pearl Harbor during the Second World War. Despite having American nationality, these citizens were subject to racial discrimination based on their 'national origin', not their nationality, and were rounded up and held in 'War Relocation Camps'. A similar type of discrimination based on 'national origin' also affected a large number of individuals of German origin, *regardless of their nationality at that time*, in several countries after both the First and Second World Wars. I would also point out that the distinction to be drawn between 'nationality' and 'national origin' is confirmed by the *travaux préparatoires* of CERD, particularly the proposed amendments to the wording of Article 1. In any event, had States wanted to say 'nationality' rather than 'national origin' in Article

[30] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Order, 23 July 2018, Dissenting Opinion of Judge Crawford, para. 1.

1 of CERD, they could have done so. Likewise, they could have used the wording 'nationality and national origin' had they intended to include both categories, which they did not do."[31]

21. The UAE respectfully submits that the Committee should follow the sound reasoning supporting the views of these eminent ICJ judges.

B. The CERD Committee's Jurisdiction Extends Only to Current and Ongoing Violations of CERD, Not Allegations of Past Conduct

22. As elaborated in greater detail in the 29 November 2018 Submission, under Article 11 of the Convention, the jurisdiction of the Committee extends exclusively to allegations of ongoing and current conduct, rather than retrospective dispute resolution.[32] This is clear from the ordinary meaning of the terms of Article 11, which permits a State Party to refer a matter to the Committee when another State Party "is not giving effect" to the provisions of the Convention (emphasis added). This interpretation is confirmed when reading Article 11 in its context and in the light of its object and purpose. The only remedy envisaged in the CERD for the inter-State procedure is the facilitated negotiated amicable resolution of the situation. It must therefore be for the State submitting a complaint to make a credible case that there is a situation to resolve.

23. Qatar has failed to do so. It has not provided the Committee with any probative evidence of any ongoing conduct by the UAE even arguably in violation of the Convention. Indeed, even as of the time of the ICJ hearing on provisional measures in June 2018 a number of judges noted the lack of evidence of any allegations of continuing effects on Qatari nationals since the break in diplomatic relations between the UAE and Qatar.[33] Just as importantly, Qatar has not provided to the Committee any proof to contest or rebut

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[31] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Order, 23 July 2018, Dissenting Opinion of Judge Salam, paras. 3(c), 5, 6, 7.

[32] UAE's Supplemental Response of 29 November 2018, paras. 46-53.

[33] *See*, *e.g.*, Dissenting Opinion of Judge Crawford, para. 9 ("It is not clear from the evidence that individuals are continuing to suffer these consequences in July 2018. Most of the reports by national and international human rights organizations submitted by Qatar relate to the period June to August 2017."); Dissenting Opinion of Judge Bhandari, para. 3.

the evidence which the UAE has submitted to this Committee demonstrating that the treatment afforded to Qatari nationals in the UAE at present (including with respect to entry and exit from the country, residence, health care, education, property ownership, conducting business affairs and access to judicial tribunals) reflects no hint of mistreatment or discrimination.[34]

24. The information provided by Qatar in support of its complaint is generalized, exaggerated and outdated. It is noteworthy that the numerous publications issued by Qatar's National Human Rights Committee (the "NHRC") since June 2018 on the alleged effects of the break in relations between the UAE and Qatar essentially restate the same anonymous claims previously included in other NHRC reports.[35] Certainly, none of the information relied upon by Qatar is capable of demonstrating anything near a "campaign of hatred against Qatar and Qataris in the territory of the United Arab Emirates".[36]

25. Under these circumstances, the claims of "coercive measures" supposedly being inflicted by the UAE on Qatari nationals in a continuing "campaign of hatred" disingenuously advanced by Qatar lack all credibility. The UAE respectfully submits that the Committee therefore has no reasonable evidentiary basis on which to consider that any allegations of violations of the Convention by the UAE may be ongoing. It would therefore be

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[34] *See* paras. 7-13, *supra*.

[35] The UAE notes that the website of the Qatari National Human Rights Committee ("NHRC") includes in its section entitled "Publications" a series of 9 short reports each entitled "Effects of the Blockade on" a specific human right, such as "the right to litigation", "the right to private property", "the right to family reunification", "the right of education", "the right to freedom of movement and residence", amongst others. *See* Qatar's National Human Rights Committee, Publications, available at: http://nhrc-qa.org/en/publications/nhrc-publications/. These reports are pamphlets that contain information with statistics as of 25 April 2018 and that merely restate the information contained in the five NHRC reports that Qatar submitted to the ICJ. One such example is the NHRC's report on "Effects of the Blockade on the right to litigation", which mentions the case of the two Qatari brothers "Mr. B. Th. And Mr. A. M." and their alleged inability to access their inheritance in the UAE. This same case was relied upon by Qatar before the ICJ and the only evidence cited for it was the NHRC's Report of December 2017. *See* NHRC, *6 Months of Violations, What Happens Now? The Fourth General Report on the Violations of Human Rights Arising from the Blockade of the State of Qatar*, 5 Dec. 2017, p. 19. *See also*, *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Verbatim Record of Public Sitting of 27 June 2018, at 10:00 a.m. (CR 2018/12), p. 44, para. 44 (Amirmar); Verbatim Record of Public Sitting of 29 June 2018 at 4:30 p.m. (CR 2018/15), p. 29, para. 12 (Buderi).

[36] *Note Verbale* of Qatar to the CERD Committee, dated 29 October 2018 (referring its dispute once again to the Committee under Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination).

inappropriate for the Committee to proceed to entertain Qatar's request any further or to refer it to a Conciliation Commission under Articles 11-13 of the CERD. Indeed, rather than entertaining such unsubstantiated claims, the Committee would be fully justified in issuing a rebuke to Qatar for pursuing them when they so obviously lack any factual basis.

IV. Lack of Admissibility

26. In its previous submissions, the UAE has pointed to three grounds on which Qatar's Article 11 Communication should be dismissed for reasons of admissibility. These grounds are summarized below, along with some additional considerations which the Committee should take into account.

A. The Committee Must Decline to Hear Qatar's Article 11 Communication Because Qatar's Initiation of Parallel Proceedings Undermines the Integrity of the Dispute Resolution Provisions of CERD and of the ICJ

27. Article 22 of the CERD provides:

> Any dispute between two or more States Parties with respect to the interpretation or application of this Convention, which is not settled by negotiation or by the procedures expressly provided for in this Convention, shall, at the request of any of the parties to the dispute, be referred to the International Court of Justice for decision, unless the disputants agree to another mode of settlement.

28. It is clear from the ordinary meaning of the terms of this provision that the CERD envisages that the treaty-specific dispute resolution mechanism it offers to its States Parties (*i.e.*, resort to the CERD Committee under Article 11) should be explored and exhausted before escalating to an ICJ process. Unlike other treaties, the CERD dispute resolution provisions do not provide that a State Party may seize the ICJ of the dispute or seek provisional measures from the ICJ while the other methods of dispute settlement under the CERD are being pursued.[37] The Court has confirmed the linear nature of

[37] *Cf.* with respect to other permanent international tribunals, *see e.g.*, United Nations Convention on the Law of the Sea of 10 December 1982, Article 290, which provides that in certain situations, "[p]ending the constitution of an arbitral tribunal to which a dispute is being submitted, the International Tribunal for the Law of the Sea . . . may prescribe, modify or revoke provisional measures in accordance with this article if it considers that prima facie the

dispute resolution under the CERD by holding that the lack of settlement by negotiations or by the procedures expressly set out in the CERD are "procedural preconditions to be met before the seisin of the Court."[38]

29. This holding by the ICJ confirms that Qatar was legally obliged to exhaust the procedures expressly provided in the CERD "before the seisin of the Court". The ordinary meaning of the term "precondition" confirms that much.

30. However, Qatar submitted the matter for the consideration of the ICJ on 11 June 2018 while the CERD Article 11 process it had started by its Communication of 8 March 2018 was still underway. In fact, that process had not even properly commenced. It is unquestionable that the two proceedings relate to the same factual situation, concern the same alleged violations and apply the same international legal framework. A comparison between the Qatari Communication submitted pursuant to Article 11 of the CERD on 8 March 2018, and communicated to the UAE on 7 May 2018, and the Qatari Application instituting proceedings before the ICJ on 11 June of the same year confirms this overlap.[39] After making its initial Article 11 Communication to the Committee, Qatar rushed to make its application to the ICJ.[40] Having done so, and having seized the Court of the same dispute which is in front of this Committee, on 29 October 2018[41] after the setting up of the procedural calendar on the merits by the Court,[42] Qatar came back to the

tribunal which is to be constituted would have jurisdiction and that the urgency of the situation so requires." *See also*, American Convention on Human Rights of 22 November 1969, Article 63.2, which provides for the power of the Inter-American Court of Human Rights to indicate provisional measures and allows for this power to be exercised at the request of the Inter-American Commission "[w]ith respect to a case not yet submitted to the Court."

[38] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Provisional Measures, Order of 23 July 2018, para. 29, confirming *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Judgment, I.C.J. Reports 2011 (I), p. 128, para. 141.

[39] *See* Communication Submitted Pursuant to Article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination, Qatar v. United Arab Emirates, dated 8 March 2018; International Court of Justice, *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Application Instituting Proceedings, 11 June 2018.

[40] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Application instituting proceedings, 11 June 2018.

[41] *Note Verbale* of Qatar to the CERD Committee, dated 29 October 2018 (referring again to the Committee Qatar's complaint against the UAE).

[42] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Order of 25 July 2018, Fixing of Time Limits: Memorial and Counter-Memorial.

Committee in order to seek to resume the very process it had previously bypassed in favour of the ICJ.

31. Through its actions, Qatar has created a *lis pendens* situation, where two parallel proceedings bearing on the exact same dispute between the same parties are progressing simultaneously. By its conduct of concurrently bringing and pursuing identical proceedings before the CERD Committee and the ICJ, Qatar has acted against the principle of avoidance of duplicative litigation. Case law and scholarly writing has warned against the dangers and disadvantages of duplicative litigation tactics such as the one employed by Qatar:

- The Permanent Court of International Justice in *Polish Upper Silesia* explained that the object of the "doctrine of *litispendence*" is "to prevent the possibility of conflicting judgments."[43]

- Yuval Shany: "Such duplicative practices draw heavily on scarce judicial resources, carry the risk of legal havoc, which might be caused by inconsistent decisions, and place an undue burden on some or all of the parties due to increased litigation expenses and reduced legal certainty . . . The co-existence of two or more simultaneous proceedings before different fora places an unusually heavy burden on the parties to litigation, which are required to maintain two legal teams or shuttle between two or more tribunals. It also entails the investment of unnecessarily duplicative judicial time and resources by courts and tribunals that are faced with similar (if not identical) tasks and yet are unable to rely on the work of each other."[44]

[43] *German Interests in Polish Upper Silesia* (Germany v. Poland), 1925 P.C.I.J. (ser. A) No. 6 (Aug. 25), p. 20.

[44] Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (Oxford University Press 2003), pp. 155-156.

- Campbell McLachlan: "[T]here is widespread acceptance that duplicative litigation within the same legal system is not permitted, as being contrary to due process and the Rule of Law. . . The proposition that the avoidance of duplicative litigation is a general principle of law gains further powerful support from the 2004 Resolution of the Institut de Droit International. . .

  Furthermore, the application of a general principle of the avoidance of duplicative litigation gains force from its close connection . . . with the doctrine of *res judicata*. . . .

  [T]he avoidance of the risk of inconsistent judgments is one of the reasons commonly advanced for both the doctrine of *res judicata* and the doctrine of *lis pendens*.[45]

32. Similarly, by prosecuting these two procedures simultaneously, Qatar violates the principle of *electa una via non datur recursus ad alteram* ("when one way has been chosen, no recourse is given to another"), sometimes known as the principle of election:

> The choice of a specific forum can be perceived as indicative of the intent to resolve the dispute in the selected forum to the exclusion of all alternative fora. This means that a party is estopped from initiating parallel proceedings or relitigating a settled case if the first-in-time forum was seized on his or her initiative (or with that party's approval).[46]

33. By failing to respect this principle, Qatar is abusing the CERD complaints mechanism process and its rights under the CERD. It is pursuing in parallel the very same CERD complaint against the UAE before two mutually exclusive *fora*. This is in direct violation of the hierarchical and linear dispute resolution architecture of the CERD, and moreover may entangle the Court and the CERD Committee in conflicting interpretations of the same CERD provisions in connection with the same dispute and at the same time.

34. The need to avoid conflicting interpretations should be a sufficient argument[47] to justify a decision of the CERD Committee declaring Qatar's Article 11 Communication

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[45] Campbell McLachlan, "Lis Pendens in International Litigation", *Collected Courses of The Hague Academy of International Law*, Vol. 336 (2009), pp. 461-463.

[46] Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (Oxford University Press 2003), p. 23.

[47] *See* para. 31, *supra*, citing to Campbell McLachlan, "Lis Pendens in International Litigation", *Collected Courses of The Hague Academy of International Law*, Vol. 336 (2009), pp. 461-463.

inadmissible. In situations of *lis pendens*, other international courts and tribunals have been very sensitive to the risk generated by parallel proceedings. For example, the Arbitral Tribunal established on the basis of Annex VII to the UN Law of the Sea Convention for the settlement of the *MOX Plant* dispute between Ireland and the United Kingdom invoked "considerations of mutual respect and comity which should prevail between judicial institutions"[48] as a basis for suspending its proceedings while awaiting a decision of the European Court of Justice on the question whether the European Community had exclusive or partial competence on matters dealt with by certain provisions of the Law of the Sea Convention.[49] When making its decision suspending the proceedings, the Arbitral Tribunal also stressed that "a procedure that might result in two conflicting decisions on the same issue would not be helpful to the resolution of the dispute between the Parties."[50]

35. There is another argument in support of the same conclusion that the Committee, it is respectfully suggested, should not fail to consider. If the Committee were to declare Qatar's Article 11 Communication admissible, the architecture of the CERD system for the settlement of disputes would be compromised. It would no longer be a linear and incremental dispute resolution procedure. The clear hierarchical structure set out in the CERD under which the proceedings before the CERD Committee are "preconditions" of and, therefore, must precede those before the Court would be replaced by a confusing uncoordinated set of possibilities for engagement of whatever procedure would seem at a given moment the most convenient.

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[48] *MOX Plant Case* (Ireland v. United Kingdom), Order No. 3, Suspension of Proceedings on Jurisdiction and Merits, and Request for Further Provisional Measures, 24 June 2003, available at in www.pca-cpa.org, para. 28.

[49] *Id*., para. 29.

[50] *Id*., para. 28. The case brought in connection to the *MOX Plant* dispute by the European Commission against Ireland was later decided on 30 May 2006 by the European Court of Justice, affirming the exclusive competence of that very court on the basis of the obligation of EU Member States not to submit any disputes concerning the EU treaties to any method of dispute settlement other than those provided for in the EU treaties (Article 292 of the EEC treaty, now Article 344 of the TFEU). Case C-459-03, *Commission of the European Communities v. Ireland*, Judgment of the Court (Grand Chamber), dated 30 May 2006. Subsequently to the decision of the European Court of Justice, Ireland notified the Arbitral Tribunal of the withdrawal of its claim made against the United Kingdom and the Arbitral Tribunal took note of the discontinuance of the case. *MOX Plant Case* (Ireland v. United Kingdom), Order No. 6, Termination of Proceedings, 6 June 2006, available at in www.pca-cpa.org.

36. To continue in parallel would not only jeopardise the integrity of the system and risk resulting in fragmented jurisprudence. It would also wreak irreparable harm on the procedural rights of the UAE, which would be required to simultaneously defend itself against the same allegations in two overlapping and parallel procedures.

37. This would be in contradiction with the principle of the equality of the parties. Indeed, the ICJ has emphasized that: "[t]he principle of equality of the parties follows from the requirements of good administration of justice"[51]; that "the equality of the parties to the dispute must remain the basic principle for the Court"[52]; and that

> equality of the parties must be preserved when they are involved, pursuant to Article 2, paragraph 3, of the Charter, in the process of settling an international dispute by peaceful means.[53]

38. There cannot be equality of the parties when Qatar has unilaterally taken for itself two opportunities to litigate against the UAE in overlapping and parallel proceedings.

39. As the defending Party, the burden of the duplicative litigation and the negative consequences of the improper advantage Qatar has taken for itself, fall disproportionately on the UAE. To the extent that procedural steps in Qatar's Article 11 Communication proceedings under CERD precede those in the case before the ICJ, the UAE will be forced to choose between forsaking its rights to mount a full defence in the present CERD communication procedure or sacrificing its right to procedural equality in the ICJ case. Qatar will be afforded the wholly improper opportunity to foresee and undermine the UAE's litigation strategy, by taking responsive steps in the case before the ICJ.

40. The UAE respectfully invites the Committee to consider the broader implications to its legitimacy that are embedded in Qatar's conduct. Qatar's attempts at forum-shopping in

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[51] *Judgments of the Administrative Tribunal of the I.L.O. upon complaints made against the U.N.E.S.C.O.,* Advisory Opinion of October 23rd, 1956, I.C.J. Reports 1956*,* p. 86, repeated in *Judgment No. 2867 of the Administrative Tribunal of the International Labour Organization upon a Complaint Filed against the International Fund for Agricultural Development,* Advisory Opinion, 1 February 2012, I.C.J. Reports 2012*,* para. 44.

[52] *Military and Paramilitary Activities in and against Nicaragua* (Nicaragua v. United States of America), Merits, Judgment of 27 June 1986, I.C.J. Reports 1986, para. 31.

[53] *Questions relating to the Seizure and Detention of Certain Documents and Data* (Timor-Leste v. Australia), Request for the Indication of Provisional Measures: Order of 3 March 2014, I.C.J. Reports 2014, para. 27.

seeking to avoid the lawful responses to its blatant disregard for the security and stability in the Gulf region jeopardises the integrity of the system and risks resulting in fragmented jurisprudence. If the Committee were to allow the present Article 11 Communication procedure to continue – notwithstanding that the ICJ is presently seised of the very same dispute (as a result of Qatar's improper and extra-jurisdictional application to it), between the very same parties and commenced under the very same instrument – it would cause the breakdown of the legitimate institutions established by the CERD and make a mockery of both the CERD dispute resolution mechanism's systemic integrity and the procedural rights of the UAE.

41. Given that Qatar has abandoned the present process by commencing the Pending ICJ CERD Proceedings, the Committee must now yield to the ICJ procedure, in which Qatar is currently preparing its memorial on the merits. It would be inappropriate for the Committee to proceed in parallel at a time when the ICJ, as the pre-eminent World Court in the United Nations system, remains seised of the very same question in the Pending ICJ CERD Proceedings. With respect, the CERD Committee, as a United Nations Treaty body, should not act in any way to undermine the integrity of the Court.

B. The Committee Must Decline to Hear Qatar's Article 11 Communication Since the Communication Amounts to No More Than Empty Speculation and Thus Constitutes an Abuse of Rights and Process

42. As demonstrated in the UAE's previous responses, as well as in this submission,[54] Qatar has failed, despite many opportunities to do so, to present probative evidence of any ongoing discrimination by the UAE against Qatari nationals – still less, any discrimination actually falling within the scope of the CERD on the basis of race, colour, descent or national or ethnic origin as required under Article 1(1) of the Convention. Indeed, Qatar cannot produce any evidence as its allegations are without foundation both in fact and in law. Qatar's Article 11 Communication cannot be deemed admissible within the CERD complaints mechanism because it amounts to no more than unsupported allegations and abuse of process.

[54] *See* paras. 7-13, *supra*.

43. Allegations that are completely without merit on fact and law should not be further entertained under Article 11 of the CERD, still less under the further procedures under Articles 12 and 13. In particular, empty allegations with no basis in law or fact cannot be used as a basis for the establishment of any Article 12 Conciliation Commission and should be preliminarily dismissed. Although the Conciliation Commission is not a judicial body but a fact-finding body, its findings may result in reputational damage to the responding State. Moreover, as already stated, the proceedings before a Conciliation Commission will require that the UAE put forward defensive arguments which may jeopardize its strategy before the ICJ and may result in findings that may be in contradiction with those the ICJ might ascertain.

44. Nothing in the ICJ's CERD Provisional Measures Order runs contrary to this position. This is because the ICJ in the Pending ICJ CERD Proceedings has thus far evaluated Qatar's allegations only against the lower threshold of "plausibility", relevant to the provisional measures stage.[55] As pointed out by Judge Crawford, the Court failed to identify any evidence to support the further statement that the situation of Qataris residing in the UAE prior to 5 June 2017 appears to remain vulnerable with regard to their rights under Article 5 of the CERD.[56] Most importantly, as also indicated by Judge Crawford, the Court failed to mention the UAE's Statement of 5 July 2018.[57]

45. By submitting a self-serving application unsupported by evidence, Qatar abuses its rights to resort to the process under Article 11 of the CERD. If allowed, Qatar may manage to force the UAE to submit to a redundant fact-finding procedure that will amount to nothing more than an opportunity for Qatar to engage in further public relations theatrics.

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[55] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Order of 23 July 2018, para. 44: "At this stage of the proceedings, the Court, however, is not called upon to determine definitively whether the rights which Qatar wishes to see protected exist; it need only decide whether the rights claimed by Qatar on the merits, and for which it is seeking protection, are plausible. Moreover, a link must exist between the rights whose protection is sought and the provisional measures being requested." The "plausibility" threshold is described by Judge *ad hoc* Cot as "fairly low", *see Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures, Dissenting Opinion of Judge *ad hoc* Cot, para. 5.

[56] Dissenting Opinion of Judge Crawford, para. 14.

[57] *Id*.

This is not what the dispute resolution mechanisms of the CERD was intended to achieve.

46. It would be consistent with a good faith interpretation of the CERD in light of its object and purpose, as provided for in Article 31 of the Vienna Convention on the Law of Treaties,[58] to require of Qatar to have proved a genuine case to answer before progressing the matter to an *ad hoc* Conciliation Commission. Otherwise, the Committee will expose the CERD procedure to the risk of abuse of process by Qatar. The Committee is respectfully urged to prevent such abuse by dismissing Qatar's Article 11 Communication as inadmissible. In this respect, the Committee is reminded of its *compétence de la compétence* under public international law and its role, assigned to it under Article 11(3), to ensure that the CERD complaints mechanism is not burdened by claims that do not meet the fundamental criteria of admissibility.

C. The Committee Must Decline to Hear Qatar's Article 11 Communication Because Qatar Has Failed to Establish that Local Remedies Have Been Invoked or Exhausted Under Article 11(3) of the CERD

47. The Committee should declare inadmissible Qatar's Article 11 Communication because Qatar has failed to establish that any Qatari nationals who have allegedly been aggrieved by some action of the UAE in violation of CERD have invoked, let alone exhausted, any available and effective domestic remedies in the UAE as required under Article 11.3 of the CERD. The exhaustion of local remedies is a necessary precondition for consideration by the Committee of a matter referred to it in accordance with Article 11(2). Article 11(3) provides that:

> [t]he Committee shall deal with a matter referred to it in accordance with paragraph 2 of this article after it has ascertained that <u>all available domestic remedies have been invoked and exhausted</u> in the case, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged. (Emphasis added.)

[58] Oliver Dörr and Kirsten Schmalenbach, *Vienna Convention on the Law of Treaties: A Commentary* (Springer 2012), p. 587, para. 59.

48. The requirement of exhaustion of domestic remedies seeks to ensure that, before a claim is brought on the international plane, "the State where the violation occurred should have an opportunity to redress it by its own means, within the framework of its own domestic legal system."[59] This principle requires that each injured person first seek relief from the legal remedies of judicial or administrative courts or bodies, including administrative remedies.[60]

49. Qatar has recognized that the rule of exhaustion of local remedies applies both under the inter-state procedure of Articles 11-13 and under the individual communication procedure under Article 14 of the Convention.[61] While the present inter-State communication is the first of this kind before the Committee, the Committee's jurisprudence on exhaustion of local remedies under Article 14 is also relevant for the present purposes given the similarity of the provisions on the obligation to exhaust local remedies of Article 11.3 and 14.7(a) of the CERD. In its jurisprudence relating to individual applications the CERD Committee has confirmed that all available domestic remedies that offer a prospect of success under domestic law must be exhausted before the Committee may consider the merits of situation.[62] As a matter of general international law, the burden is on Qatar to prove that such local remedies were

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[59] *Interhandel* (Switzerland v. United States of America), I.C.J. Reports 1959, p. 6, at p. 27; *see also Ambatielos* (Greece v. United Kingdom), (1956), RIAA, vol. XII, p. 83 at p. 120: "[i] is the whole system of legal protection, as provided by municipal law, which must have been put to the test before a State, as the protector of its nationals, can prosecute the claim on the international plane."

[60] Article 14(2), Articles on Diplomatic Protection. Articles on Diplomatic Protection, Commentary to draft Article 14, para. 5, *ILC Yearbook 2006*, vol. II(2), p. 45. *See also Ahmadou Sadio Diallo* (Republic of Guinea v. Democratic Republic of the Congo), Preliminary Objections, I.C.J. Reports 2007, p. 582, at p. 601, para. 47 (the remedies which must be exhausted "include all remedies of a legal nature, judicial redress as well as redress before administrative bodies").

[61] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice, Response on behalf of the State of Qatar to the questions posed by Judge Cançado Trindade on Friday, 29 June 2018, 3 July 2018, para. 8.

[62] *See, e.g.*, CERD, Communication No. 25/2002, *Ahmad Najaati Sadic v. Denmark*, Inadmissibility Decision of 19 March 2003, UN doc. CERD/C/62/D/25/2002, para. 6.4.

exhausted or that the circumstances relieved it of the obligation to exhaust available local remedies.[63]

50. Remedies capable of providing effective relief are indeed available within the UAE to Qatari nationals with respect to each violation of rights alleged by Qatar. It falls to Qatar to show either that these available remedies were in fact exhausted, or either such remedies would not have been effective in the particular circumstances of the case or that their application would be "unduly prolonged." Qatar has not even argued, let alone established, that Qatari nationals are exempted from exhausting local remedies in the UAE on the grounds that one of the exceptions to this rule applies. Exceptions to the obligation to exhaust local remedies have only been applied in exceptional cases by the Committee.[64] Regarding the exception of undue delay, the Committee found that this exception applied and thus the case was admissible when a court decision had not been rendered after over four and a half years.[65] As evidenced by the documents submitted by the UAE, UAE courts promptly review and decide cases submitted to them, including by Qatari nationals.[66]

51. The evidence to be provided by Qatar must be objective. As the Committee explained when declaring inadmissible an individual communication for lack of exhaustion of local remedies, "doubts about the effectiveness of such proceedings cannot absolve a petitioner from pursuing them."[67]

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[63] *Ahmadou Sadio Diallo* (Republic of Guinea v. Democratic Republic of the Congo), Preliminary Objections, I.C.J. Reports 2007, p. 582, p. 600, para. 44; *Elettronica Sicula S.p.A. (ELSI*), (Italy v. United States of America), I.C.J. Reports 1989, p. 15, pp. 43-44, para. 53.

[64] UAE's Supplemental Response of 29 November 2018, paras. 61, 64 and CERD Committee jurisprudence cited therein.

[65] CERD Committee, Communication No. 29/2003, *Mr. Dragan Durmic v. Serbia and Montenegro*, Decision of 6 March 2006, UN Doc. CERD/C/68/D/29/2003, para. 6.5.

[66] *See* **<u>Annex 2</u>**, Statement of the cases involving a Qatari citizen and being examined by the UAE courts in the period 6 June 2017 until 25 September 2018, pp. 12-13 (containing a table put together by the Courts Department of Ras Al-Khaimah indicating the date of listing and of ruling by the courts of suits filed by or against Qatari nationals after 5 June 2017). *See also*, Annex 16 to the UAE's Response of 7 August 2018.

[67] CERD Committee, Communication No. 19/2000, *Sarwar Seliman Mostafa v. Denmark*, Inadmissibility Decision of 10 August 2001, UN Doc. CERD/C/59/D/19/2000, para. 7.4.

52. The UAE has demonstrated in its previous submissions that there are available and effective remedies that Qatari nationals may resort to in order to complain of any alleged violations of their rights under the CERD.[68] A non-exhaustive exposé over some avenues for redress open to Qatari nationals will nevertheless be provided here.

53. Notably, the fact that UAE courts are authorized to rule on the rights and freedoms of foreigners contained in international conventions to which the UAE is a party such as CERD is confirmed by various provisions of the UAE Constitution.[69]

54. Qatar has put forward no evidence that these constitutionally protected remedies are in fact either unavailable to Qataris or ineffective. To the contrary, court remedies are available and effective and can be pursued without difficulty, either in person or through powers of attorney. Qatar has put forward no evidence of any Qatari national bringing a claim before the UAE courts against the UAE Government in respect of the measures at issue. By contrast, the UAE has offered proof that demonstrates that, since 5 June 2017, Qatari nationals have freely continued to resort to the UAE courts to assert their rights in legal matters, even if not necessarily related to CERD.[70] Further evidence is also herewith submitted to the Committee showing that almost one hundred and fifty powers of attorney have been executed by Qatari nationals since 5 June 2017.[71]

55. In addition, numerous administrative remedies are available to Qataris in the form of complaint procedures specific to various governmental authorities. Such administrative remedies are also effective and Qatar has offered no proof to the contrary. These remedies are easily accessible and complaints are quickly resolved.

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[68] UAE's Response of 7 August 2018, para. 85, UAE's Supplemental Response of 29 November 2018, paras. 61-71.

[69] *See* UAE Constitution (2011), Articles 40, 41 and 102; UAE's Supplemental Response of 29 November 2018, paras. 65-66.

[70] *See* Annex 18 to the UAE's Response of 7 August 2018 (containing a summary of the cases involving a Qatari citizen and being examined by federal courts during the period from 1 May 2017 until 20 June 2018); **Annex 2**, Statement of the cases involving a Qatari citizen and being examined by the UAE courts in the period 6 June 2017 until 25 September 2018.

[71] **Annex 2**, Statement of the cases involving a Qatari citizen and being examined by the UAE courts in the period 6 June 2017 until 25 September 2018, p. 2 (containing a table with statistics of the Federal Courts indicating that in the period 6 June 2017 to 25 September 2018 there had been 146 powers of attorney). *See also* Annex 16 to the UAE's Response of 7 August 2018, p. 2 (containing statistics regarding the powers of attorney concluded in the period from 1/06/2017 to 30/5/2018 with respect to Qatari citizenship in the Emirate of Abu Dhabi).

56. Specifically, Qatar has failed to show any instance of individuals seeking relief from the administrative complaints mechanisms in place by local UAE government. For example, the Government of Dubai Legal Affairs Department is tasked with receiving complaints and claims made against the Government of Dubai.[72] Qataris can file a complaint against a Dubai government entity through the Department's website.[73] If the dispute cannot be amicably settled within two months, the complainant can file claims directly against the government entity before the UAE courts.[74] Qatar has put forward no evidence of recourse to such remedies.

57. Qatar also has not shown any instance of any Qatari national having recourse to local remedies addressing hate speech. UAE Federal Decree Law No. 2 of 2015 prohibits "discrimination of any form" by various means of expression.[75] Hate speech is punishable by monetary fines and even imprisonment. Various means exist for individuals (including Qataris) to bring complaints to the attention of the authorities, including under the mechanisms provided for pursuant to Federal Decree Law No. 2 of 2015 and Law No. 5 of 2012. To facilitate complaints, Dubai police offers an e-service through which an individual can report offenders.[76] Qatar has put forward no evidence of recourse to such remedies.

58. Qatar also has not shown any instance of Qatari nationals making complaints to relevant authorities dealing with alleged blocking of media content in pursuit of their freedom of expression. The blocking of online content may be challenged by individual users

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[72] Law No. (32) of 2008 and Law No. (3) of 1996. *See also* Government of Dubai website "Complaints Against Government Entities," https://legal.dubai.gov.ae/en/Services/Pages/Services-Desc.aspx?ServiceID=10.

[73] Government of Dubai website "Complaint filed against a Government Entity," https://cms.legal.dubai.gov.ae/en/Website/Pages/ComplaintAgainstGovernmentEntity.aspx.

[74] Government of Dubai website "Complaints Against Government Entities," https://legal.dubai.gov.ae/en/Services/Pages/Services-Desc.aspx?ServiceID=10.

[75] Federal Decree Law No. 2 of 2015, Article 6 (15 July 2015), http://ejustice.gov.ae/downloads/latest_laws2015/FDL_2_2015_discrimination_hate_en.pdf.

[76] "Request to Open a Criminal Case" of the Dubai Police, https://www.dubaipolice.gov.ae/wps/portal/home/services/individualservices/opencriminalcase?firstView=true; *see also* "E Crime" of the Dubai Police, https://www.dubaipolice.gov.ae/wps/portal/home/services/individualservicescontent/cybercrime.

through submissions via online forms[77] or by the media outlets themselves by petitioning the National Media Council of the UAE.[78] If challenge through this process is unsuccessful, subsequent appeals to the UAE courts to judicially review the decision of the National Media Council are available.[79] Qatar has put forward no evidence of recourse to such remedies.

59. Qatar also has put forward no evidence that any Qatari has made use of the complaint resolution procedures with respect to the alleged violation of their right to health and right to medical treatment. The UAE's Ministry of Health and Prevention ("**MOHAP**") provides a number of avenues for an individual to file a complaint.[80] Complaints are normally resolved by MOHAP within days. If challenge through this process is unsuccessful, subsequent appeals to the UAE courts to judicially review the decision of MOHAP would be available. Alongside the Federal Government's complaint procedure, for example the Dubai Health Authority has local complaint procedures available for individuals.[81] Qatar has put forward no evidence of recourse to such remedies.

60. Qatar also has not shown any instance of Qatari nationals making complaints with respect to the right of education. For example, the Abu Dhabi Department of Education and Knowledge provides a complaint mechanism for secondary school students whereby an individual can raise a complaint against a UAE school, including for failure to respond to a request for provision of transcripts.[82]

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[77] *See* "Web Content Block/Unblock Request Form," https://etisalat.ae/en/generic/contactus-forms/web-block-unblock.jsp.

[78] The Chairman of the Board's Resolution No. (30) of 2017 on Media Activities Licensing, Articles 67 and 68, http://nmc.gov.ae/en-us/NMC/Documents/Media%20Activities%20Licensing%20Resolution.pdf.

[79] The UAE's reliance on the existence of these remedies is without prejudice to its position that broadcasters do not benefit from the protection of the CERD, which only applies to individuals and not corporations.

[80] *See* Ministry of Health and Prevention website "Customer Complaints," http://www.mohap.gov.ae/en/Pages/COMPLAINS.aspx.

[81] DHA website "Medical Complaint," https://www.dha.gov.ae/en/HealthRegulation/Pages/MedicalComplaintsProcedures.aspx.

[82] Department of Education and Knowledge website "Raising a complaint against a Private school," https://www.adek.abudhabi.ae/en/Parents/PrivateSchools/Pages/RCAPS.aspx.

61. Qatar also has not shown any instance of Qatari nationals making complaints with respect to the right to work, despite the availability of ample remedies. Under UAE law, a complaint system is available through the UAE Ministry of Human Resources and Emiritisation.[83] An individual can file a complaint in person or by using the online service.[84] If a settlement is not reached within two weeks, the complaint is referred to the Labor Court.[85] The ruling of the Labor Court can, subject to certain limitations on small claims, be appealed to the Court of Appeals and further to the Court of Cassation.[86] Qatar has put forward no evidence that any Qatari has availed himself or herself of these complaint resolution procedures.

62. Finally, Qatar also has put forward no evidence that any Qatari has availed himself or herself of the available complaint resolution procedures related to alleged infringement of the right to property or had recourse to the UAE courts. With respect to complaints relating to real property, an individual can file a complaint by various means. For example, disputes between landlords and tenants may be addressed by the Rental Disputes Center of the Government of Dubai, with the option of appeal to the Appellate Division of the Center.[87] Regarding complaints relating to an individual's assets or accounts, the Central Bank of the UAE is equipped to handle these through fax, online or

[83] As mandated by UAE Labor Law, Federal Decree Law No. 8 of 1980, Article 6. *See* UAE Ministry of Human Resources and Emiritisation website "Register Labour complaints," https://www.mohre.gov.ae/en/our-services/%D8%A8%D8%AD%D8%AB-%D8%A7%D9%84%D8%B4%D9%83%D9%88%D9%89-%D8%A7%D9%84%D8%B9%D9%85%D8%A7%D9%84%D9%8A%D8%A9.aspx. *See also* Federal Decree Law No. 8 of 1980, Article 6, https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/11956/69376/F417089305/ARE11956.pdf.

[84] *See* UAE Ministry of Human Resources and Emiritisation website "Complaint Request," https://eservices.mohre.gov.ae/MOHRE.WebForms/Home/Complaint?lang=en-gb.

[85] Federal Decree Law No. 8 of 1980, Article 6, https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/11956/69376/F417089305/ARE11956.pdf; UAE Official Government Portal website "The system of courts," https://www.government.ae/en/about-the-uae/the-uae-government/the-federal-judiciary/the-system-of-courts.

[86] UAE Official Government Portal website "The system of courts," https://www.government.ae/en/about-the-uae/the-uae-government/the-federal-judiciary/the-system-of-courts.

[87] *See* Government of Dubai Rental Disputes Center website, http://www.rdc.gov.ae/Services_Pages/Services.aspx. *See also* Government of Dubai Real Estate Legislation Decree No. (26) of 2013 Concerning the Rent Disputes Settlement Centre in the Emirate of Dubai, Articles 13-14, http://www.dubailand.gov.ae/Style%20Library/download/EN-Legislation.pdf.

in person through various Central Bank locations.[88] The UAE judiciary is also naturally available to all Qataris with grievances related to property matters. Both the complaint procedures and the UAE courts are able to provide redress to individuals who successfully prove that their right to property has been unlawfully infringed. However, again, Qatar has provided no evidence that such remedies have been exhausted.

63. To sum up, Qatar's position on the issue of the exhaustion of domestic remedies has been consistent. It is, in a word, denial. Thus, while Qatar has failed to provide any evidence that the Qatari nationals in question have attempted to invoke or exhaust domestic remedies in the UAE to vindicate their grievances, Qatar tries to explain this away by simply denying, without more, that any remedies are available or are effective given "the inability to appear in person because of expulsion from and the ban on entry to the UAE, serious difficulties finding local lawyers to provide legal representation because of the general atmosphere of hostility towards Qatar and Qataris".[89]

64. Yet, such a statement is pure fiction when measured against the facts. Evidence has previously been provided to the Committee, and is supplemented by additional evidence submitted herewith, that demonstrates that, far from a "ban on entry", Qatari nationals have entered the UAE in their thousands since 5 June 2017.[90]

65. As the complainant in this proceeding, Qatar bears the burden of proof to establish that domestic remedies have been invoked and exhausted or to establish that exceptional circumstances relieve it of that obligation.[91] Faced with the evidence demonstrating the accessibility to Qatari nationals of the UAE legal system, Qatar's burden of proof to

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[88] Central Bank of the UAE website "Complaints and Enquiries," https://centralbank.ae/en/form/complaints.

[89] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Verbatim Record of Public Sitting of 29 June 2018, at 10:00 a.m. (CR 2018/14), p. 12, para. 5 (Klein). *See also Note Verbale* of Qatar to the CERD Committee, dated 29 October 2018, requesting the Committee to re-initiate Qatar's complaint against the UAE ("Any nominal remedies are either unavailable or ineffective in light of the expulsion of Qataris from the United Arab Emirates and ensuing travel restrictions, as well as the ongoing campaign of hatred against Qatar and Qataris in the territory or the United Arab Emirates.").

[90] *See* paras. 8-10, *supra*.

[91] *See e.g.*, *Ahmadou Sadio Diallo* (Republic of Guinea v. Democratic Republic of the Congo), Preliminary Objections, I.C.J. Reports 2007, p. 582, paras. 42-44.

establish that the Qatari nationals who it alleges have been aggrieved by the UAE's conduct in violation of CERD have in fact sought to invoke and have thereafter exhausted domestic remedies to seek redress for their grievances is substantially heightened. Hiding behind blanket denials unsupported by evidence will not suffice and, with respect, should not be accepted by the Committee.

66. There can be no doubt that Qatar has failed to overcome the admissibility hurdle in Article 11.3 of CERD. Because available domestic remedies have neither been invoked nor exhausted, Qatar has failed to meet the requirements of that provision.

67. For that reason alone the Committee must dismiss Qatar's Article 11 Communication and discontinue any further procedure addressing that communication.

V. Conclusion

68. For the reasons set out herein and in the UAE's 7 August Response and the 29 November 2018 Submission, the UAE respectfully urges the Committee to dismiss Qatar's Article 11 Communication for lack for jurisdiction and/or lack of admissibility.

69. With respect, in light of the manifest lack of jurisdiction and admissibility of Qatar's Article 11 Communication, any action taken by the Committee to further Qatar's complaint would be *ultra vires*.

70. The UAE once again takes this opportunity to reaffirm its unwavering commitment to eliminating racial discrimination in all of its forms and to combating hate speech.

[<u>Annex 1</u>, Letter from the Federal Authority for Identity and Citizenship, dated 10 January 2019 (attaching tables in Excel files)]

Federal Authority for Identity and Citizenship

No. 30/3/32

Date: January 10, 2019 corresponding to, First Jamadi 02, 1440 Hijri

Confidential and urgent

To, Director of Foreigners Affairs Department

Ministry of Foreign Affairs and International Cooperation

Subject, Statistics of Qatari Nationals,

Reference: your letter No. ع م/ش ق/ ج ق ش/5/4/37/30403 dated December 23, 2018

We would like to send you all the respect, and according to the request in your letter, referred to above, about the statistics of the entry and exit movements for the Qatari nationals, and the permits requests, and the number of the Qatari nationals residing in the state, we would like to clarify to you the following:

1- With regards to the entry and exit movements of the Qatari nationals to the state for the period from June 1, 2018 to December 31, 2018, it amounted to (2876).

2- With regards to the individuals who submitted a request for an entry and exit for the period from July 9, 2018 to December 22, 2018; the amount of the submitted requests was (3563), (3353) requests were approved and (210) requests were rejected.

3- The number of the Qatari nationals residing in the state, and who hold a UAE identification document, are (702).

Attached are detailed records for the statistics mentioned above.

For your attention and your procedures,

Please accept our regards,

Officer, Hamad Hasan Al-Shaikh Al-Ze'abi

Director of Information Security Department

A Copy to:

- Director of the Office of His Excellency the Chairman of the Board of Directors, for your attention.
- Deputy Director of Security Information Management, for your attention.
- Director of Security Coordination Branch, for your attention.
- To follow
- 9288- January 9, 2019
  [Illegible]

9288- January 10, 2019

الرقم : 32/3/30
التاريخ : 2019/01/10 م
الموافق : 02/جمادي الأولى /1440 هـ

سري للغاية وعاجل جداً

سعادة / مدير إدارة شؤون الرعايا الأجانب المحترم
وزارة الخارجية والتعاون الدولي

السلام عليكم ورحمة الله وبركاته ،،،،

الموضوع : إحصائيات رعايا ومواطني دولة قطر

الاشارة : كتابكم رقم م ع / ش ق / ش ق ج /30403/37/4/6 بتاريخ 2018/12/23م

يطيب لنا أن نبعث لكم بخالص التحية والتقدير، وبناءاً على ماتم طلبه بكاتبكم الاشارة أعلاه بشأن الاحصائيات المطلوبة لحركات الدخول والخروج للرعايا القطريين للدولة ، وطلبات التصاريح ، وعدد المقيمين في الدولة من الجنسية القطرية نوضح لكم الآتي:

1- فيما يتعلق بحركات الدخول والخروج للرعايا القطريين للدولة للفترة من 2018/6/1 وحتى تاريخ 2018/12/31 بلغت (**2876**) .

2- وبالنسبة لمقدمي طلبات التصاريح للدخول والخروج من الفترة 2018/7/9 وحتى 2018/12/22 بلغت عدد الطلبات المقدمة (**3563**) ،وتمت الموافقة على (**3353**) تصريح ، وتم رفض (**210**) طلب .

3- بلغ عدد المقيمين من الجنسية القطرية في الدولة والحاملين لهوية الإمارات (**702**) شخص .

مرفق طيه كشوفات تفصيلية للاحصائيات المذكورة أعلاه .

للتفضل بالإطلاع وإجراءاتكم لطفاً .

واقبلوا وافر الاحترام ،،،

المقـــدم/
حمـد حـسن الشـيخ الزعابـي
مدير إدارة المعـلومات الأمنيـة

نسخة إلى:
- سعادة / مدير مكتب معالي رئيس مجلس إدارة الهيئة ... المحترم للتفضل بالعلم .

- سعادة / نائب مدير إدارة المعلومات الأمنية بالإنابة.. المحترم للتفضل بالعلم .
- مدير فرع التنسيق الأمني بالإنابة ... المحترم للتفضل بالعلم والمتابعة
- للمتابعة
- 2019/01/09 - 9288

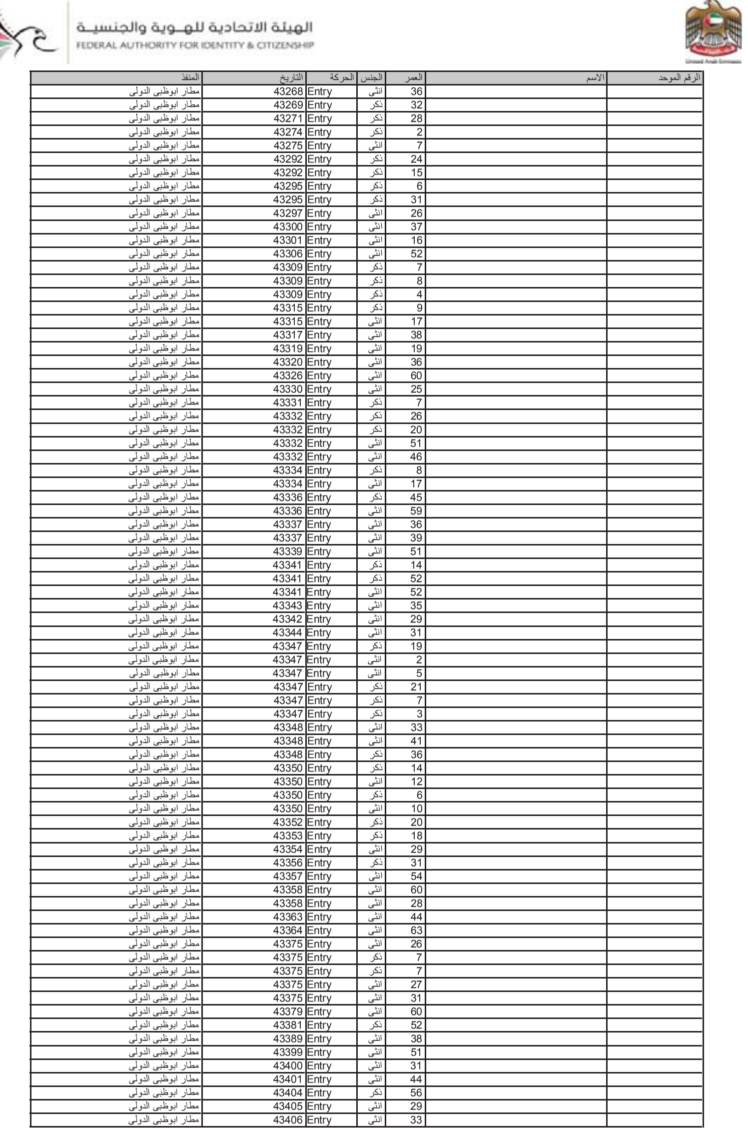
2019/01/10 - 9288

[Annex 1.1, [Excel Redacted] Entrance and Exit for Qatari Nationals from 1 June 2018 until 31 December 2018 (English translation)]

FEDERAL AUTHORITY FOR IDENTITY AND CITIZENSHIP

UNIFIED NUMBER	NAME	AGE	SEX	THE MOVEMENT	DATE	PORT
[This column includes the numbers provided] – **Numbers Redacted**	[This column includes the name of the Qatari nationals who entered and exited the country] **Names Redacted**	[This column provides the age of each national]	[Male or female]	[Entry or Exit]	[The date]	[The port name whether it is Abu Dhabi International Airport, Abu Dhabi Airport, Al-Ain Airport, Al Ghuwaifat, Al-Mudeef Port, Dubai International Airport, Rashed port, Al- Shandagha port, Al-Sharjah International Airport, Khatmat Malaha port, Shaklah port, Hatta border Cross, or Hili Port]

33930332v1



المنفذ	التاريخ	الحركة	الجنس	العمر	الاسم	الرقم الموحد
مطار ابوظبي الدولي	43268	Entry	انثى	36		
مطار ابوظبي الدولي	43269	Entry	ذكر	32		
مطار ابوظبي الدولي	43271	Entry	ذكر	28		
مطار ابوظبي الدولي	43274	Entry	ذكر	2		
مطار ابوظبي الدولي	43275	Entry	انثى	7		
مطار ابوظبي الدولي	43292	Entry	ذكر	24		
مطار ابوظبي الدولي	43292	Entry	ذكر	15		
مطار ابوظبي الدولي	43295	Entry	ذكر	6		
مطار ابوظبي الدولي	43295	Entry	ذكر	31		
مطار ابوظبي الدولي	43297	Entry	انثى	26		
مطار ابوظبي الدولي	43300	Entry	انثى	37		
مطار ابوظبي الدولي	43301	Entry	انثى	16		
مطار ابوظبي الدولي	43306	Entry	انثى	52		
مطار ابوظبي الدولي	43309	Entry	ذكر	7		
مطار ابوظبي الدولي	43309	Entry	ذكر	8		
مطار ابوظبي الدولي	43309	Entry	ذكر	4		
مطار ابوظبي الدولي	43315	Entry	ذكر	9		
مطار ابوظبي الدولي	43315	Entry	انثى	17		
مطار ابوظبي الدولي	43317	Entry	انثى	38		
مطار ابوظبي الدولي	43319	Entry	انثى	19		
مطار ابوظبي الدولي	43320	Entry	انثى	36		
مطار ابوظبي الدولي	43326	Entry	انثى	60		
مطار ابوظبي الدولي	43330	Entry	انثى	25		
مطار ابوظبي الدولي	43331	Entry	ذكر	7		
مطار ابوظبي الدولي	43332	Entry	ذكر	26		
مطار ابوظبي الدولي	43332	Entry	ذكر	20		
مطار ابوظبي الدولي	43332	Entry	انثى	51		
مطار ابوظبي الدولي	43332	Entry	انثى	46		
مطار ابوظبي الدولي	43334	Entry	ذكر	8		
مطار ابوظبي الدولي	43334	Entry	انثى	17		
مطار ابوظبي الدولي	43336	Entry	ذكر	45		
مطار ابوظبي الدولي	43336	Entry	انثى	59		
مطار ابوظبي الدولي	43337	Entry	انثى	36		
مطار ابوظبي الدولي	43337	Entry	انثى	39		
مطار ابوظبي الدولي	43339	Entry	انثى	51		
مطار ابوظبي الدولي	43341	Entry	ذكر	14		
مطار ابوظبي الدولي	43341	Entry	ذكر	52		
مطار ابوظبي الدولي	43341	Entry	انثى	52		
مطار ابوظبي الدولي	43343	Entry	انثى	35		
مطار ابوظبي الدولي	43342	Entry	انثى	29		
مطار ابوظبي الدولي	43344	Entry	انثى	31		
مطار ابوظبي الدولي	43347	Entry	ذكر	19		
مطار ابوظبي الدولي	43347	Entry	انثى	2		
مطار ابوظبي الدولي	43347	Entry	انثى	5		
مطار ابوظبي الدولي	43347	Entry	ذكر	21		
مطار ابوظبي الدولي	43347	Entry	ذكر	7		
مطار ابوظبي الدولي	43347	Entry	ذكر	3		
مطار ابوظبي الدولي	43348	Entry	انثى	33		
مطار ابوظبي الدولي	43348	Entry	انثى	41		
مطار ابوظبي الدولي	43348	Entry	ذكر	36		
مطار ابوظبي الدولي	43350	Entry	ذكر	14		
مطار ابوظبي الدولي	43350	Entry	انثى	12		
مطار ابوظبي الدولي	43350	Entry	ذكر	6		
مطار ابوظبي الدولي	43350	Entry	انثى	10		
مطار ابوظبي الدولي	43352	Entry	ذكر	20		
مطار ابوظبي الدولي	43353	Entry	ذكر	18		
مطار ابوظبي الدولي	43354	Entry	انثى	29		
مطار ابوظبي الدولي	43356	Entry	ذكر	31		
مطار ابوظبي الدولي	43357	Entry	انثى	54		
مطار ابوظبي الدولي	43358	Entry	انثى	60		
مطار ابوظبي الدولي	43358	Entry	انثى	28		
مطار ابوظبي الدولي	43363	Entry	انثى	44		
مطار ابوظبي الدولي	43364	Entry	انثى	63		
مطار ابوظبي الدولي	43375	Entry	انثى	26		
مطار ابوظبي الدولي	43375	Entry	ذكر	7		
مطار ابوظبي الدولي	43375	Entry	ذكر	7		
مطار ابوظبي الدولي	43375	Entry	انثى	27		
مطار ابوظبي الدولي	43375	Entry	انثى	31		
مطار ابوظبي الدولي	43379	Entry	انثى	60		
مطار ابوظبي الدولي	43381	Entry	ذكر	52		
مطار ابوظبي الدولي	43389	Entry	انثى	38		
مطار ابوظبي الدولي	43399	Entry	انثى	51		
مطار ابوظبي الدولي	43400	Entry	انثى	31		
مطار ابوظبي الدولي	43401	Entry	انثى	44		
مطار ابوظبي الدولي	43404	Entry	ذكر	56		
مطار ابوظبي الدولي	43405	Entry	انثى	29		
مطار ابوظبي الدولي	43406	Entry	انثى	33		

مطار ابوظبي الدولي	43409	Entry	انثى	40		
مطار ابوظبي الدولي	43409	Entry	انثى	36		
مطار ابوظبي الدولي	43408	Entry	انثى	0		
مطار ابوظبي الدولي	43408	Entry	انثى	2		
مطار ابوظبي الدولي	43415	Entry	انثى	48		
مطار ابوظبي الدولي	43417	Entry	انثى	1		
مطار ابوظبي الدولي	43417	Entry	ذكر	5		
مطار ابوظبي الدولي	43427	Entry	ذكر	57		
مطار ابوظبي الدولي	43429	Entry	انثى	17		
مطار ابوظبي الدولي	43429	Entry	انثى	54		
مطار ابوظبي الدولي	43433	Entry	انثى	0		
مطار ابوظبي الدولي	43435	Entry	ذكر	1		
مطار ابوظبي الدولي	43439	Entry	انثى	25		
مطار ابوظبي الدولي	43439	Entry	انثى	28		
مطار ابوظبي الدولي	43439	Entry	ذكر	24		
مطار ابوظبي الدولي	43441	Entry	انثى	0		
مطار ابوظبي الدولي	43442	Entry	ذكر	6		
مطار ابوظبي الدولي	43442	Entry	ذكر	8		
مطار ابوظبي الدولي	43442	Entry	ذكر	15		
مطار ابوظبي الدولي	43442	Entry	انثى	14		
مطار ابوظبي الدولي	43441	Entry	انثى	5		
مطار ابوظبي الدولي	43443	Entry	ذكر	51		
مطار ابوظبي الدولي	43448	Entry	ذكر	58		
مطار ابوظبي الدولي	43449	Entry	ذكر	6		
مطار ابوظبي الدولي	43449	Entry	ذكر	9		
مطار ابوظبي الدولي	43450	Entry	ذكر	2		
مطار ابوظبي الدولي	43451	Entry	انثى	0		
مطار ابوظبي الدولي	43451	Entry	ذكر	13		
مطار ابوظبي الدولي	43451	Entry	انثى	19		
مطار ابوظبي الدولي	43451	Entry	انثى	16		
مطار ابوظبي الدولي	43451	Entry	ذكر	5		
مطار ابوظبي الدولي	43451	Entry	ذكر	7		
مطار ابوظبي الدولي	43451	Entry	ذكر	48		
مطار ابوظبي الدولي	43451	Entry	انثى	17		
مطار ابوظبي الدولي	43451	Entry	ذكر	15		
مطار ابوظبي الدولي	43451	Entry	انثى	22		
مطار ابوظبي الدولي	43451	Entry	ذكر	2		
مطار ابوظبي الدولي	43451	Entry	انثى	4		
مطار ابوظبي الدولي	43452	Entry	ذكر	8		
مطار ابوظبي الدولي	43452	Entry	ذكر	9		
مطار ابوظبي الدولي	43452	Entry	ذكر	13		
مطار ابوظبي الدولي	43452	Entry	ذكر	15		
مطار ابوظبي الدولي	43450	Entry	ذكر	4		
مطار ابوظبي الدولي	43451	Entry	انثى	9		
مطار ابوظبي الدولي	43451	Entry	انثى	1		
مطار ابوظبي الدولي	43451	Entry	ذكر	6		
مطار ابوظبي الدولي	43451	Entry	ذكر	3		
مطار ابوظبي الدولي	43451	Entry	انثى	14		
مطار ابوظبي الدولي	43451	Entry	ذكر	17		
مطار ابوظبي الدولي	43452	Entry	ذكر	29		
مطار ابوظبي الدولي	43452	Entry	ذكر	14		
مطار ابوظبي الدولي	43452	Entry	انثى	12		
مطار ابوظبي الدولي	43452	Entry	انثى	4		
مطار ابوظبي الدولي	43452	Entry	ذكر	3		
مطار ابوظبي الدولي	43452	Entry	ذكر	5		
مطار ابوظبي الدولي	43452	Entry	ذكر	12		
مطار ابوظبي الدولي	43452	Entry	ذكر	15		
مطار ابوظبي الدولي	43452	Entry	انثى	35		
مطار ابوظبي الدولي	43453	Entry	انثى	12		
مطار ابوظبي الدولي	43453	Entry	انثى	15		
مطار ابوظبي الدولي	43453	Entry	انثى	21		
مطار ابوظبي الدولي	43453	Entry	انثى	23		
مطار ابوظبي الدولي	43453	Entry	ذكر	10		
مطار ابوظبي الدولي	43453	Entry	انثى	4		
مطار ابوظبي الدولي	43453	Entry	انثى	14		
مطار ابوظبي الدولي	43453	Entry	انثى	11		
مطار ابوظبي الدولي	43453	Entry	ذكر	11		
مطار ابوظبي الدولي	43453	Entry	ذكر	5		
مطار ابوظبي الدولي	43453	Entry	انثى	13		
مطار ابوظبي الدولي	43453	Entry	ذكر	9		
مطار ابوظبي الدولي	43453	Entry	ذكر	13		
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مطار ابوظبي الدولي	43454	Entry	انثى	2		
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مطار ابوظبي الدولي	43454	Entry	ذكر	46		
مطار ابوظبي الدولي	43454	Entry	ذكر	0		
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مطار ابوظبي الدولي	43454	Entry	انثى	16		
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مطار ابوظبي الدولي	43454	Entry	انثى	31		
مطار ابوظبي الدولي	43455	Entry	ذكر	0		
مطار ابوظبي الدولي	43452	Entry	انثى	9		

مطار ابوظبي الدولي	43308	Exit	ذكر	3		
مطار ابوظبي الدولي	43310	Exit	ذكر	38		
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مطار ابوظبي الدولي	43315	Exit	انثى	29		
مطار ابوظبي الدولي	43316	Exit	انثى	31		
مطار ابوظبي الدولي	43317	Exit	انثى	33		
مطار ابوظبي الدولي	43317	Exit	ذكر	118		
مطار ابوظبي الدولي	43317	Exit	ذكر	8		
مطار ابوظبي الدولي	43317	Exit	ذكر	11		
مطار ابوظبي الدولي	43317	Exit	انثى	6		
مطار ابوظبي الدولي	43317	Exit	انثى	4		
مطار ابوظبي الدولي	43317	Exit	ذكر	52		
مطار ابوظبي الدولي	43290	Exit	انثى	59		
مطار ابوظبي الدولي	43290	Exit	انثى	28		
مطار ابوظبي الدولي	43297	Exit	انثى	1		
مطار ابوظبي الدولي	43297	Exit	ذكر	6		
مطار ابوظبي الدولي	43310	Exit	انثى	52		
مطار ابوظبي الدولي	43313	Exit	انثى	11		
مطار ابوظبي الدولي	43313	Exit	ذكر	13		
مطار ابوظبي الدولي	43313	Exit	انثى	34		
مطار ابوظبي الدولي	43313	Exit	انثى	14		
مطار ابوظبي الدولي	43313	Exit	ذكر	6		
مطار ابوظبي الدولي	43318	Exit	ذكر	7		
مطار ابوظبي الدولي	43318	Exit	انثى	4		
مطار ابوظبي الدولي	43318	Exit	انثى	12		
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مطار ابوظبي الدولي	43319	Exit	ذكر	8		
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مطار ابوظبي الدولي	43319	Exit	ذكر	33		
مطار ابوظبي الدولي	43319	Exit	انثى	30		
مطار ابوظبي الدولي	43320	Exit	انثى	51		
مطار ابوظبي الدولي	43320	Exit	ذكر	11		
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مطار ابوظبي الدولي	43323	Exit	انثى	22		
مطار ابوظبي الدولي	43323	Exit	انثى	52		
مطار ابوظبي الدولي	43323	Exit	انثى	2		
مطار ابوظبي الدولي	43325	Exit	انثى	0		
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مطار ابوظبي الدولي	43326	Exit	انثى	55		
مطار ابوظبي الدولي	43326	Exit	ذكر	9		
مطار ابوظبي الدولي	43326	Exit	ذكر	5		
مطار ابوظبي الدولي	43330	Exit	ذكر	6		
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مطار ابوظبي الدولي	43330	Exit	انثى	52		
مطار ابوظبي الدولي	43331	Exit	انثى	36		
مطار ابوظبي الدولي	43335	Exit	انثى	17		
مطار ابوظبي الدولي	43335	Exit	ذكر	51		
مطار ابوظبي الدولي	43335	Exit	انثى	18		
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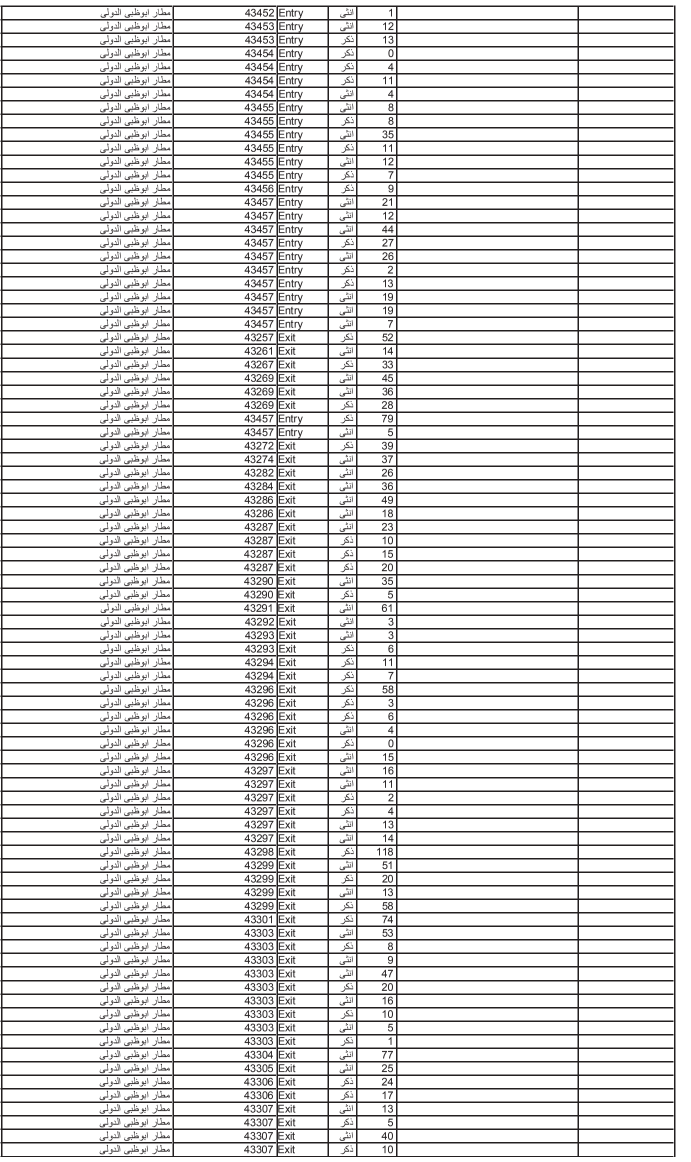
مطار ابوظبي الدولي	43335	Exit	انثى	15		
مطار ابوظبي الدولي	43335	Exit	انثى	18		
مطار ابوظبي الدولي	43337	Exit	انثى	52		
مطار ابوظبي الدولي	43337	Exit	ذكر	10		
مطار ابوظبي الدولي	43337	Exit	انثى	7		
مطار ابوظبي الدولي	43337	Exit	انثى	1		
مطار ابوظبي الدولي	43338	Exit	انثى	59		
مطار ابوظبي الدولي	43338	Exit	انثى	24		
مطار ابوظبي الدولي	43340	Exit	ذكر	2		
مطار ابوظبي الدولي	43340	Exit	انثى	7		
مطار ابوظبي الدولي	43340	Exit	انثى	9		
مطار ابوظبي الدولي	43340	Exit	ذكر	3		
مطار ابوظبي الدولي	43340	Exit	ذكر	4		
مطار ابوظبي الدولي	43340	Exit	انثى	11		
مطار ابوظبي الدولي	43340	Exit	ذكر	4		



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مطار ابوظبي الدولي	43453	Entry	ذكر	13		
مطار ابوظبي الدولي	43454	Entry	ذكر	0		
مطار ابوظبي الدولي	43454	Entry	ذكر	4		
مطار ابوظبي الدولي	43454	Entry	ذكر	11		
مطار ابوظبي الدولي	43454	Entry	انثى	4		
مطار ابوظبي الدولي	43455	Entry	انثى	8		
مطار ابوظبي الدولي	43455	Entry	ذكر	8		
مطار ابوظبي الدولي	43455	Entry	انثى	35		
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مطار ابوظبي الدولي	43455	Entry	انثى	12		
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مطار ابوظبي الدولي	43457	Entry	انثى	21		
مطار ابوظبي الدولي	43457	Entry	انثى	12		
مطار ابوظبي الدولي	43457	Entry	انثى	44		
مطار ابوظبي الدولي	43457	Entry	ذكر	27		
مطار ابوظبي الدولي	43457	Entry	انثى	26		
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مطار ابوظبي الدولي	43457	Entry	انثى	19		
مطار ابوظبي الدولي	43457	Entry	انثى	19		
مطار ابوظبي الدولي	43457	Entry	انثى	7		
مطار ابوظبي الدولي	43257	Exit	ذكر	52		
مطار ابوظبي الدولي	43261	Exit	انثى	14		
مطار ابوظبي الدولي	43267	Exit	ذكر	33		
مطار ابوظبي الدولي	43269	Exit	انثى	45		
مطار ابوظبي الدولي	43269	Exit	انثى	36		
مطار ابوظبي الدولي	43269	Exit	ذكر	28		
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مطار ابوظبي الدولي	43272	Exit	ذكر	39		
مطار ابوظبي الدولي	43274	Exit	انثى	37		
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مطار ابوظبي الدولي	43286	Exit	انثى	49		
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مطار ابوظبي الدولي	43287	Exit	ذكر	10		
مطار ابوظبي الدولي	43287	Exit	ذكر	15		
مطار ابوظبي الدولي	43287	Exit	ذكر	20		
مطار ابوظبي الدولي	43290	Exit	انثى	35		
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مطار ابوظبي الدولي	43291	Exit	انثى	61		
مطار ابوظبي الدولي	43292	Exit	انثى	3		
مطار ابوظبي الدولي	43293	Exit	انثى	3		
مطار ابوظبي الدولي	43293	Exit	ذكر	6		
مطار ابوظبي الدولي	43294	Exit	ذكر	11		
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مطار ابوظبي الدولي	43296	Exit	ذكر	58		
مطار ابوظبي الدولي	43296	Exit	ذكر	3		
مطار ابوظبي الدولي	43296	Exit	ذكر	6		
مطار ابوظبي الدولي	43296	Exit	انثى	4		
مطار ابوظبي الدولي	43296	Exit	ذكر	0		
مطار ابوظبي الدولي	43296	Exit	انثى	15		
مطار ابوظبي الدولي	43297	Exit	انثى	16		
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مطار ابوظبي الدولي	43299	Exit	انثى	51		
مطار ابوظبي الدولي	43299	Exit	ذكر	20		
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مطار ابوظبي الدولي	43301	Exit	ذكر	74		
مطار ابوظبي الدولي	43303	Exit	انثى	53		
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مطار ابوظبي الدولي	43303	Exit	انثى	47		
مطار ابوظبي الدولي	43303	Exit	ذكر	20		
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مطار ابوظبي الدولي	43303	Exit	ذكر	10		
مطار ابوظبي الدولي	43303	Exit	انثى	5		
مطار ابوظبي الدولي	43303	Exit	ذكر	1		
مطار ابوظبي الدولي	43304	Exit	انثى	77		
مطار ابوظبي الدولي	43305	Exit	انثى	25		
مطار ابوظبي الدولي	43306	Exit	ذكر	24		
مطار ابوظبي الدولي	43306	Exit	ذكر	17		
مطار ابوظبي الدولي	43307	Exit	انثى	13		
مطار ابوظبي الدولي	43307	Exit	ذكر	5		
مطار ابوظبي الدولي	43307	Exit	انثى	40		
مطار ابوظبي الدولي	43307	Exit	ذكر	10		

مطار ابوظبي الدولي	43418	Exit	ذكر	6		
مطار ابوظبي الدولي	43418	Exit	انثى	29		
مطار ابوظبي الدولي	43418	Exit	ذكر	32		
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مطار ابوظبي الدولي	43383	Exit	انثى	47		
مطار ابوظبي الدولي	43422	Exit	انثى	34		
مطار ابوظبي الدولي	43425	Exit	ذكر	0		
مطار ابوظبي الدولي	43427	Exit	انثى	0		
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مطار ابوظبي الدولي	43433	Exit	انثى	70		
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مطار ابوظبي الدولي	43439	Exit	انثى	62		
مطار ابوظبي الدولي	43440	Exit	انثى	56		
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مطار ابوظبي الدولي	43442	Exit	انثى	49		
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مطار ابوظبي الدولي	43446	Exit	ذكر	7		
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مطار ابوظبي الدولي	43447	Exit	انثى	47		
مطار ابوظبي الدولي	43448	Exit	انثى	21		
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مطار ابوظبي الدولي	43449	Exit	انثى	23		
مطار ابوظبي الدولي	43449	Exit	انثى	44		
مطار ابوظبي الدولي	43449	Exit	ذكر	53		
مطار ابوظبي الدولي	43449	Exit	ذكر	25		
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مطار ابوظبي الدولي	43449	Exit	ذكر	8		
مطار ابوظبي الدولي	43449	Exit	انثى	8		
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مطار ابوظبي الدولي	43450	Exit	انثى	41		
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مطار ابوظبي الدولي	43451	Exit	انثى	43		
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مطار ابوظبي الدولي	43451	Exit	انثى	31		
مطار ابوظبي الدولي	43455	Exit	انثى	15		
مطار ابوظبي الدولي	43455	Exit	ذكر	11		
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مطار ابوظبي الدولي	43455	Exit	ذكر	3		
مطار ابوظبي الدولي	43455	Exit	ذكر	48		
مطار ابوظبي الدولي	43455	Exit	انثى	41		
مطار ابوظبي الدولي	43455	Exit	ذكر	0		
مطار ابوظبي الدولي	43455	Exit	انثى	3		
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مطار ابوظبي الدولي	43456	Exit	ذكر	28		
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مطار ابوظبي	43387	Entry	ذكر	45		
مطار ابوظبي	43286	Exit	ذكر	58		
مطار ابوظبي	43286	Exit	انثى	45		
مطار ابوظبي	43286	Exit	انثى	41		
مطار ابوظبي	43286	Exit	انثى	44		
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مطار ابوظبي	43298	Exit	ذكر	8		
مطار ابوظبي	43300	Exit	انثى	29		
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مطار ابوظبي	43343	Exit	ذكر	44		
مطار ابوظبي	43372	Exit	انثى	25		
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مطار ابوظبي	43400	Exit	ذكر	56		
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مطار ابوظبي	43400	Exit	انثى	17		
مطار ابوظبي	43424	Exit	ذكر	61		
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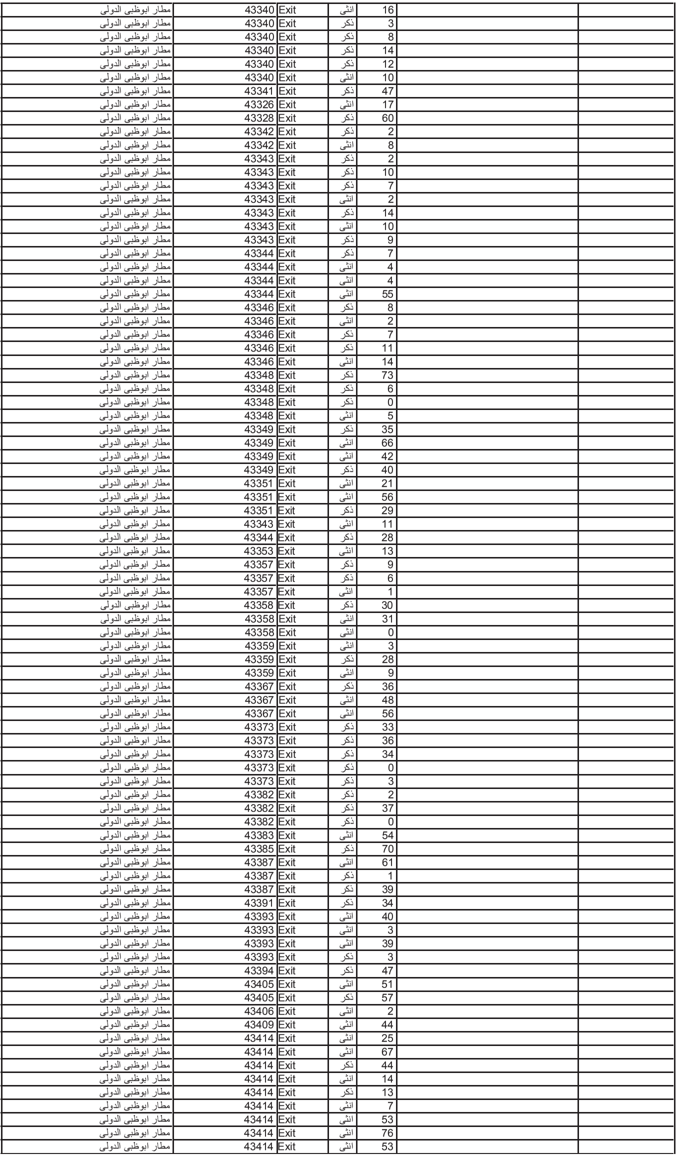

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مطار ابوظبي الدولي	43340	Exit	ذكر	12		
مطار ابوظبي الدولي	43340	Exit	انثى	10		
مطار ابوظبي الدولي	43341	Exit	ذكر	47		
مطار ابوظبي الدولي	43326	Exit	انثى	17		
مطار ابوظبي الدولي	43328	Exit	ذكر	60		
مطار ابوظبي الدولي	43342	Exit	ذكر	2		
مطار ابوظبي الدولي	43342	Exit	انثى	8		
مطار ابوظبي الدولي	43343	Exit	ذكر	2		
مطار ابوظبي الدولي	43343	Exit	ذكر	10		
مطار ابوظبي الدولي	43343	Exit	ذكر	7		
مطار ابوظبي الدولي	43343	Exit	انثى	2		
مطار ابوظبي الدولي	43343	Exit	ذكر	14		
مطار ابوظبي الدولي	43343	Exit	انثى	10		
مطار ابوظبي الدولي	43343	Exit	ذكر	9		
مطار ابوظبي الدولي	43344	Exit	ذكر	7		
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مطار ابوظبي الدولي	43346	Exit	ذكر	11		
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مطار ابوظبي الدولي	43373	Exit	ذكر	33		
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مطار ابوظبي الدولي	43414	Exit	ذكر	44		
مطار ابوظبي الدولي	43414	Exit	انثى	14		
مطار ابوظبي الدولي	43414	Exit	ذكر	13		
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مطار ابوظبي الدولي	43414	Exit	انثى	53		
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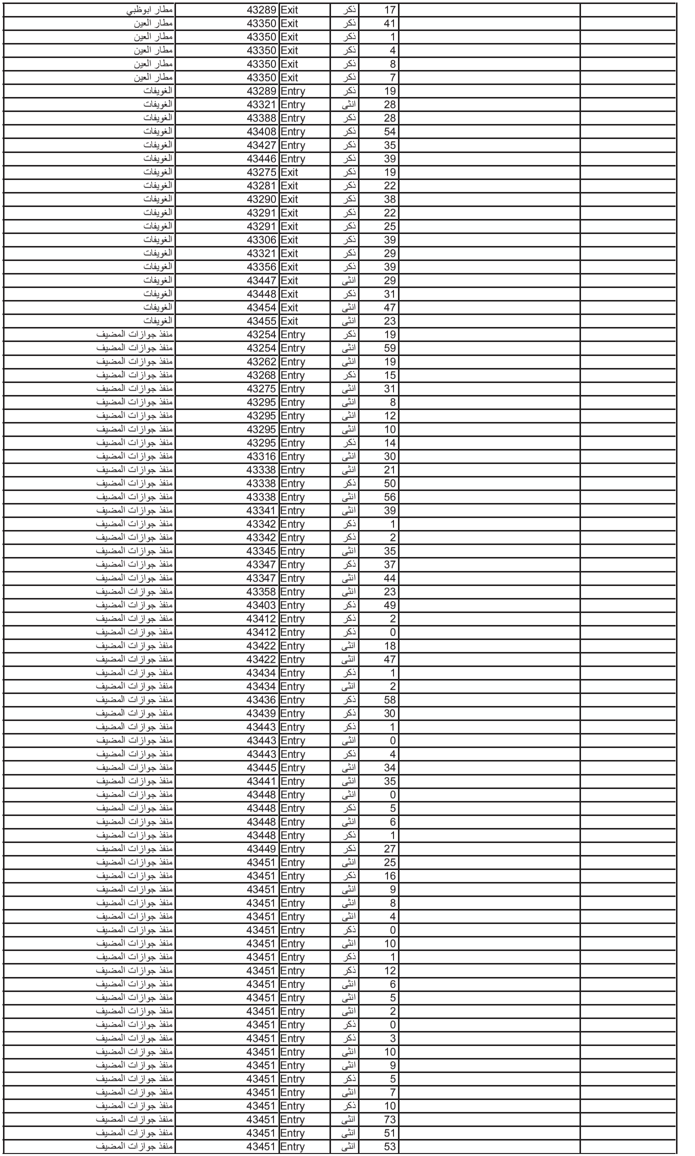

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مطار العين	43350	Exit	ذكر	7		
الغويفات	43289	Entry	ذكر	19		
الغويفات	43321	Entry	انثى	28		
الغويفات	43388	Entry	ذكر	28		
الغويفات	43408	Entry	ذكر	54		
الغويفات	43427	Entry	ذكر	35		
الغويفات	43446	Entry	ذكر	39		
الغويفات	43275	Exit	ذكر	19		
الغويفات	43281	Exit	ذكر	22		
الغويفات	43290	Exit	ذكر	38		
الغويفات	43291	Exit	ذكر	22		
الغويفات	43291	Exit	ذكر	25		
الغويفات	43306	Exit	ذكر	39		
الغويفات	43321	Exit	ذكر	29		
الغويفات	43356	Exit	ذكر	39		
الغويفات	43447	Exit	انثى	29		
الغويفات	43448	Exit	ذكر	31		
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الغويفات	43455	Exit	انثى	23		
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منفذ جوازات المضيف	43262	Entry	انثى	19		
منفذ جوازات المضيف	43268	Entry	ذكر	15		
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منفذ جوازات المضيف	43295	Entry	انثى	8		
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منفذ جوازات المضيف	43445	Entry	انثى	34		
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منفذ جوازات المضيف	43448	Entry	انثى	0		
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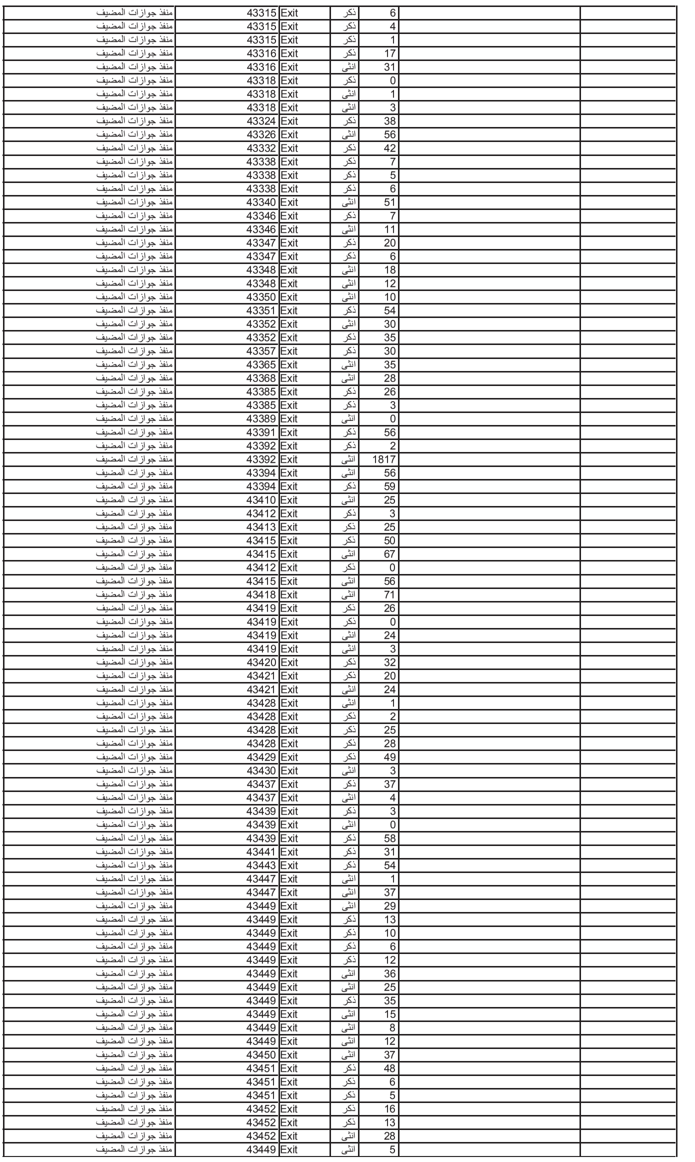

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منفذ جوازات المضيف	43338	Exit	ذكر	5		
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منفذ جوازات المضيف	43340	Exit	انثى	51		
منفذ جوازات المضيف	43346	Exit	ذكر	7		
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منفذ جوازات المضيف	43351	Exit	ذكر	54		
منفذ جوازات المضيف	43352	Exit	انثى	30		
منفذ جوازات المضيف	43352	Exit	ذكر	35		
منفذ جوازات المضيف	43357	Exit	ذكر	30		
منفذ جوازات المضيف	43365	Exit	انثى	35		
منفذ جوازات المضيف	43368	Exit	انثى	28		
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منفذ جوازات المضيف	43389	Exit	انثى	0		
منفذ جوازات المضيف	43391	Exit	ذكر	56		
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منفذ جوازات المضيف	43392	Exit	انثى	1817		
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منفذ جوازات المضيف	43441	Exit	ذكر	31		
منفذ جوازات المضيف	43443	Exit	ذكر	54		
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منفذ جوازات المضيف	43449	Exit	انثى	29		
منفذ جوازات المضيف	43449	Exit	ذكر	13		
منفذ جوازات المضيف	43449	Exit	ذكر	10		
منفذ جوازات المضيف	43449	Exit	ذكر	6		
منفذ جوازات المضيف	43449	Exit	ذكر	12		
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منفذ جوازات المضيف	43449	Exit	انثى	25		
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منفذ جوازات المضيف	43449	Exit	انثى	15		
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منفذ جوازات المضيف	43449	Exit	انثى	12		
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منفذ جوازات المضيف	43451	Exit	ذكر	48		
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مطار دبي الدولي	43329	Entry	ذكر	15		
مطار دبي الدولي	43329	Entry	ذكر	3		
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مطار دبي الدولي	43331	Entry	انثى	60		
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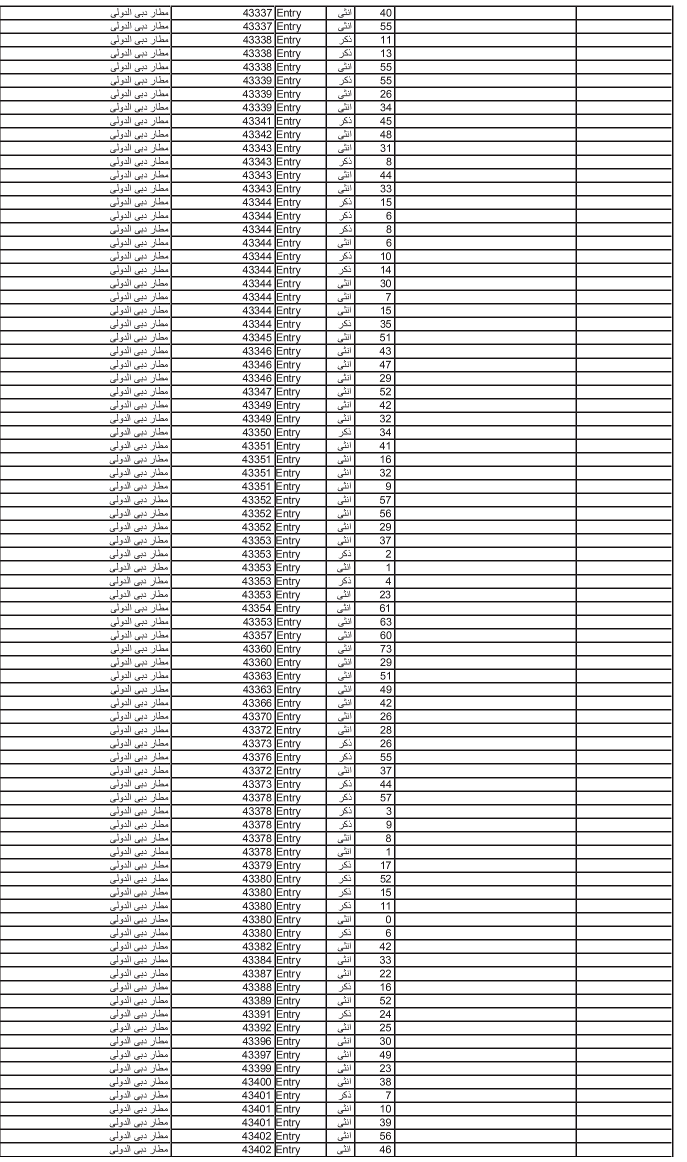

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مطار دبي الدولي	43346	Entry	انثى	47		
مطار دبي الدولي	43346	Entry	انثى	29		
مطار دبي الدولي	43347	Entry	انثى	52		
مطار دبي الدولي	43349	Entry	انثى	42		
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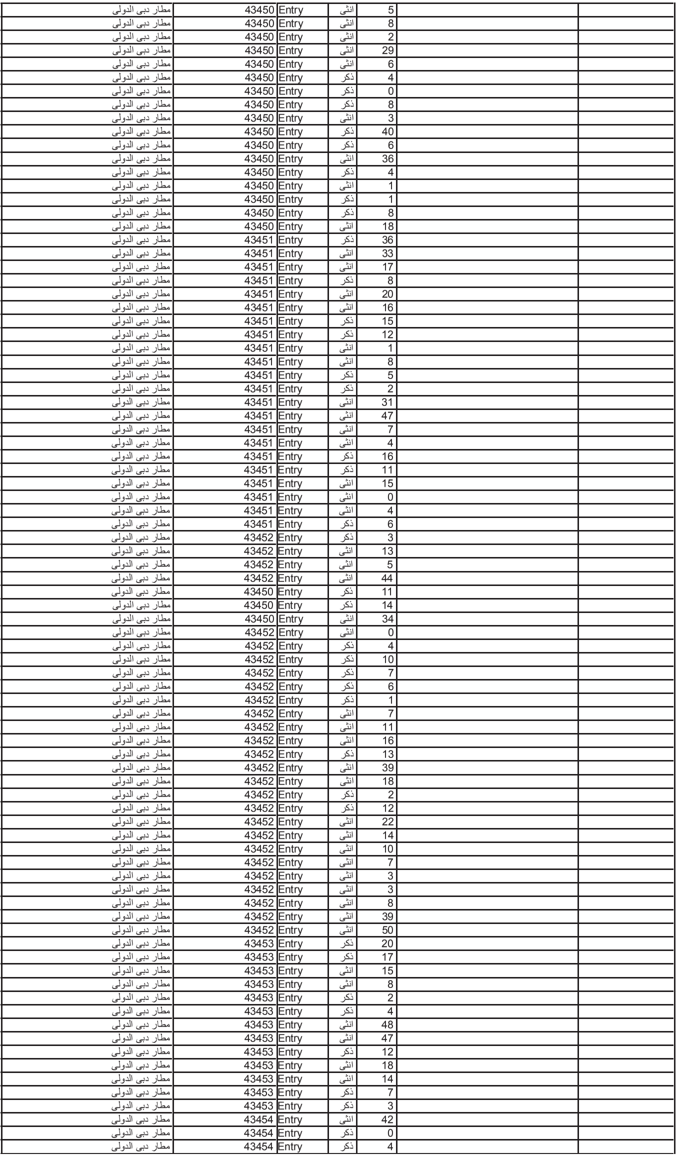

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مطار دبي الدولي	43450	Entry	ذكر	14		
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مطار دبي الدولي	43452	Entry	انثى	7		
مطار دبي الدولي	43452	Entry	انثى	11		
مطار دبي الدولي	43452	Entry	انثى	16		
مطار دبي الدولي	43452	Entry	ذكر	13		
مطار دبي الدولي	43452	Entry	انثى	39		
مطار دبي الدولي	43452	Entry	انثى	18		
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مطار دبي الدولي	43452	Entry	ذكر	12		
مطار دبي الدولي	43452	Entry	انثى	22		
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مطار دبي الدولي	43452	Entry	انثى	39		
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مطار دبي الدولي	43453	Entry	انثى	15		
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مطار دبي الدولي	43453	Entry	ذكر	4		
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مطار دبي الدولي	43454	Entry	انثى	13		
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مطار دبي الدولي	43454	Entry	ذكر	10		
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مطار دبي الدولي	43454	Entry	انثى	7		
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مطار دبي الدولي	43454	Entry	انثى	33		
مطار دبي الدولي	43454	Entry	انثى	8		
مطار دبي الدولي	43454	Entry	انثى	11		
مطار دبي الدولي	43454	Entry	ذكر	16		
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مطار دبي الدولي	43454	Entry	ذكر	13		
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مطار دبي الدولي	43455	Entry	انثى	23		
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مطار دبي الدولي	43455	Entry	ذكر	12		
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مطار دبي الدولي	43455	Entry	ذكر	5		
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مطار دبي الدولي	43456	Entry	ذكر	6		
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مطار دبي الدولي	43456	Entry	انثى	36		
مطار دبي الدولي	43456	Entry	ذكر	18		
مطار دبي الدولي	43456	Entry	ذكر	67		
مطار دبي الدولي	43456	Entry	انثى	58		
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مطار دبي الدولي	43456	Entry	انثى	50		
مطار دبي الدولي	43457	Entry	انثى	61		
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مطار دبي الدولي	43456	Entry	ذكر	14		
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مطار دبي الدولي	43457	Entry	ذكر	35		
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مطار دبي الدولي	43457	Entry	ذكر	56		
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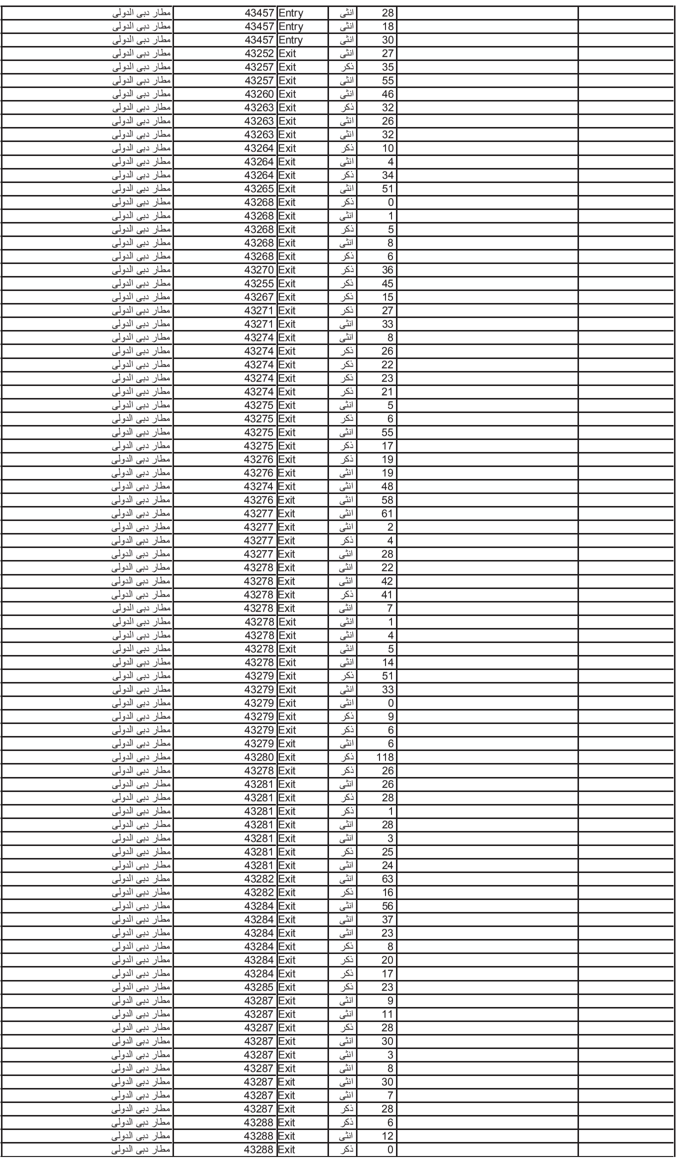

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مطار دبي الدولي	43264	Exit	ذكر	34		
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مطار دبي الدولي	43274	Exit	ذكر	23		
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مطار دبي الدولي	43276	Exit	ذكر	19		
مطار دبي الدولي	43276	Exit	انثى	19		
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مطار دبي الدولي	43276	Exit	انثى	58		
مطار دبي الدولي	43277	Exit	انثى	61		
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مطار دبي الدولي	43278	Exit	انثى	22		
مطار دبي الدولي	43278	Exit	انثى	42		
مطار دبي الدولي	43278	Exit	ذكر	41		
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مطار دبي الدولي	43278	Exit	انثى	5		
مطار دبي الدولي	43278	Exit	انثى	14		
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مطار دبي الدولي	43279	Exit	ذكر	6		
مطار دبي الدولي	43279	Exit	انثى	6		
مطار دبي الدولي	43280	Exit	ذكر	118		
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مطار دبي الدولي	43281	Exit	ذكر	28		
مطار دبي الدولي	43281	Exit	ذكر	1		
مطار دبي الدولي	43281	Exit	انثى	28		
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مطار دبي الدولي	43284	Exit	انثى	37		
مطار دبي الدولي	43284	Exit	انثى	23		
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مطار دبي الدولي	43284	Exit	ذكر	20		
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مطار دبي الدولي	43285	Exit	ذكر	23		
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مطار دبي الدولي	43287	Exit	ذكر	28		
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مطار دبي الدولي	43288	Exit	ذكر	27		
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مطار دبي الدولي	43288	Exit	انثى	38		
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مطار دبي الدولي	43288	Exit	ذكر	53		
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مطار دبي الدولي	43292	Exit	انثى	10		
مطار دبي الدولي	43292	Exit	ذكر	34		
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مطار دبي الدولي	43293	Exit	انثى	10		
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مطار دبي الدولي	43293	Exit	ذكر	14		
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مطار دبي الدولي	43294	Exit	انثى	42		
مطار دبي الدولي	43294	Exit	انثى	17		
مطار دبي الدولي	43294	Exit	ذكر	6		
مطار دبي الدولي	43294	Exit	ذكر	8		
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مطار دبي الدولي	43294	Exit	ذكر	12		
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مطار دبي الدولي	43294	Exit	انثى	6		
مطار دبي الدولي	43294	Exit	ذكر	8		
مطار دبي الدولي	43294	Exit	ذكر	42		
مطار دبي الدولي	43295	Exit	انثى	16		
مطار دبي الدولي	43295	Exit	انثى	52		
مطار دبي الدولي	43295	Exit	انثى	21		
مطار دبي الدولي	43296	Exit	ذكر	6		
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مطار دبي الدولي	43296	Exit	ذكر	2		
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مطار دبي الدولي	43296	Exit	انثى	38		
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مطار دبي الدولي	43298	Exit	ذكر	33		
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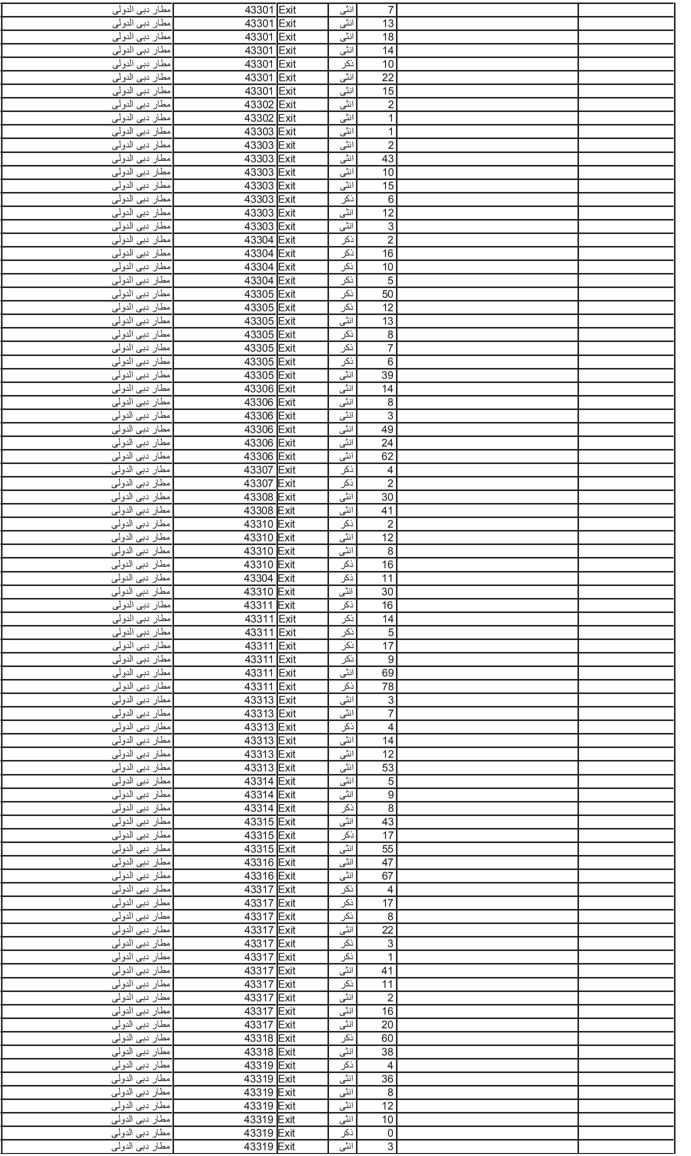

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مطار دبي الدولي	43303	Exit	انثى	2		
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مطار دبي الدولي	43303	Exit	انثى	15		
مطار دبي الدولي	43303	Exit	ذكر	6		
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مطار دبي الدولي	43304	Exit	ذكر	2		
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مطار دبي الدولي	43304	Exit	ذكر	5		
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مطار دبي الدولي	43305	Exit	ذكر	7		
مطار دبي الدولي	43305	Exit	ذكر	6		
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مطار دبي الدولي	43306	Exit	انثى	3		
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مطار دبي الدولي	43306	Exit	انثى	24		
مطار دبي الدولي	43306	Exit	انثى	62		
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مطار دبي الدولي	43307	Exit	ذكر	2		
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مطار دبي الدولي	43308	Exit	انثى	41		
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مطار دبي الدولي	43310	Exit	انثى	8		
مطار دبي الدولي	43310	Exit	ذكر	16		
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مطار دبي الدولي	43311	Exit	ذكر	5		
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مطار دبي الدولي	43311	Exit	ذكر	9		
مطار دبي الدولي	43311	Exit	انثى	69		
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مطار دبي الدولي	43316	Exit	انثى	67		
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مطار دبي الدولي	43317	Exit	انثى	22		
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مطار دبي الدولي	43317	Exit	انثى	2		
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مطار دبي الدولي	43317	Exit	انثى	20		
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مطار دبي الدولي	43327	Exit	ذكر	7		
مطار دبي الدولي	43327	Exit	ذكر	15		
مطار دبي الدولي	43328	Exit	انثى	43		
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مطار دبي الدولي	43331	Exit	انثى	38		
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مطار دبي الدولي	43331	Exit	ذكر	6		
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مطار دبي الدولي	43334	Exit	ذكر	9		
مطار دبي الدولي	43334	Exit	انثى	13		
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مطار دبي الدولي	43334	Exit	انثى	44		
مطار دبي الدولي	43334	Exit	انثى	55		
مطار دبي الدولي	43335	Exit	انثى	32		
مطار دبي الدولي	43335	Exit	انثى	30		
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مطار دبي الدولي	43335	Exit	ذكر	44		
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مطار دبي الدولي	43335	Exit	ذكر	41		
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مطار دبي الدولي	43336	Exit	انثى	57		
مطار دبي الدولي	43336	Exit	ذكر	24		
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مطار دبي الدولي	43337	Exit	ذكر	28		
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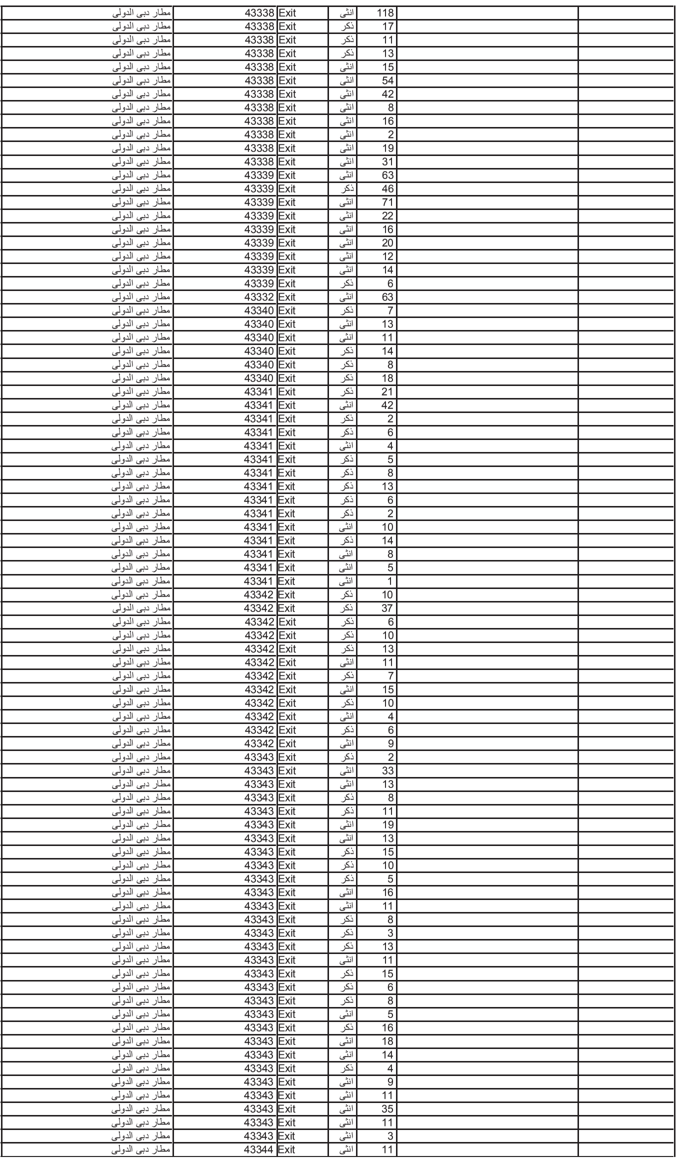

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مطار دبي الدولي	43338	Exit	انثى	31		
مطار دبي الدولي	43339	Exit	انثى	63		
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مطار دبي الدولي	43339	Exit	انثى	71		
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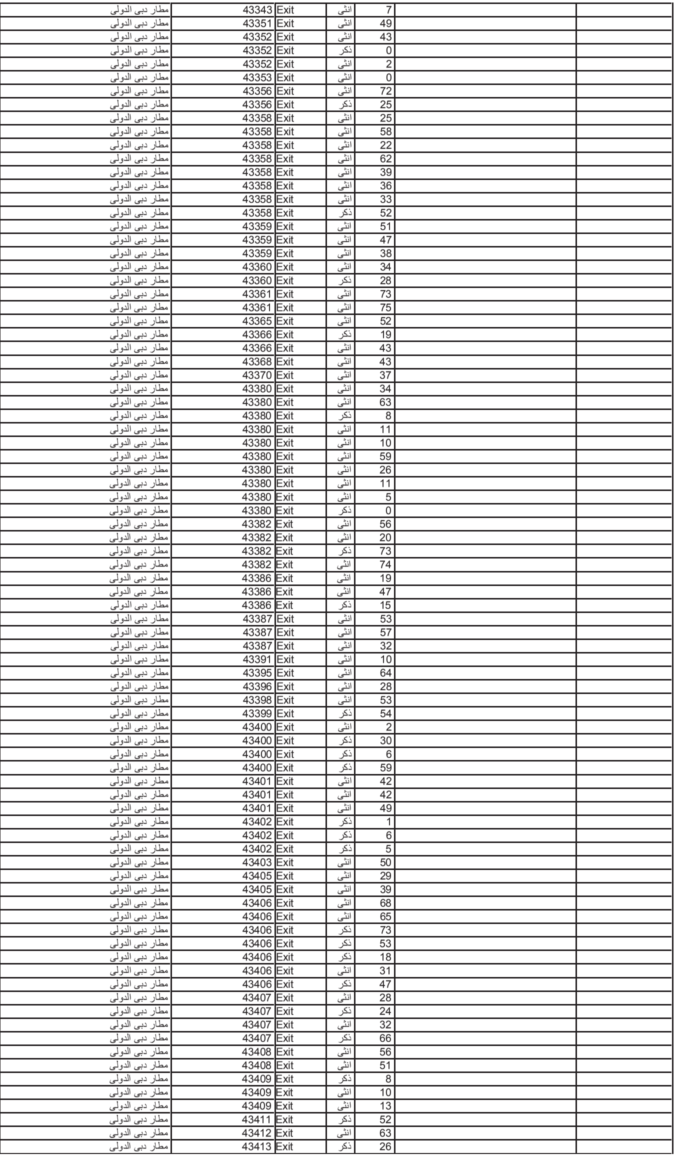

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مطار دبي الدولي	43358	Exit	انثى	58		
مطار دبي الدولي	43358	Exit	انثى	22		
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مطار دبي الدولي	43358	Exit	انثى	36		
مطار دبي الدولي	43358	Exit	انثى	33		
مطار دبي الدولي	43358	Exit	ذكر	52		
مطار دبي الدولي	43359	Exit	انثى	51		
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مطار دبي الدولي	43359	Exit	انثى	38		
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مطار دبي الدولي	43360	Exit	ذكر	28		
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مطار دبي الدولي	43365	Exit	انثى	52		
مطار دبي الدولي	43366	Exit	ذكر	19		
مطار دبي الدولي	43366	Exit	انثى	43		
مطار دبي الدولي	43368	Exit	انثى	43		
مطار دبي الدولي	43370	Exit	انثى	37		
مطار دبي الدولي	43380	Exit	انثى	34		
مطار دبي الدولي	43380	Exit	انثى	63		
مطار دبي الدولي	43380	Exit	ذكر	8		
مطار دبي الدولي	43380	Exit	انثى	11		
مطار دبي الدولي	43380	Exit	انثى	10		
مطار دبي الدولي	43380	Exit	انثى	59		
مطار دبي الدولي	43380	Exit	انثى	26		
مطار دبي الدولي	43380	Exit	انثى	11		
مطار دبي الدولي	43380	Exit	انثى	5		
مطار دبي الدولي	43380	Exit	ذكر	0		
مطار دبي الدولي	43382	Exit	انثى	56		
مطار دبي الدولي	43382	Exit	انثى	20		
مطار دبي الدولي	43382	Exit	ذكر	73		
مطار دبي الدولي	43382	Exit	انثى	74		
مطار دبي الدولي	43386	Exit	انثى	19		
مطار دبي الدولي	43386	Exit	انثى	47		
مطار دبي الدولي	43386	Exit	ذكر	15		
مطار دبي الدولي	43387	Exit	انثى	53		
مطار دبي الدولي	43387	Exit	انثى	57		
مطار دبي الدولي	43387	Exit	انثى	32		
مطار دبي الدولي	43391	Exit	انثى	10		
مطار دبي الدولي	43395	Exit	انثى	64		
مطار دبي الدولي	43396	Exit	انثى	28		
مطار دبي الدولي	43398	Exit	انثى	53		
مطار دبي الدولي	43399	Exit	ذكر	54		
مطار دبي الدولي	43400	Exit	انثى	2		
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مطار دبي الدولي	43400	Exit	ذكر	6		
مطار دبي الدولي	43400	Exit	ذكر	59		
مطار دبي الدولي	43401	Exit	انثى	42		
مطار دبي الدولي	43401	Exit	انثى	42		
مطار دبي الدولي	43401	Exit	انثى	49		
مطار دبي الدولي	43402	Exit	ذكر	1		
مطار دبي الدولي	43402	Exit	ذكر	6		
مطار دبي الدولي	43402	Exit	ذكر	5		
مطار دبي الدولي	43403	Exit	انثى	50		
مطار دبي الدولي	43405	Exit	انثى	29		
مطار دبي الدولي	43405	Exit	انثى	39		
مطار دبي الدولي	43406	Exit	انثى	68		
مطار دبي الدولي	43406	Exit	انثى	65		
مطار دبي الدولي	43406	Exit	ذكر	73		
مطار دبي الدولي	43406	Exit	ذكر	53		
مطار دبي الدولي	43406	Exit	ذكر	18		
مطار دبي الدولي	43406	Exit	انثى	31		
مطار دبي الدولي	43406	Exit	ذكر	47		
مطار دبي الدولي	43407	Exit	انثى	28		
مطار دبي الدولي	43407	Exit	ذكر	24		
مطار دبي الدولي	43407	Exit	انثى	32		
مطار دبي الدولي	43407	Exit	ذكر	66		
مطار دبي الدولي	43408	Exit	انثى	56		
مطار دبي الدولي	43408	Exit	انثى	51		
مطار دبي الدولي	43409	Exit	ذكر	8		
مطار دبي الدولي	43409	Exit	انثى	10		
مطار دبي الدولي	43409	Exit	انثى	13		
مطار دبي الدولي	43411	Exit	ذكر	52		
مطار دبي الدولي	43412	Exit	انثى	63		
مطار دبي الدولي	43413	Exit	ذكر	26		

مطار دبي الدولي	43414	Exit	ذكر	32		
مطار دبي الدولي	43414	Exit	انثى	30		
مطار دبي الدولي	43414	Exit	انثى	0		
مطار دبي الدولي	43414	Exit	انثى	0		
مطار دبي الدولي	43414	Exit	انثى	44		
مطار دبي الدولي	43415	Exit	انثى	63		
مطار دبي الدولي	43415	Exit	ذكر	1		
مطار دبي الدولي	43415	Exit	انثى	59		
مطار دبي الدولي	43415	Exit	انثى	24		
مطار دبي الدولي	43415	Exit	انثى	81		
مطار دبي الدولي	43416	Exit	ذكر	17		
مطار دبي الدولي	43416	Exit	انثى	52		
مطار دبي الدولي	43417	Exit	انثى	25		
مطار دبي الدولي	43419	Exit	ذكر	37		
مطار دبي الدولي	43419	Exit	انثى	60		
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مطار دبي الدولي	43420	Exit	انثى	52		
مطار دبي الدولي	43420	Exit	انثى	57		
مطار دبي الدولي	43421	Exit	ذكر	59		
مطار دبي الدولي	43421	Exit	انثى	33		
مطار دبي الدولي	43424	Exit	ذكر	59		
مطار دبي الدولي	43412	Exit	انثى	52		
مطار دبي الدولي	43426	Exit	ذكر	62		
مطار دبي الدولي	43426	Exit	ذكر	36		
مطار دبي الدولي	43426	Exit	ذكر	28		
مطار دبي الدولي	43426	Exit	ذكر	27		
مطار دبي الدولي	43426	Exit	ذكر	82		
مطار دبي الدولي	43427	Exit	انثى	32		
مطار دبي الدولي	43428	Exit	ذكر	59		
مطار دبي الدولي	43428	Exit	ذكر	118		
مطار دبي الدولي	43428	Exit	ذكر	36		
مطار دبي الدولي	43429	Exit	ذكر	118		
مطار دبي الدولي	43429	Exit	انثى	118		
مطار دبي الدولي	43429	Exit	ذكر	28		
مطار دبي الدولي	43429	Exit	ذكر	32		
مطار دبي الدولي	43429	Exit	ذكر	32		
مطار دبي الدولي	43429	Exit	ذكر	30		
مطار دبي الدولي	43429	Exit	ذكر	30		
مطار دبي الدولي	43429	Exit	ذكر	28		
مطار دبي الدولي	43429	Exit	ذكر	26		
مطار دبي الدولي	43429	Exit	ذكر	1		
مطار دبي الدولي	43430	Exit	ذكر	118		
مطار دبي الدولي	43430	Exit	انثى	24		
مطار دبي الدولي	43432	Exit	انثى	32		
مطار دبي الدولي	43433	Exit	انثى	59		
مطار دبي الدولي	43433	Exit	انثى	56		
مطار دبي الدولي	43434	Exit	انثى	50		
مطار دبي الدولي	43434	Exit	انثى	58		
مطار دبي الدولي	43435	Exit	انثى	2		
مطار دبي الدولي	43435	Exit	ذكر	118		
مطار دبي الدولي	43435	Exit	انثى	53		
مطار دبي الدولي	43435	Exit	انثى	47		
مطار دبي الدولي	43435	Exit	انثى	28		
مطار دبي الدولي	43436	Exit	انثى	24		
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مطار دبي الدولي	43436	Exit	انثى	20		
مطار دبي الدولي	43436	Exit	انثى	19		
مطار دبي الدولي	43436	Exit	انثى	11		
مطار دبي الدولي	43436	Exit	ذكر	9		
مطار دبي الدولي	43436	Exit	انثى	22		
مطار دبي الدولي	43436	Exit	انثى	27		
مطار دبي الدولي	43436	Exit	انثى	29		
مطار دبي الدولي	43437	Exit	انثى	51		
مطار دبي الدولي	43437	Exit	ذكر	37		
مطار دبي الدولي	43437	Exit	انثى	2		
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مطار دبي الدولي	43438	Exit	انثى	51		
مطار دبي الدولي	43438	Exit	انثى	22		
مطار دبي الدولي	43438	Exit	انثى	15		
مطار دبي الدولي	43438	Exit	ذكر	22		
مطار دبي الدولي	43438	Exit	انثى	50		
مطار دبي الدولي	43440	Exit	انثى	63		
مطار دبي الدولي	43440	Exit	انثى	67		
مطار دبي الدولي	43441	Exit	انثى	29		
مطار دبي الدولي	43442	Exit	انثى	41		
مطار دبي الدولي	43442	Exit	انثى	44		
مطار دبي الدولي	43442	Exit	انثى	46		
مطار دبي الدولي	43442	Exit	انثى	29		
مطار دبي الدولي	43443	Exit	انثى	22		
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مطار دبي الدولي	43443	Exit	انثى	61		
مطار دبي الدولي	43446	Exit	ذكر	28		

مطار الشارقه الدولي	43436	Entry	انثى	57		
مطار الشارقه الدولي	43437	Entry	انثى	41		
مطار الشارقه الدولي	43443	Entry	ذكر	58		
مطار الشارقه الدولي	43451	Entry	ذكر	10		
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مطار الشارقه الدولي	43454	Entry	انثى	18		
مطار الشارقه الدولي	43454	Entry	ذكر	12		
مطار الشارقه الدولي	43454	Entry	ذكر	15		
مطار الشارقه الدولي	43454	Entry	ذكر	9		
مطار الشارقه الدولي	43255	Exit	ذكر	3		
مطار الشارقه الدولي	43255	Exit	ذكر	6		
مطار الشارقه الدولي	43279	Exit	ذكر	41		
مطار الشارقه الدولي	43282	Exit	ذكر	30		
مطار الشارقه الدولي	43286	Exit	ذكر	42		
مطار الشارقه الدولي	43298	Exit	انثى	7		
مطار الشارقه الدولي	43328	Exit	ذكر	1		
مطار الشارقه الدولي	43328	Exit	ذكر	3		
مطار الشارقه الدولي	43365	Exit	انثى	35		
مطار الشارقه الدولي	43397	Exit	انثى	59		
مطار الشارقه الدولي	43407	Exit	ذكر	31		
مطار الشارقه الدولي	43431	Exit	ذكر	32		
مطار الشارقه الدولي	43433	Exit	انثى	26		
مطار الشارقه الدولي	43434	Exit	ذكر	58		
مطار الشارقه الدولي	43434	Exit	انثى	47		
مطار الشارقه الدولي	43437	Exit	ذكر	47		
مطار الشارقه الدولي	43448	Exit	انثى	32		
مطار الشارقه الدولي	43452	Exit	انثى	46		
مطار الشارقه الدولي	43452	Exit	انثى	25		
خطم الملاحه	43264	Entry	ذكر	4		
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خطم الملاحه	43264	Entry	ذكر	35		
خطم الملاحه	43288	Entry	ذكر	6		
خطم الملاحه	43288	Entry	ذكر	12		
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خطم الملاحه	43288	Entry	انثى	21		
خطم الملاحه	43314	Entry	انثى	36		
خطم الملاحه	43316	Entry	ذكر	0		
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خطم الملاحه	43322	Entry	انثى	5		
خطم الملاحه	43322	Entry	انثى	0		
خطم الملاحه	43322	Entry	ذكر	3		
خطم الملاحه	43323	Entry	انثى	32		
خطم الملاحه	43339	Entry	انثى	39		
خطم الملاحه	43345	Entry	انثى	37		
خطم الملاحه	43345	Entry	ذكر	35		
خطم الملاحه	43345	Entry	انثى	22		
خطم الملاحه	43351	Entry	انثى	34		
خطم الملاحه	43404	Entry	ذكر	48		
خطم الملاحه	43432	Entry	انثى	42		
خطم الملاحه	43436	Entry	انثى	62		
خطم الملاحه	43452	Entry	انثى	19		
خطم الملاحه	43452	Entry	ذكر	50		
خطم الملاحه	43453	Entry	ذكر	6		
خطم الملاحه	43454	Entry	ذكر	11		
خطم الملاحه	43454	Entry	انثى	6		
خطم الملاحه	43454	Entry	انثى	17		
خطم الملاحه	43454	Entry	ذكر	8		
خطم الملاحه	43454	Entry	انثى	16		
خطم الملاحه	43454	Entry	انثى	5		
خطم الملاحه	43454	Entry	انثى	38		
خطم الملاحه	43455	Entry	ذكر	8		
خطم الملاحه	43455	Entry	انثى	3		
خطم الملاحه	43455	Entry	ذكر	7		
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خطم الملاحه	43456	Entry	انثى	11		
خطم الملاحه	43456	Entry	انثى	3		
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خطم الملاحه	43457	Entry	ذكر	54		
خطم الملاحه	43457	Entry	ذكر	16		
خطم الملاحه	43300	Exit	ذكر	9		
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خطم الملاحه	43327	Exit	ذكر	3		
خطم الملاحه	43327	Exit	ذكر	11		
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خطم الملاحه	43331	Exit	ذكر	5		
خطم الملاحه	43331	Exit	ذكر	15		
خطم الملاحه	43335	Exit	انثى	1		
خطم الملاحه	43335	Exit	انثى	3		
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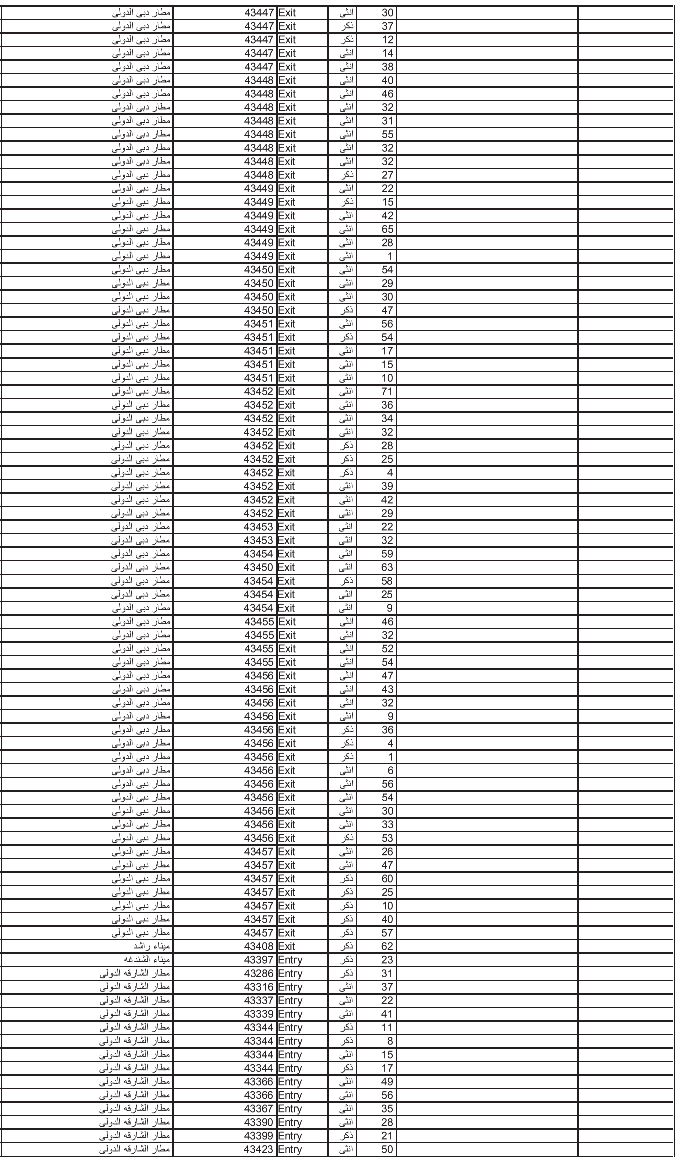
خطم الملاحه	43339	Exit	انثى	37		



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مطار دبي الدولي	43450	Exit	ذكر	47		
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مطار دبي الدولي	43451	Exit	ذكر	54		
مطار دبي الدولي	43451	Exit	انثى	17		
مطار دبي الدولي	43451	Exit	انثى	15		
مطار دبي الدولي	43451	Exit	انثى	10		
مطار دبي الدولي	43452	Exit	انثى	71		
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مطار دبي الدولي	43452	Exit	انثى	34		
مطار دبي الدولي	43452	Exit	انثى	32		
مطار دبي الدولي	43452	Exit	ذكر	28		
مطار دبي الدولي	43452	Exit	ذكر	25		
مطار دبي الدولي	43452	Exit	ذكر	4		
مطار دبي الدولي	43452	Exit	انثى	39		
مطار دبي الدولي	43452	Exit	انثى	42		
مطار دبي الدولي	43452	Exit	انثى	29		
مطار دبي الدولي	43453	Exit	انثى	22		
مطار دبي الدولي	43453	Exit	انثى	32		
مطار دبي الدولي	43454	Exit	انثى	59		
مطار دبي الدولي	43450	Exit	انثى	63		
مطار دبي الدولي	43454	Exit	ذكر	58		
مطار دبي الدولي	43454	Exit	انثى	25		
مطار دبي الدولي	43454	Exit	انثى	9		
مطار دبي الدولي	43455	Exit	انثى	46		
مطار دبي الدولي	43455	Exit	انثى	32		
مطار دبي الدولي	43455	Exit	انثى	52		
مطار دبي الدولي	43455	Exit	انثى	54		
مطار دبي الدولي	43456	Exit	انثى	47		
مطار دبي الدولي	43456	Exit	انثى	43		
مطار دبي الدولي	43456	Exit	انثى	32		
مطار دبي الدولي	43456	Exit	انثى	9		
مطار دبي الدولي	43456	Exit	ذكر	36		
مطار دبي الدولي	43456	Exit	ذكر	4		
مطار دبي الدولي	43456	Exit	ذكر	1		
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مطار دبي الدولي	43456	Exit	انثى	54		
مطار دبي الدولي	43456	Exit	انثى	30		
مطار دبي الدولي	43456	Exit	انثى	33		
مطار دبي الدولي	43456	Exit	ذكر	53		
مطار دبي الدولي	43457	Exit	انثى	26		
مطار دبي الدولي	43457	Exit	انثى	47		
مطار دبي الدولي	43457	Exit	ذكر	60		
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مطار دبي الدولي	43457	Exit	ذكر	57		
ميناء راشد	43408	Exit	ذكر	62		
ميناء الشندغه	43397	Entry	ذكر	23		
مطار الشارقه الدولي	43286	Entry	ذكر	31		
مطار الشارقه الدولي	43316	Entry	انثى	37		
مطار الشارقه الدولي	43337	Entry	انثى	22		
مطار الشارقه الدولي	43339	Entry	انثى	41		
مطار الشارقه الدولي	43344	Entry	ذكر	11		
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مطار الشارقه الدولي	43344	Entry	انثى	15		
مطار الشارقه الدولي	43344	Entry	ذكر	17		
مطار الشارقه الدولي	43366	Entry	انثى	49		
مطار الشارقه الدولي	43366	Entry	انثى	56		
مطار الشارقه الدولي	43367	Entry	انثى	35		
مطار الشارقه الدولي	43390	Entry	انثى	28		
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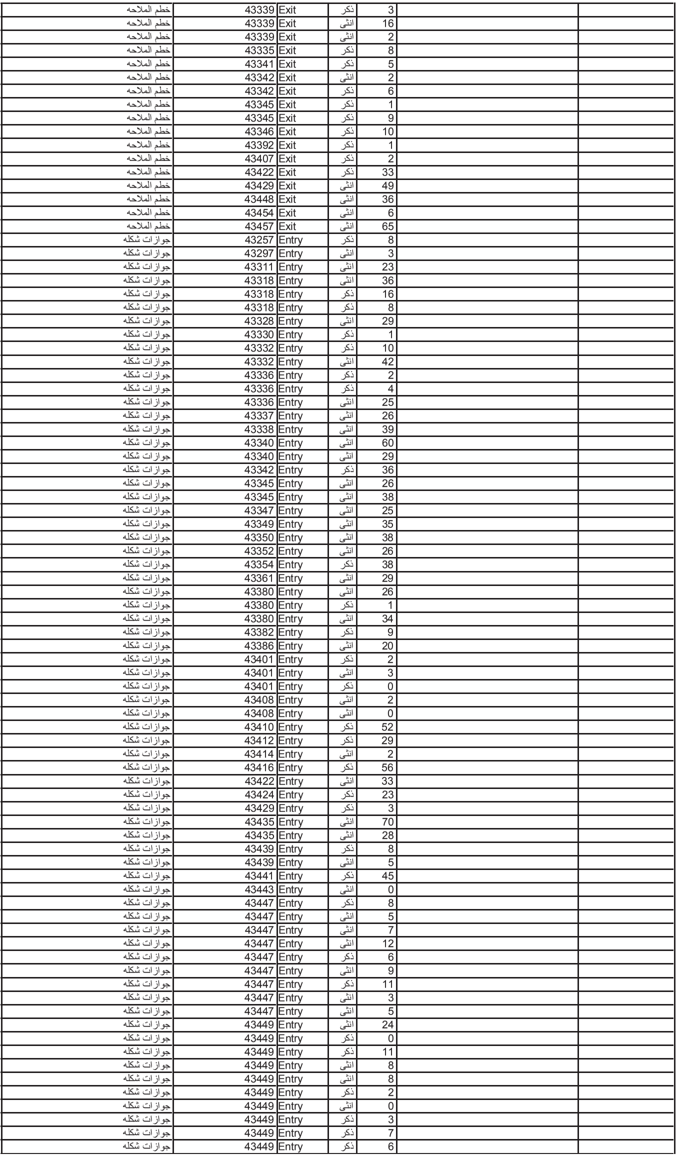

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خطم الملاحه	43341	Exit	ذكر	5		
خطم الملاحه	43342	Exit	انثى	2		
خطم الملاحه	43342	Exit	ذكر	6		
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خطم الملاحه	43346	Exit	ذكر	10		
خطم الملاحه	43392	Exit	ذكر	1		
خطم الملاحه	43407	Exit	ذكر	2		
خطم الملاحه	43422	Exit	ذكر	33		
خطم الملاحه	43429	Exit	انثى	49		
خطم الملاحه	43448	Exit	انثى	36		
خطم الملاحه	43454	Exit	انثى	6		
خطم الملاحه	43457	Exit	انثى	65		
جوازات شكله	43257	Entry	ذكر	8		
جوازات شكله	43297	Entry	انثى	3		
جوازات شكله	43311	Entry	انثى	23		
جوازات شكله	43318	Entry	انثى	36		
جوازات شكله	43318	Entry	ذكر	16		
جوازات شكله	43318	Entry	ذكر	8		
جوازات شكله	43328	Entry	انثى	29		
جوازات شكله	43330	Entry	ذكر	1		
جوازات شكله	43332	Entry	ذكر	10		
جوازات شكله	43332	Entry	انثى	42		
جوازات شكله	43336	Entry	ذكر	2		
جوازات شكله	43336	Entry	ذكر	4		
جوازات شكله	43336	Entry	انثى	25		
جوازات شكله	43337	Entry	انثى	26		
جوازات شكله	43338	Entry	انثى	39		
جوازات شكله	43340	Entry	انثى	60		
جوازات شكله	43340	Entry	انثى	29		
جوازات شكله	43342	Entry	ذكر	36		
جوازات شكله	43345	Entry	انثى	26		
جوازات شكله	43345	Entry	انثى	38		
جوازات شكله	43347	Entry	انثى	25		
جوازات شكله	43349	Entry	انثى	35		
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جوازات شكله	43354	Entry	ذكر	38		
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جوازات شكله	43380	Entry	انثى	26		
جوازات شكله	43380	Entry	ذكر	1		
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جوازات شكله	43412	Entry	ذكر	29		
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جوازات شكله	43416	Entry	ذكر	56		
جوازات شكله	43422	Entry	انثى	33		
جوازات شكله	43424	Entry	ذكر	23		
جوازات شكله	43429	Entry	ذكر	3		
جوازات شكله	43435	Entry	انثى	70		
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جوازات شكله	43439	Entry	ذكر	8		
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جوازات شكله	43447	Entry	ذكر	6		
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جوازات شكله	43447	Entry	ذكر	11		
جوازات شكله	43447	Entry	انثى	3		
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جوازات شكله	43451	Entry	ذكر	23		
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جوازات شكله	43451	Entry	ذكر	7		
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جوازات شكله	43451	Entry	انثى	10		
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جوازات شكله	43451	Entry	ذكر	14		
جوازات شكله	43451	Entry	انثى	7		
جوازات شكله	43451	Entry	انثى	12		
جوازات شكله	43452	Entry	ذكر	14		
جوازات شكله	43452	Entry	ذكر	21		
جوازات شكله	43452	Entry	انثى	24		
جوازات شكله	43452	Entry	انثى	37		
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جوازات شكله	43452	Entry	انثى	8		
جوازات شكله	43452	Entry	ذكر	7		
جوازات شكله	43452	Entry	ذكر	2		
جوازات شكله	43452	Entry	ذكر	13		
جوازات شكله	43452	Entry	ذكر	7		
جوازات شكله	43452	Entry	انثى	18		
جوازات شكله	43452	Entry	ذكر	10		
جوازات شكله	43453	Entry	انثى	32		
جوازات شكله	43453	Entry	ذكر	47		
جوازات شكله	43453	Entry	ذكر	7		
جوازات شكله	43453	Entry	انثى	39		
جوازات شكله	43453	Entry	انثى	66		
جوازات شكله	43453	Entry	انثى	27		
جوازات شكله	43453	Entry	ذكر	5		
جوازات شكله	43453	Entry	ذكر	0		
جوازات شكله	43453	Entry	ذكر	3		
جوازات شكله	43453	Entry	انثى	10		
جوازات شكله	43453	Entry	ذكر	9		
جوازات شكله	43453	Entry	انثى	29		
جوازات شكله	43453	Entry	انثى	18		
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جوازات شكله	43453	Entry	انثى	15		
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جوازات شكله	43455	Entry	ذكر	17		
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جوازات شكله	43455	Entry	انثى	9		
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جوازات شكله	43455	Entry	انثى	1		
جوازات شكله	43455	Entry	انثى	2		
جوازات شكله	43455	Entry	انثى	9		
جوازات شكله	43455	Entry	انثى	6		
جوازات شكله	43455	Entry	انثى	17		
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جوازات شكله	43456	Entry	انثى	64		
جوازات شكله	43456	Entry	ذكر	31		
جوازات شكله	43456	Entry	ذكر	58		
جوازات شكله	43456	Entry	انثى	37		
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جوازات شكله	43456	Entry	انثى	4		
جوازات شكله	43456	Entry	ذكر	3		
جوازات شكله	43456	Entry	انثى	7		
جوازات شكله	43456	Entry	انثى	8		
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جوازات شكله	43456	Entry	ذكر	14		
جوازات شكله	43456	Entry	ذكر	10		
جوازات شكله	43456	Entry	انثى	8		
جوازات شكله	43456	Entry	انثى	17		
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جوازات شكله	43456	Entry	انثى	12		
جوازات شكله	43456	Entry	انثى	5		
جوازات شكله	43456	Entry	ذكر	0		
جوازات شكله	43456	Entry	ذكر	3		
جوازات شكله	43457	Entry	انثى	25		
جوازات شكله	43457	Entry	ذكر	41		
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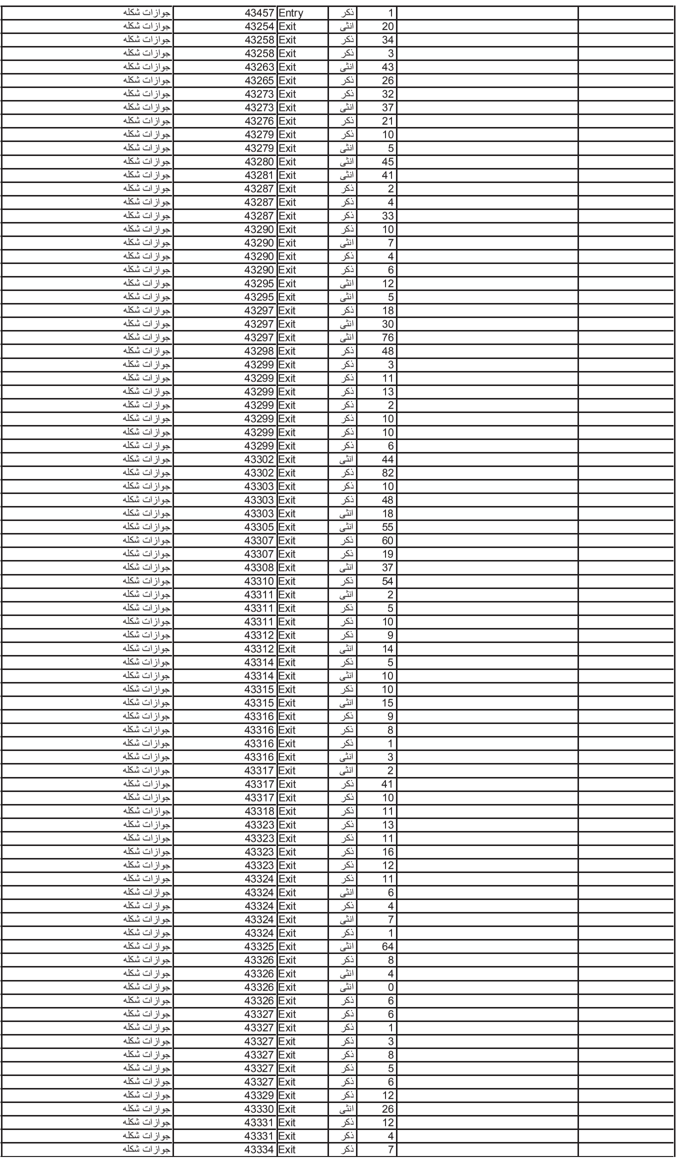
جوازات شكله	43457	Entry	انثى	48		



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جوازات شكله	43258	Exit	ذكر	3		
جوازات شكله	43263	Exit	انثى	43		
جوازات شكله	43265	Exit	ذكر	26		
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جوازات شكله	43273	Exit	انثى	37		
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جوازات شكله	43279	Exit	انثى	5		
جوازات شكله	43280	Exit	انثى	45		
جوازات شكله	43281	Exit	انثى	41		
جوازات شكله	43287	Exit	ذكر	2		
جوازات شكله	43287	Exit	ذكر	4		
جوازات شكله	43287	Exit	ذكر	33		
جوازات شكله	43290	Exit	ذكر	10		
جوازات شكله	43290	Exit	انثى	7		
جوازات شكله	43290	Exit	ذكر	4		
جوازات شكله	43290	Exit	ذكر	6		
جوازات شكله	43295	Exit	انثى	12		
جوازات شكله	43295	Exit	انثى	5		
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جوازات شكله	43297	Exit	انثى	76		
جوازات شكله	43298	Exit	ذكر	48		
جوازات شكله	43299	Exit	ذكر	3		
جوازات شكله	43299	Exit	ذكر	11		
جوازات شكله	43299	Exit	ذكر	13		
جوازات شكله	43299	Exit	ذكر	2		
جوازات شكله	43299	Exit	ذكر	10		
جوازات شكله	43299	Exit	ذكر	10		
جوازات شكله	43299	Exit	ذكر	6		
جوازات شكله	43302	Exit	انثى	44		
جوازات شكله	43302	Exit	ذكر	82		
جوازات شكله	43303	Exit	ذكر	10		
جوازات شكله	43303	Exit	ذكر	48		
جوازات شكله	43303	Exit	انثى	18		
جوازات شكله	43305	Exit	انثى	55		
جوازات شكله	43307	Exit	ذكر	60		
جوازات شكله	43307	Exit	ذكر	19		
جوازات شكله	43308	Exit	انثى	37		
جوازات شكله	43310	Exit	ذكر	54		
جوازات شكله	43311	Exit	انثى	2		
جوازات شكله	43311	Exit	ذكر	5		
جوازات شكله	43311	Exit	ذكر	10		
جوازات شكله	43312	Exit	ذكر	9		
جوازات شكله	43312	Exit	انثى	14		
جوازات شكله	43314	Exit	ذكر	5		
جوازات شكله	43314	Exit	انثى	10		
جوازات شكله	43315	Exit	ذكر	10		
جوازات شكله	43315	Exit	انثى	15		
جوازات شكله	43316	Exit	ذكر	9		
جوازات شكله	43316	Exit	ذكر	8		
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جوازات شكله	43316	Exit	انثى	3		
جوازات شكله	43317	Exit	انثى	2		
جوازات شكله	43317	Exit	ذكر	41		
جوازات شكله	43317	Exit	ذكر	10		
جوازات شكله	43318	Exit	ذكر	11		
جوازات شكله	43323	Exit	ذكر	13		
جوازات شكله	43323	Exit	ذكر	11		
جوازات شكله	43323	Exit	ذكر	16		
جوازات شكله	43323	Exit	ذكر	12		
جوازات شكله	43324	Exit	ذكر	11		
جوازات شكله	43324	Exit	انثى	6		
جوازات شكله	43324	Exit	ذكر	4		
جوازات شكله	43324	Exit	انثى	7		
جوازات شكله	43324	Exit	ذكر	1		
جوازات شكله	43325	Exit	انثى	64		
جوازات شكله	43326	Exit	ذكر	8		
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جوازات شكله	43326	Exit	ذكر	6		
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جوازات شكله	43327	Exit	ذكر	1		
جوازات شكله	43327	Exit	ذكر	3		
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جوازات شكله	43329	Exit	ذكر	12		
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جوازات شكله	43335	Exit	ذكر	6		
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جوازات شكله	43335	Exit	ذكر	8		
جوازات شكله	43335	Exit	ذكر	0		
جوازات شكله	43335	Exit	انثى	40		
جوازات شكله	43336	Exit	انثى	29		
جوازات شكله	43336	Exit	انثى	4		
جوازات شكله	43336	Exit	انثى	3		
جوازات شكله	43336	Exit	انثى	1		
جوازات شكله	43336	Exit	انثى	6		
جوازات شكله	43336	Exit	ذكر	2		
جوازات شكله	43337	Exit	انثى	35		
جوازات شكله	43337	Exit	ذكر	5		
جوازات شكله	43337	Exit	ذكر	0		
جوازات شكله	43337	Exit	ذكر	2		
جوازات شكله	43337	Exit	ذكر	27		
جوازات شكله	43338	Exit	ذكر	8		
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جوازات شكله	43338	Exit	انثى	12		
جوازات شكله	43338	Exit	ذكر	20		
جوازات شكله	43338	Exit	ذكر	23		
جوازات شكله	43338	Exit	انثى	9		
جوازات شكله	43338	Exit	ذكر	18		
جوازات شكله	43338	Exit	ذكر	15		
جوازات شكله	43338	Exit	ذكر	45		
جوازات شكله	43338	Exit	ذكر	6		
جوازات شكله	43338	Exit	ذكر	1		
جوازات شكله	43339	Exit	ذكر	5		
جوازات شكله	43339	Exit	ذكر	2		
جوازات شكله	43339	Exit	ذكر	0		
جوازات شكله	43339	Exit	انثى	2		
جوازات شكله	43339	Exit	ذكر	4		
جوازات شكله	43341	Exit	انثى	21		
جوازات شكله	43341	Exit	انثى	17		
جوازات شكله	43341	Exit	انثى	23		
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جوازات شكله	43342	Exit	ذكر	13		
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جوازات شكله	43342	Exit	ذكر	18		
جوازات شكله	43342	Exit	انثى	17		
جوازات شكله	43342	Exit	ذكر	16		
جوازات شكله	43342	Exit	انثى	41		
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جوازات شكله	43342	Exit	ذكر	11		
جوازات شكله	43342	Exit	ذكر	13		
جوازات شكله	43342	Exit	انثى	1		
جوازات شكله	43342	Exit	ذكر	6		
جوازات شكله	43342	Exit	ذكر	9		
جوازات شكله	43342	Exit	ذكر	6		
جوازات شكله	43342	Exit	ذكر	8		
جوازات شكله	43342	Exit	ذكر	1		
جوازات شكله	43342	Exit	ذكر	12		
جوازات شكله	43342	Exit	ذكر	5		
جوازات شكله	43342	Exit	ذكر	7		
جوازات شكله	43343	Exit	ذكر	47		
جوازات شكله	43343	Exit	ذكر	6		
جوازات شكله	43343	Exit	ذكر	10		
جوازات شكله	43343	Exit	انثى	15		
جوازات شكله	43343	Exit	انثى	18		
جوازات شكله	43343	Exit	ذكر	29		
جوازات شكله	43343	Exit	ذكر	2		
جوازات شكله	43343	Exit	ذكر	29		
جوازات شكله	43343	Exit	انثى	3		
جوازات شكله	43343	Exit	ذكر	8		
جوازات شكله	43343	Exit	انثى	4		
جوازات شكله	43343	Exit	انثى	35		
جوازات شكله	43343	Exit	ذكر	0		
جوازات شكله	43343	Exit	انثى	11		
جوازات شكله	43343	Exit	ذكر	24		
جوازات شكله	43344	Exit	انثى	12		
جوازات شكله	43344	Exit	انثى	13		
جوازات شكله	43344	Exit	ذكر	41		
جوازات شكله	43344	Exit	ذكر	51		
جوازات شكله	43344	Exit	انثى	11		
جوازات شكله	43344	Exit	ذكر	5		
جوازات شكله	43344	Exit	ذكر	10		
جوازات شكله	43344	Exit	ذكر	2		
جوازات شكله	43344	Exit	انثى	7		
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جوازات شكله	43344	Exit	انثى	13		
جوازات شكله	43344	Exit	انثى	5		
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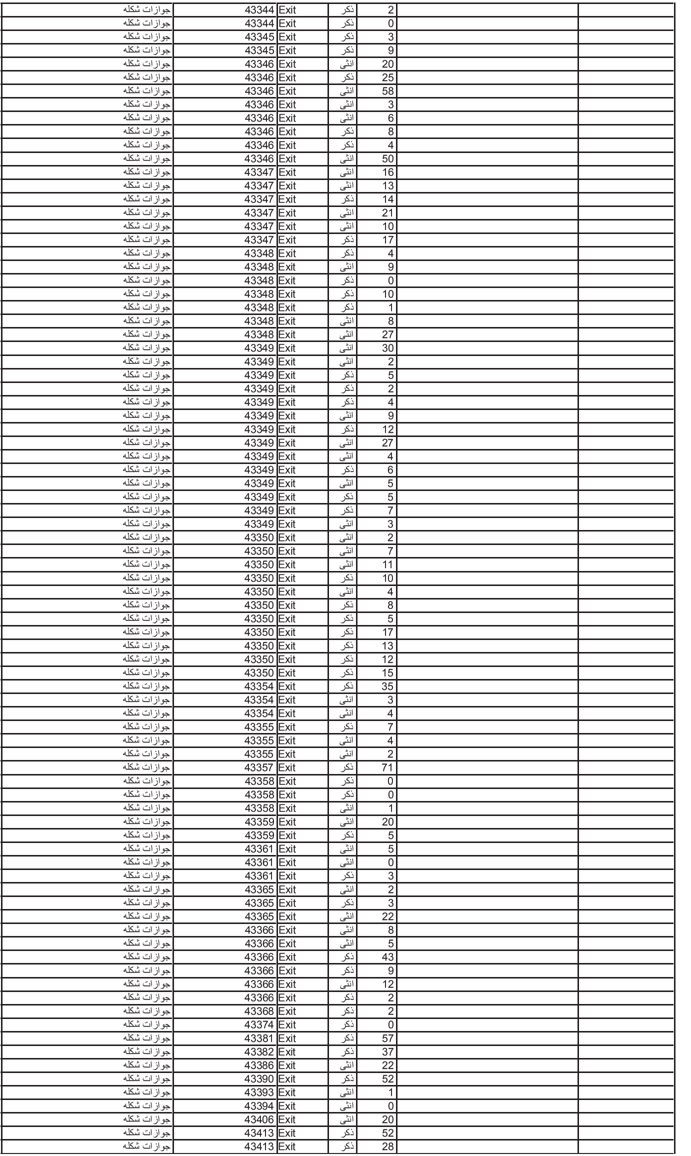
جوازات شكله	43344	Exit	ذكر	27		



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جوازات شكله	43346	Exit	انثى	20		
جوازات شكله	43346	Exit	ذكر	25		
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جوازات شكله	43346	Exit	انثى	3		
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جوازات شكله	43346	Exit	ذكر	4		
جوازات شكله	43346	Exit	انثى	50		
جوازات شكله	43347	Exit	انثى	16		
جوازات شكله	43347	Exit	انثى	13		
جوازات شكله	43347	Exit	ذكر	14		
جوازات شكله	43347	Exit	انثى	21		
جوازات شكله	43347	Exit	انثى	10		
جوازات شكله	43347	Exit	ذكر	17		
جوازات شكله	43348	Exit	ذكر	4		
جوازات شكله	43348	Exit	انثى	9		
جوازات شكله	43348	Exit	ذكر	0		
جوازات شكله	43348	Exit	ذكر	10		
جوازات شكله	43348	Exit	ذكر	1		
جوازات شكله	43348	Exit	انثى	8		
جوازات شكله	43348	Exit	انثى	27		
جوازات شكله	43349	Exit	انثى	30		
جوازات شكله	43349	Exit	انثى	2		
جوازات شكله	43349	Exit	ذكر	5		
جوازات شكله	43349	Exit	ذكر	2		
جوازات شكله	43349	Exit	ذكر	4		
جوازات شكله	43349	Exit	انثى	9		
جوازات شكله	43349	Exit	ذكر	12		
جوازات شكله	43349	Exit	انثى	27		
جوازات شكله	43349	Exit	انثى	4		
جوازات شكله	43349	Exit	ذكر	6		
جوازات شكله	43349	Exit	انثى	5		
جوازات شكله	43349	Exit	ذكر	5		
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جوازات شكله	43349	Exit	انثى	3		
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جوازات شكله	43350	Exit	انثى	11		
جوازات شكله	43350	Exit	ذكر	10		
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جوازات شكله	43350	Exit	ذكر	8		
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جوازات شكله	43350	Exit	ذكر	13		
جوازات شكله	43350	Exit	ذكر	12		
جوازات شكله	43350	Exit	ذكر	15		
جوازات شكله	43354	Exit	ذكر	35		
جوازات شكله	43354	Exit	انثى	3		
جوازات شكله	43354	Exit	انثى	4		
جوازات شكله	43355	Exit	ذكر	7		
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جوازات شكله	43358	Exit	انثى	1		
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جوازات شكله	43359	Exit	ذكر	5		
جوازات شكله	43361	Exit	انثى	5		
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جوازات شكله	43361	Exit	ذكر	3		
جوازات شكله	43365	Exit	انثى	2		
جوازات شكله	43365	Exit	ذكر	3		
جوازات شكله	43365	Exit	انثى	22		
جوازات شكله	43366	Exit	انثى	8		
جوازات شكله	43366	Exit	انثى	5		
جوازات شكله	43366	Exit	ذكر	43		
جوازات شكله	43366	Exit	ذكر	9		
جوازات شكله	43366	Exit	انثى	12		
جوازات شكله	43366	Exit	ذكر	2		
جوازات شكله	43368	Exit	ذكر	2		
جوازات شكله	43374	Exit	ذكر	0		
جوازات شكله	43381	Exit	ذكر	57		
جوازات شكله	43382	Exit	ذكر	37		
جوازات شكله	43386	Exit	انثى	22		
جوازات شكله	43390	Exit	ذكر	52		
جوازات شكله	43393	Exit	انثى	1		
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جوازات شكله	43406	Exit	انثى	20		
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جوازات شكله	43413	Exit	ذكر	28		

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جوازات شكله	43415	Exit	انثى	3		
جوازات شكله	43417	Exit	ذكر	23		
جوازات شكله	43419	Exit	انثى	26		
جوازات شكله	43420	Exit	انثى	63		
جوازات شكله	43421	Exit	ذكر	31		
جوازات شكله	43422	Exit	انثى	67		
جوازات شكله	43424	Exit	ذكر	1		
جوازات شكله	43427	Exit	انثى	73		
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جوازات شكله	43430	Exit	انثى	33		
جوازات شكله	43430	Exit	ذكر	1		
جوازات شكله	43430	Exit	ذكر	31		
جوازات شكله	43431	Exit	ذكر	52		
جوازات شكله	43431	Exit	انثى	46		
جوازات شكله	43433	Exit	ذكر	32		
جوازات شكله	43433	Exit	انثى	53		
جوازات شكله	43433	Exit	انثى	69		
جوازات شكله	43433	Exit	انثى	26		
جوازات شكله	43434	Exit	انثى	43		
جوازات شكله	43434	Exit	ذكر	1		
جوازات شكله	43434	Exit	ذكر	2		
جوازات شكله	43434	Exit	انثى	29		
جوازات شكله	43434	Exit	انثى	27		
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جوازات شكله	43437	Exit	انثى	16		
جوازات شكله	43438	Exit	انثى	31		
جوازات شكله	43440	Exit	ذكر	32		
جوازات شكله	43441	Exit	ذكر	1		
جوازات شكله	43442	Exit	ذكر	51		
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جوازات شكله	43444	Exit	ذكر	29		
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جوازات شكله	43448	Exit	ذكر	30		
جوازات شكله	43448	Exit	انثى	31		
جوازات شكله	43448	Exit	انثى	24		
جوازات شكله	43448	Exit	ذكر	31		
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جوازات شكله	43449	Exit	انثى	0		
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جوازات شكله	43449	Exit	ذكر	4		
جوازات شكله	43449	Exit	انثى	31		
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جوازات شكله	43450	Exit	ذكر	37		
جوازات شكله	43451	Exit	انثى	37		
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جوازات شكله	43451	Exit	ذكر	43		
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جوازات شكله	43454	Exit	انثى	3		
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جوازات شكله	43454	Exit	انثى	23		
جوازات شكله	43455	Exit	انثى	32		
جوازات شكله	43456	Exit	انثى	38		
جوازات شكله	43456	Exit	انثى	43		
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جوازات شكله	43456	Exit	انثى	2		
جوازات شكله	43457	Exit	انثى	32		
جوازات شكله	43350	Exit	ذكر	10		
جوازات شكله	43451	Exit	ذكر	10		
جوازات مزيد	43338	Entry	ذكر	20		
جوازات مزيد	43342	Entry	ذكر	23		
جوازات مزيد	43323	Entry	ذكر	24		
جوازات مزيد	43420	Entry	انثى	38		

مركز جوازات حتا	43456	Entry	انثى	11		
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مركز جوازات حتا	43344	Exit	ذكر	6		
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مركز جوازات حتا	43387	Exit	انثى	38		
مركز جوازات حتا	43389	Exit	ذكر	21		
مركز جوازات حتا	43400	Exit	انثى	54		
مركز جوازات حتا	43411	Exit	انثى	48		
مركز جوازات حتا	43420	Exit	انثى	43		
مركز جوازات حتا	43420	Exit	انثى	25		
مركز جوازات حتا	43420	Exit	انثى	4		
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مركز جوازات حتا	43429	Exit	انثى	54		
مركز جوازات حتا	43436	Exit	انثى	34		
مركز جوازات حتا	43436	Exit	ذكر	30		
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مركز جوازات حتا	43454	Exit	ذكر	39		
مركز جوازات حتا	43456	Exit	ذكر	60		
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مركز جوازات حتا	43456	Exit	انثى	14		
مركز جوازات حتا	43456	Exit	ذكر	4		
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مركز جوازات حتا	43456	Exit	انثى	11		
مركز جوازات حتا	43456	Exit	ذكر	53		
مركز جوازات هيلي	43307	Entry	ذكر	83		
مركز جوازات هيلي	43324	Entry	انثى	33		
مركز جوازات هيلي	43335	Entry	ذكر	2		
مركز جوازات هيلي	43335	Entry	ذكر	15		
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مركز جوازات هيلي	43336	Entry	انثى	40		
مركز جوازات هيلي	43345	Entry	انثى	39		
مركز جوازات هيلي	43345	Entry	انثى	29		
مركز جوازات هيلي	43345	Entry	انثى	55		
مركز جوازات هيلي	43347	Entry	ذكر	40		
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مركز جوازات هيلي	43350	Entry	ذكر	43		
مركز جوازات هيلي	43351	Entry	انثى	24		
مركز جوازات هيلي	43351	Entry	ذكر	19		
مركز جوازات هيلي	43355	Entry	انثى	30		
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مركز جوازات هيلي	43359	Entry	انثى	58		
مركز جوازات هيلي	43369	Entry	انثى	72		
مركز جوازات هيلي	43374	Entry	انثى	3		
مركز جوازات هيلي	43374	Entry	انثى	1		
مركز جوازات هيلي	43385	Entry	ذكر	2		
مركز جوازات هيلي	43385	Entry	ذكر	5		
مركز جوازات هيلي	43398	Entry	انثى	29		
مركز جوازات هيلي	43411	Entry	انثى	29		
مركز جوازات هيلي	43415	Entry	انثى	56		
مركز جوازات هيلي	43418	Entry	ذكر	2		
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مركز جوازات هيلي	43423	Entry	انثى	55		
مركز جوازات هيلي	43429	Entry	انثى	38		
مركز جوازات هيلي	43255	Exit	ذكر	17		
مركز جوازات هيلي	43268	Exit	ذكر	5		
مركز جوازات هيلي	43268	Exit	ذكر	10		
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مركز جوازات هيلي	43268	Exit	انثى	3		
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مركز جوازات هيلي	43268	Exit	ذكر	21		
مركز جوازات هيلي	43268	Exit	ذكر	9		
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مركز جوازات هيلي	43268	Exit	انثى	61		
مركز جوازات هيلي	43268	Exit	ذكر	12		
مركز جوازات هيلي	43272	Exit	ذكر	25		
مركز جوازات هيلي	43283	Exit	ذكر	30		
مركز جوازات هيلي	43289	Exit	ذكر	3		
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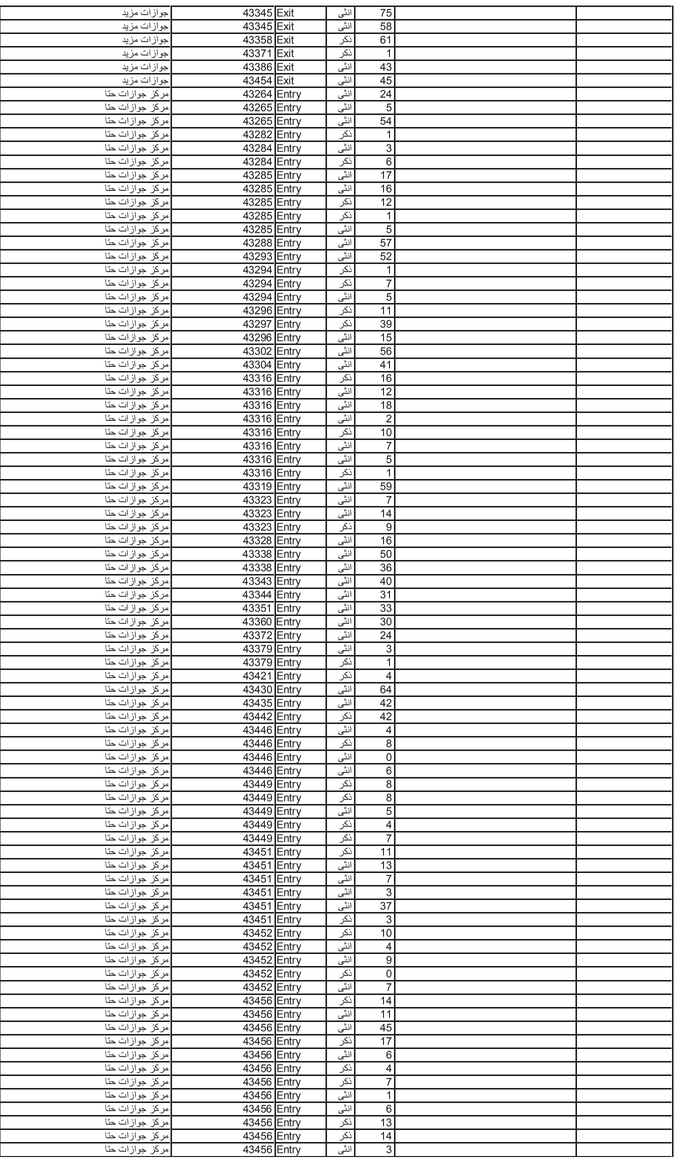

جوازات مزيد	43345	Exit	انثى	75		
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جوازات مزيد	43454	Exit	انثى	45		
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مركز جوازات حتا	43285	Entry	انثى	16		
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مركز جوازات حتا	43285	Entry	ذكر	1		
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مركز جوازات حتا	43293	Entry	انثى	52		
مركز جوازات حتا	43294	Entry	ذكر	1		
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مركز جوازات حتا	43296	Entry	انثى	15		
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مركز جوازات حتا	43304	Entry	انثى	41		
مركز جوازات حتا	43316	Entry	ذكر	16		
مركز جوازات حتا	43316	Entry	انثى	12		
مركز جوازات حتا	43316	Entry	انثى	18		
مركز جوازات حتا	43316	Entry	انثى	2		
مركز جوازات حتا	43316	Entry	ذكر	10		
مركز جوازات حتا	43316	Entry	انثى	7		
مركز جوازات حتا	43316	Entry	انثى	5		
مركز جوازات حتا	43316	Entry	ذكر	1		
مركز جوازات حتا	43319	Entry	انثى	59		
مركز جوازات حتا	43323	Entry	انثى	7		
مركز جوازات حتا	43323	Entry	انثى	14		
مركز جوازات حتا	43323	Entry	ذكر	9		
مركز جوازات حتا	43328	Entry	انثى	16		
مركز جوازات حتا	43338	Entry	انثى	50		
مركز جوازات حتا	43338	Entry	انثى	36		
مركز جوازات حتا	43343	Entry	انثى	40		
مركز جوازات حتا	43344	Entry	انثى	31		
مركز جوازات حتا	43351	Entry	انثى	33		
مركز جوازات حتا	43360	Entry	انثى	30		
مركز جوازات حتا	43372	Entry	انثى	24		
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مركز جوازات حتا	43421	Entry	ذكر	4		
مركز جوازات حتا	43430	Entry	انثى	64		
مركز جوازات حتا	43435	Entry	انثى	42		
مركز جوازات حتا	43442	Entry	ذكر	42		
مركز جوازات حتا	43446	Entry	انثى	4		
مركز جوازات حتا	43446	Entry	ذكر	8		
مركز جوازات حتا	43446	Entry	انثى	0		
مركز جوازات حتا	43446	Entry	انثى	6		
مركز جوازات حتا	43449	Entry	ذكر	8		
مركز جوازات حتا	43449	Entry	ذكر	8		
مركز جوازات حتا	43449	Entry	انثى	5		
مركز جوازات حتا	43449	Entry	ذكر	4		
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مركز جوازات حتا	43451	Entry	ذكر	11		
مركز جوازات حتا	43451	Entry	انثى	13		
مركز جوازات حتا	43451	Entry	انثى	7		
مركز جوازات حتا	43451	Entry	انثى	3		
مركز جوازات حتا	43451	Entry	انثى	37		
مركز جوازات حتا	43451	Entry	ذكر	3		
مركز جوازات حتا	43452	Entry	ذكر	10		
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مركز جوازات حتا	43452	Entry	ذكر	0		
مركز جوازات حتا	43452	Entry	انثى	7		
مركز جوازات حتا	43456	Entry	ذكر	14		
مركز جوازات حتا	43456	Entry	انثى	11		
مركز جوازات حتا	43456	Entry	انثى	45		
مركز جوازات حتا	43456	Entry	ذكر	17		
مركز جوازات حتا	43456	Entry	انثى	6		
مركز جوازات حتا	43456	Entry	ذكر	4		
مركز جوازات حتا	43456	Entry	ذكر	7		
مركز جوازات حتا	43456	Entry	انثى	1		
مركز جوازات حتا	43456	Entry	انثى	6		
مركز جوازات حتا	43456	Entry	ذكر	13		
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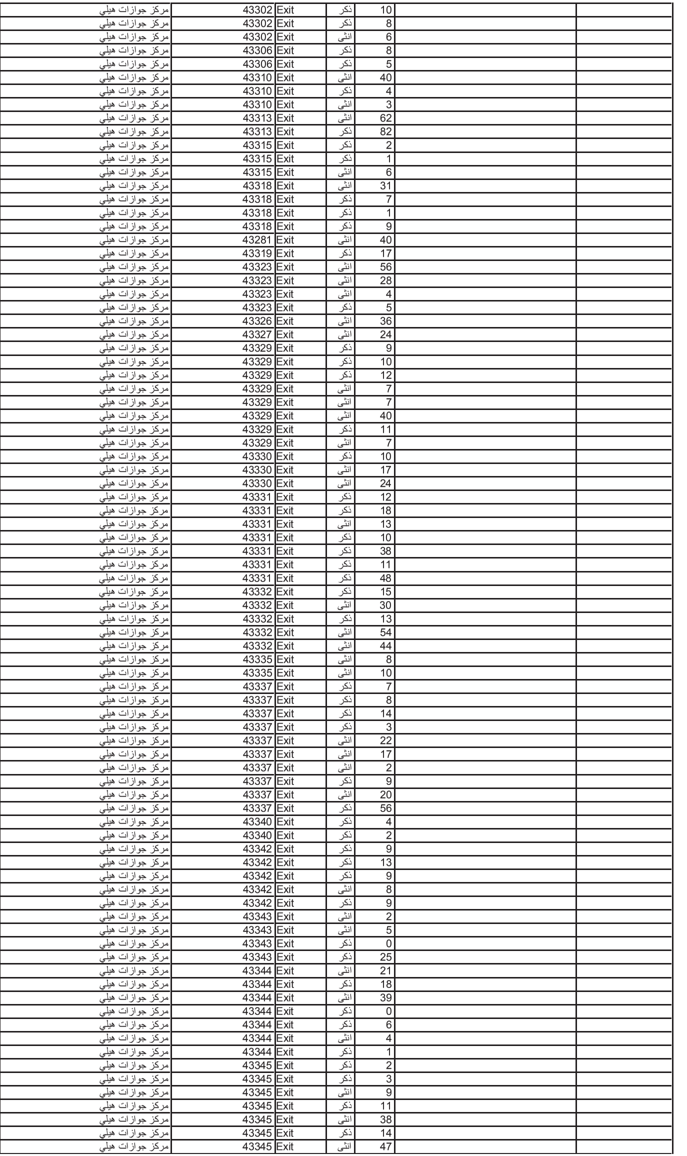

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مركز جوازات هيلي	43302	Exit	انثى	6		
مركز جوازات هيلي	43306	Exit	ذكر	8		
مركز جوازات هيلي	43306	Exit	ذكر	5		
مركز جوازات هيلي	43310	Exit	انثى	40		
مركز جوازات هيلي	43310	Exit	ذكر	4		
مركز جوازات هيلي	43310	Exit	انثى	3		
مركز جوازات هيلي	43313	Exit	انثى	62		
مركز جوازات هيلي	43313	Exit	ذكر	82		
مركز جوازات هيلي	43315	Exit	ذكر	2		
مركز جوازات هيلي	43315	Exit	ذكر	1		
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مركز جوازات هيلي	43318	Exit	انثى	31		
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مركز جوازات هيلي	43318	Exit	ذكر	1		
مركز جوازات هيلي	43318	Exit	ذكر	9		
مركز جوازات هيلي	43281	Exit	انثى	40		
مركز جوازات هيلي	43319	Exit	ذكر	17		
مركز جوازات هيلي	43323	Exit	انثى	56		
مركز جوازات هيلي	43323	Exit	انثى	28		
مركز جوازات هيلي	43323	Exit	انثى	4		
مركز جوازات هيلي	43323	Exit	ذكر	5		
مركز جوازات هيلي	43326	Exit	انثى	36		
مركز جوازات هيلي	43327	Exit	انثى	24		
مركز جوازات هيلي	43329	Exit	ذكر	9		
مركز جوازات هيلي	43329	Exit	ذكر	10		
مركز جوازات هيلي	43329	Exit	ذكر	12		
مركز جوازات هيلي	43329	Exit	انثى	7		
مركز جوازات هيلي	43329	Exit	انثى	7		
مركز جوازات هيلي	43329	Exit	انثى	40		
مركز جوازات هيلي	43329	Exit	ذكر	11		
مركز جوازات هيلي	43329	Exit	انثى	7		
مركز جوازات هيلي	43330	Exit	ذكر	10		
مركز جوازات هيلي	43330	Exit	انثى	17		
مركز جوازات هيلي	43330	Exit	انثى	24		
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مركز جوازات هيلي	43331	Exit	ذكر	18		
مركز جوازات هيلي	43331	Exit	انثى	13		
مركز جوازات هيلي	43331	Exit	ذكر	10		
مركز جوازات هيلي	43331	Exit	ذكر	38		
مركز جوازات هيلي	43331	Exit	ذكر	11		
مركز جوازات هيلي	43331	Exit	ذكر	48		
مركز جوازات هيلي	43332	Exit	ذكر	15		
مركز جوازات هيلي	43332	Exit	انثى	30		
مركز جوازات هيلي	43332	Exit	ذكر	13		
مركز جوازات هيلي	43332	Exit	انثى	54		
مركز جوازات هيلي	43332	Exit	انثى	44		
مركز جوازات هيلي	43335	Exit	انثى	8		
مركز جوازات هيلي	43335	Exit	انثى	10		
مركز جوازات هيلي	43337	Exit	ذكر	7		
مركز جوازات هيلي	43337	Exit	ذكر	8		
مركز جوازات هيلي	43337	Exit	ذكر	14		
مركز جوازات هيلي	43337	Exit	ذكر	3		
مركز جوازات هيلي	43337	Exit	انثى	22		
مركز جوازات هيلي	43337	Exit	انثى	17		
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مركز جوازات هيلي	43337	Exit	ذكر	9		
مركز جوازات هيلي	43337	Exit	انثى	20		
مركز جوازات هيلي	43337	Exit	ذكر	56		
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مركز جوازات هيلي	43340	Exit	ذكر	2		
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مركز جوازات هيلي	43342	Exit	ذكر	13		
مركز جوازات هيلي	43342	Exit	ذكر	9		
مركز جوازات هيلي	43342	Exit	انثى	8		
مركز جوازات هيلي	43342	Exit	ذكر	9		
مركز جوازات هيلي	43343	Exit	انثى	2		
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مركز جوازات هيلي	43344	Exit	ذكر	18		
مركز جوازات هيلي	43344	Exit	انثى	39		
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مركز جوازات هيلي	43345	Exit	ذكر	3		
مركز جوازات هيلي	43345	Exit	انثى	9		
مركز جوازات هيلي	43345	Exit	ذكر	11		
مركز جوازات هيلي	43345	Exit	انثى	38		
مركز جوازات هيلي	43345	Exit	ذكر	14		
مركز جوازات هيلي	43345	Exit	انثى	47		

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مركز جوازات هيلي	43346	Exit	ذكر	4		
مركز جوازات هيلي	43346	Exit	انثى	7		
مركز جوازات هيلي	43346	Exit	انثى	7		
مركز جوازات هيلي	43346	Exit	ذكر	10		
مركز جوازات هيلي	43347	Exit	انثى	8		
مركز جوازات هيلي	43348	Exit	انثى	1		
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مركز جوازات هيلي	43447	Exit	انثى	35		
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مركز جوازات هيلي	43448	Exit	انثى	29		
مركز جوازات هيلي	43449	Exit	انثى	37		
مركز جوازات هيلي	43450	Exit	انثى	25		
مركز جوازات هيلي	43450	Exit	انثى	30		
مركز جوازات هيلي	43451	Exit	انثى	33		
مركز جوازات هيلي	43451	Exit	ذكر	63		
مركز جوازات هيلي	43454	Exit	ذكر	37		
مركز جوازات هيلي	43455	Exit	انثى	27		
مركز جوازات هيلي	43455	Exit	ذكر	32		
مركز جوازات هيلي	43456	Exit	ذكر	0		
مركز جوازات هيلي	43337	Exit	ذكر	16		
مركز جوازات هيلي	43337	Exit	ذكر	12		

[<u>Annex 1.2</u>, [Excel Redacted] Requests for Entry or Exit of Qatari Nationals from 9 July 2018 until 31 December 2018 (English translation)]

FEDERAL AUTHORITY FOR IDENTITY AND CITIZENSHIP

Permit No.	Permit Date	Status of the permit	Used Permit	UNIFIED NUMBER	Name in Arabic	Name in English	Type of Permit	Type of Movement	Date of Movement	The Port	The Reason
[the number of the permit]	[The date of the permit]	[approved or rejected]	[Yes or No]	[This section includes the given numbers] **Number redacted**	[the given name in Arabic] **Name redacted**	[the given name in English] **Name redacted**	[Entry or Exit]	[Entry, Exit, or "blank"]	[the given date of the movement, or "blank"]	[Abu Dhabi International Airport, Shaklah port, Abu Dhabi Airport, Al-Mudeef Port, Mezyad port, Al-Sharjah International Airport, Al Ghuwaifat, Hili Port, Dhabi International Airport, Malaha port, Hatta border Cross, Khatmat Malaha port or "blank"]	[Family relationship, medical treatment, or "Others"]

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الهيئة الاتحادية للهوية والجنسية
FEDERAL AUTHORITY FOR IDENTITY & CITIZENSHIP

السبب	المنفذ	تاريخ الحركة	نوع الحركة	نوع التصريح	الإسم EN	الإسم العربي	الرقم الموحد	التصريح مستخدم	حالة التصريح	تاريخ التصريح	رقم التصريح
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صلة قرابة				دخول				لا	مقبول	12/11/2018 10:36:09 AM	0101077481902018311230848
صلة قرابة				دخول				لا	مقبول	28/11/2018 11:20:26 AM	0101077481902018311658402
صلة قرابة				خروج				لا	مقبول	29/11/2018 03:29:41 AM	0101077491902018311812681
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أخرى				دخول				لا	مقبول	14/12/2018 11:21:27 PM	0101077481902018312145650
صلة قرابة				دخول				لا	مقبول	20/12/2018 02:36:22 PM	0101077461902018312598864
صلة قرابة	جوازات شكله	20/12/2018 02:55:52 PM	خروج	خروج				نعم	مقبول	01/12/2018 06:13:05 AM	0101077491902018311909845
أخرى				خروج				لا	مقبول	23/10/2018 12:40:40 AM	0101077491902018310506449
صلة قرابة	مطار ابوظبي الدول	02/10/2018 09:49:11 AM	خروج	خروج				نعم	مقبول	09/09/2018 09:56:22 AM	0101077491902018308855832
صلة قرابة				دخول				لا	مقبول	13/08/2018 12:23:12 AM	0101077481902018308078210
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صلة قرابة	مطار ابوظبي الدول	16/09/2018 08:25:22 PM	خروج	خروج				نعم	مقبول	26/08/2018 08:59:04 PM	0101077491902018308368342
صلة قرابة	مطار ابوظبي الدول	19/12/2018 10:47:52 AM	دخول	دخول				نعم	مقبول	12/12/2018 07:50:52 PM	0101077461902018312274481
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صلة قرابة	مطار ابوظبي الدول	23/09/2018 09:46:20 PM	خروج	خروج				نعم	مقبول	23/09/2018 02:18:18 PM	0101077491902018309370587
صلة قرابة	مطار ابوظبي الدول	15/12/2018 10:54:05 AM	خروج	خروج				نعم	مقبول	29/11/2018 03:29:41 AM	0101077491902018311812604
صلة قرابة	مطار ابوظبي الدول	07/09/2018 10:26:26 AM	خروج	خروج				نعم	مقبول	05/09/2018 01:30:01 PM	0101077491902018308754200
صلة قرابة	مطار ابوظبي	09/11/2018 10:23:26 AM	خروج	خروج				نعم	مقبول	07/11/2018 08:58:17 PM	0101077491902018311133011
صلة قرابة	مطار ابوظبي الدول	07/09/2018 10:26:07 AM	خروج	خروج				نعم	مقبول	05/09/2018 01:30:01 PM	0101077491902018308754705
صلة قرابة	مطار ابوظبي الدول	14/09/2018 09:20:23 AM	خروج	خروج				نعم	مقبول	12/09/2018 09:27:43 PM	0101077491902018309042518
صلة قرابة				خروج				لا	مقبول	19/12/2018 09:23:20 PM	0101077491902018312515626
صلة قرابة	مطار ابوظبي	08/12/2018 03:12:02 PM	دخول	دخول				نعم	مقبول	23/09/2018 09:06:43 AM	0101077481902018309345689
صلة قرابة	مطار ابوظبي	05/10/2018 12:11:05 PM	خروج	خروج				نعم	مقبول	10/08/2018 01:44:42 AM	0101077491902018308009048
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صلة قرابة	مطار ابوظبي	31/10/2018 10:29:45 AM	خروج	خروج				نعم	مقبول	29/10/2018 01:09:27 PM	0101077491902018310761057
صلة قرابة	مطار ابوظبي	30/10/2018 04:31:29 AM	خروج	خروج				نعم	مقبول	29/10/2018 11:30:00 AM	0101077491902018310750474
صلة قرابة	مطار ابوظبي	20/11/2018 08:37:59 PM	دخول	دخول				نعم	مقبول	08/10/2018 01:05:02 PM	0101077481902018309938593
صلة قرابة	مطار ابوظبي الدول	18/08/2018 10:27:58 AM	خروج	خروج				نعم	مقبول	11/08/2018 11:08:08 PM	0101077491902018308029341
صلة قرابة	مطار ابوظبي الدول	18/08/2018 09:42:30 AM	خروج	خروج				نعم	مقبول	11/08/2018 11:08:08 PM	0101077491902018308030298
صلة قرابة	مطار ابوظبي الدول	18/08/2018 09:46:09 AM	خروج	خروج				نعم	مقبول	11/08/2018 11:08:08 PM	0101077491902018308030005
صلة قرابة	مطار ابوظبي الدول	18/08/2018 10:20:43 AM	خروج	خروج				نعم	مقبول	11/08/2018 11:08:08 PM	0101077491902018308030182
صلة قرابة	مطار ابوظبي الدول	24/10/2018 09:22:23 PM	دخول	دخول				نعم	مقبول	18/09/2018 07:27:32 PM	0101077481902018309213950
صلة قرابة				دخول				لا	مقبول	26/11/2018 06:25:04 AM	0101077461902018311712766
صلة قرابة	مطار ابوظبي الدول	29/11/2018 03:14:36 PM	دخول	دخول				نعم	مقبول	07/10/2018 01:44:27 PM	0101077481902018309886122
صلة قرابة	مطار ابوظبي الدول	19/12/2018 10:55:39 AM	دخول	دخول				نعم	مقبول	06/12/2018 06:37:57 AM	0101077481902018312026940
صلة قرابة	مطار ابوظبي	25/10/2018 09:37:37 AM	خروج	خروج				نعم	مقبول	11/10/2018 11:34:57 PM	0101077491902018310117461
صلة قرابة				خروج				لا	مقبول	12/12/2018 08:52:04 PM	0101077491902018312288748
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صلة قرابة	جوازات شكله	08/10/2018 08:26:25 AM	خروج	خروج				نعم	مقبول	21/09/2018 03:17:01 PM	0101077491902018309321344
صلة قرابة	جوازات شكله	08/10/2018 08:26:42 AM	خروج	خروج				نعم	مقبول	21/09/2018 02:49:58 PM	0101077491902018309321305
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صلة قرابة	جوازات شكله	18/12/2018 01:59:26 PM	خروج	خروج				نعم	مقبول	12/11/2018 09:47:24 PM	0101077861902018311284369
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صلة قرابة	مطار ابوظبي الدول	30/10/2018 11:32:01 AM	خروج	خروج				نعم	مقبول	23/09/2018 11:03:43 AM	0101077491902018309355958
صلة قرابة	مطار ابوظبي الدول	01/09/2018 05:43:27 AM	دخول	دخول				نعم	مقبول	31/08/2018 03:40:29 PM	0101077461902018308561539
صلة قرابة	مطار ابوظبي الدول	17/09/2018 03:16:50 PM	دخول	دخول				نعم	مقبول	15/09/2018 03:02:53 AM	0101077461902018309050762
صلة قرابة	مطار ابوظبي الدول	12/12/2018 10:09:27 AM	خروج	خروج				نعم	مقبول	04/12/2018 04:11:51 AM	0101077491902018311929607
صلة قرابة	مطار ابوظبي	19/08/2018 06:48:34 AM	دخول	دخول				نعم	مقبول	18/08/2018 05:15:18 AM	0101077481902018308273674
صلة قرابة	مطار ابوظبي الدول	12/09/2018 12:42:57 AM	دخول	دخول				نعم	مقبول	29/08/2018 08:54:26 PM	0101077461902018308512440
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صلة قرابة	جوازات شكله	06/10/2018 06:09:06 PM	دخول	دخول				نعم	مقبول	02/10/2018 08:50:45 PM	0101077461902018309741151
صلة قرابة	مطار ابوظبي الدول	14/11/2018 10:49:35 AM	خروج	خروج				نعم	مقبول	12/11/2018 09:45:24 PM	0101077491902018311280866
صلة قرابة	مطار ابوظبي الدول	14/11/2018 10:48:57 AM	خروج	خروج				نعم	مقبول	13/11/2018 11:11:56 PM	0101077491902018311332373
صلة قرابة	مطار ابوظبي الدول	17/10/2018 03:36:47 AM	دخول	دخول				نعم	مقبول	23/09/2018 04:08:40 PM	0101077481902018309378040
صلة قرابة	مطار ابوظبي الدول	17/12/2018 10:20:50 AM	دخول	دخول				نعم	مقبول	04/10/2018 10:23:53 PM	0101077481902018309840368
صلة قرابة	مطار ابوظبي الدول	17/12/2018 10:20:50 AM	دخول	دخول				نعم	مقبول	09/10/2018 08:57:48 PM	0101077481902018310013720
صلة قرابة	مطار دبي الدولي	13/09/2018 11:21:00 AM	خروج	خروج				نعم	مقبول	10/09/2018 04:21:43 PM	0101077491902018308928468
صلة قرابة	مطار دبي الدولي	13/09/2018 11:20:00 AM	خروج	خروج				نعم	مقبول	10/09/2018 04:21:43 PM	0101077491902018308928785
صلة قرابة	مطار ابوظبي الدول	20/08/2018 07:58:24 AM	دخول	دخول				نعم	مقبول	19/08/2018 01:14:28 PM	0101077461902018308298056
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صلة قرابة	مطار ابوظبي	27/11/2018 10:20:43 AM	خروج	خروج				نعم	مقبول	25/11/2018 02:14:51 PM	0101077491902018311689354
صلة قرابة	جوازات شكله	16/09/2018 05:26:52 PM	دخول	دخول				نعم	مقبول	22/08/2018 04:19:13 PM	0101077481902018308309947
صلة قرابة	مطار ابوظبي الدول	17/12/2018 03:25:09 PM	دخول	دخول				نعم	مقبول	02/10/2018 08:25:41 PM	0101077481902018309707014
صلة قرابة	مطار ابوظبي الدول	08/10/2018 08:34:38 AM	خروج	خروج				نعم	مقبول	15/08/2018 12:39:43 AM	0101077491902018308175917
صلة قرابة	منفذ جوازات المضـ	23/12/2018 06:17:49 PM	دخول	دخول				نعم	مقبول	24/11/2018 02:12:56 PM	0101077481902018311647984
صلة قرابة	جوازات مزيد	14/08/2018 11:08:36 AM	دخول	دخول				نعم	مقبول	13/08/2018 10:28:08 PM	0101077461902018308120703
صلة قرابة	جوازات شكله	14/12/2018 01:48:37 PM	خروج	خروج				نعم	مقبول	03/12/2018 08:35:40 PM	0101077861902018311926821
صلة قرابة	منفذ جوازات المضـ	16/12/2018 06:43:20 PM	دخول	دخول				نعم	مقبول	15/12/2018 03:06:23 PM	0101077461902018312361698
صلة قرابة	منفذ جوازات المضـ	16/12/2018 06:43:33 PM	دخول	دخول				نعم	مقبول	15/12/2018 06:44:56 PM	0101077461902018312365801
صلة قرابة	جوازات شكله	16/12/2018 12:11:45 PM	خروج	خروج				نعم	مقبول	14/12/2018 05:19:24 PM	0101077491902018312242523
صلة قرابة	جوازات شكله	19/12/2018 05:31:33 PM	دخول	دخول				نعم	مقبول	09/12/2018 02:51:27 AM	0101077481902018312101650
صلة قرابة	مطار ابوظبي الدول	15/09/2018 09:39:34 PM	دخول	دخول				نعم	مقبول	12/08/2018 01:47:27 AM	0101077461902018308031979
صلة قرابة	مطار ابوظبي الدول	14/11/2018 03:22:43 PM	خروج	خروج				نعم	مقبول	10/11/2018 09:50:13 PM	0101077491902018311196560
صلة قرابة	منفذ جوازات المضـ	21/12/2018 01:55:30 PM	خروج	خروج				نعم	مقبول	20/12/2018 05:39:54 PM	0101077491902018312601207
صلة قرابة	مطار الشارقه الدو	27/08/2018 08:50:09 PM	دخول	دخول				نعم	مقبول	18/08/2018 11:05:55 AM	0101077461902018308275714
صلة قرابة	مطار ابوظبي	11/12/2018 05:32:36 PM	خروج	خروج				نعم	مقبول	21/08/2018 06:10:37 PM	0101077491902018308308898
صلة قرابة				خروج				لا	مقبول	28/08/2018 11:58:14 PM	0101077491902018308466950
صلة قرابة	مطار ابوظبي الدول	17/10/2018 10:06:13 PM	دخول	دخول				نعم	مقبول	18/09/2018 07:14:29 PM	0101077481902018309215694

Annex 17

0101077481902018309216639	18/09/2018 07:21:32 PM	مقبول	نعم				دخول	دخول	17/10/2018 10:07:59 PM	مطار ابوظبى الدول	صلة قرابة
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0101077491902018312620896	22/12/2018 10:52:44 AM	مرفوض	لا				خروج				صلة قرابة
0101077461902018310609179	25/10/2018 05:22:05 AM	مقبول	لا				دخول				صلة قرابة
0101077461902018312248491	12/12/2018 12:57:04 AM	مقبول	نعم				دخول	دخول	19/12/2018 10:53:26 AM	مطار ابوظبى الدول	صلة قرابة
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0101077481902018309586548	28/09/2018 06:41:09 PM	مقبول	لا				دخول				صلة قرابة
0101077491902018308210632	15/08/2018 04:47:36 PM	مقبول	نعم				خروج	خروج	21/08/2018 09:40:42 AM	مطار ابوظبى الدول	صلة قرابة
0101077491902018308212141	15/08/2018 04:47:36 PM	مقبول	نعم				خروج	خروج	21/08/2018 09:41:24 AM	مطار ابوظبى الدول	صلة قرابة
0101077491902018309337774	22/09/2018 06:18:22 PM	مقبول	نعم				خروج	خروج	25/09/2018 09:31:33 AM	مطار ابوظبي	صلة قرابة
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0101077491902018308560023	31/08/2018 01:49:13 AM	مقبول	نعم				خروج	خروج	06/09/2018 07:45:00 AM	مطار دبى الدولى	صلة قرابة
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0101077461902018312619479	21/12/2018 10:26:19 PM	مقبول	نعم				دخول	دخول	23/12/2018 06:36:00 PM	منفذ جوازات المض	صلة قرابة
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0101077491902018309381331	23/09/2018 06:24:54 PM	مقبول	نعم				خروج	خروج	24/09/2018 09:22:03 AM	مطار دبى الدولى	صلة قرابة
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صلة قرابة	مطار ابوظبي	24/12/2018 10:04:05 AM	خروج	خروج				نعم	مقبول	11/11/2018 10:26:48 PM	0101077491902018311238321
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صلة قرابة	جوازات شكله	02/11/2018 04:59:31 PM	دخول	دخول				نعم	مقبول	15/10/2018 07:20:57 PM	0101077481902018309853606
صلة قرابة	جوازات شكله	02/11/2018 04:59:31 PM	دخول	دخول				نعم	مقبول	30/10/2018 01:35:40 PM	0101077461902018310791877
صلة قرابة	مطار دبى الدولى	30/11/2018 09:45:21 AM	خروج	خروج				نعم	مقبول	06/11/2018 01:54:58 PM	0101077491902018310993930
صلة قرابة	مطار الشارقه الدول	15/11/2018 02:53:23 PM	خروج	خروج				نعم	مقبول	12/11/2018 02:45:17 PM	0101077491902018311265785
صلة قرابة	مركز جوازات هيلي	11/07/2018 04:45:42 PM	دخول	دخول				نعم	مقبول	09/07/2018 08:48:42 AM	0101077461902018306975181
صلة قرابة	مطار ابوظبي	18/12/2018 03:22:15 PM	خروج	خروج				نعم	مقبول	06/11/2018 07:24:52 PM	0101077491902018311082031
صلة قرابة	مطار دبى الدولى	02/12/2018 01:49:00 AM	دخول	دخول				نعم	مقبول	14/11/2018 05:31:51 PM	0101077481902018311368159
صلة قرابة	مركز جوازات هيلي	30/11/2018 02:05:33 PM	دخول	دخول				نعم	مقبول	27/11/2018 09:36:17 PM	0101077481902018311802176
صلة قرابة	مركز جوازات هيلي	22/09/2018 12:52:57 PM	دخول	دخول				نعم	مقبول	19/09/2018 06:56:39 PM	0101077481902018309263578
صلة قرابة	مركز جوازات هيلي	22/09/2018 12:52:57 PM	دخول	دخول				نعم	مقبول	19/09/2018 06:56:39 PM	0101077481902018309264265
صلة قرابة	مركز جوازات هيلي	22/09/2018 12:52:57 PM	دخول	دخول				نعم	مقبول	19/09/2018 06:56:39 PM	0101077481902018309267244
صلة قرابة	مطار دبى الدولى	15/09/2018 06:41:00 AM	خروج	خروج				نعم	مقبول	12/09/2018 09:47:47 PM	0101077491902018309042856
صلة قرابة	مطار ابوظبى الدول	10/11/2018 03:09:00 PM	دخول	دخول				نعم	مقبول	15/09/2018 12:08:19 AM	0101077481902018309050712
صلة قرابة				خروج				لا	مرفوض	13/12/2018 09:48:14 AM	0101077491902018312307021
صلة قرابة	مطار دبى الدولى	04/10/2018 09:05:00 AM	خروج	خروج				نعم	مقبول	26/09/2018 12:17:08 PM	0101077491902018309509472
صلة قرابة	مطار دبى الدولى	04/10/2018 09:05:00 AM	خروج	خروج				نعم	مقبول	27/09/2018 09:41:54 AM	0101077491902018309542146
صلة قرابة	مطار دبى الدولى	29/11/2018 09:33:00 AM	خروج	خروج				نعم	مقبول	20/11/2018 02:07:13 PM	0101077491902018311513980
صلة قرابة				دخول				لا	مقبول	16/12/2018 01:45:21 PM	0101077481902018312397200
صلة قرابة	مطار ابوظبى الدول	22/11/2018 07:33:28 PM	دخول	دخول				نعم	مقبول	09/11/2018 06:01:33 PM	0101077481902018311177601
صلة قرابة	منفذ جوازات المض	26/09/2018 06:07:14 PM	دخول	دخول				نعم	مقبول	12/09/2018 11:18:47 AM	0101077461902018309008751
صلة قرابة	مطار ابوظبى الدول	13/12/2018 10:57:25 AM	خروج	خروج				نعم	مقبول	07/12/2018 06:21:38 AM	0101077491902018312073135
صلة قرابة	مطار ابوظبى الدول	30/11/2018 09:26:21 AM	خروج	خروج				نعم	مقبول	26/11/2018 11:54:12 AM	0101077491902018311724726
صلة قرابة				دخول				لا	مرفوض	13/12/2018 09:57:27 PM	0101077461902018312195388
صلة قرابة				خروج				لا	مقبول	19/12/2018 05:26:35 PM	0101077491902018312554833
صلة قرابة	مطار دبى الدولى	19/08/2018 10:04:00 AM	خروج	خروج				نعم	مقبول	17/08/2018 04:10:02 PM	0101077491902018308271773
صلة قرابة	مطار دبى الدولى	19/08/2018 10:04:00 AM	خروج	خروج				نعم	مقبول	17/08/2018 04:10:02 PM	0101077491902018308271921
صلة قرابة	مطار دبى الدولى	17/09/2018 07:40:00 PM	دخول	دخول				نعم	مقبول	13/09/2018 06:23:10 PM	0101077481902018309048019
صلة قرابة	مطار دبى الدولى	17/09/2018 07:40:00 PM	دخول	دخول				نعم	مقبول	13/09/2018 06:07:08 PM	0101077481902018309047373
صلة قرابة	مطار دبى الدولى	29/10/2018 07:43:17 PM	خروج	خروج				نعم	مقبول	23/08/2018 03:10:42 PM	0101077491902018308313436
صلة قرابة	مطار دبى الدولى	29/10/2018 07:43:17 PM	خروج	خروج				نعم	مقبول	11/09/2018 12:25:27 PM	0101077491902018308965239
صلة قرابة	مطار دبى الدولى	29/10/2018 07:43:17 PM	خروج	خروج				نعم	مقبول	13/09/2018 03:45:45 AM	0101077491902018309044242
صلة قرابة	مطار ابوظبى الدول	19/07/2018 09:06:59 PM	دخول	دخول				نعم	مقبول	10/07/2018 12:54:42 AM	0101077461902018307017668
صلة قرابة				دخول				لا	مقبول	08/09/2018 04:27:57 PM	0101077461902018308838758
صلة قرابة	خطم الملاحه	18/10/2018 05:35:36 PM	دخول	دخول				نعم	مقبول	22/08/2018 05:59:30 PM	0101077481902018308309942
صلة قرابة	خطم الملاحه	18/10/2018 05:35:36 PM	دخول	دخول				نعم	مقبول	22/08/2018 08:11:53 PM	0101077481902018308310599
صلة قرابة	مطار دبى الدولى	23/11/2018 04:19:00 PM	دخول	دخول				نعم	مقبول	11/10/2018 07:40:44 AM	0101077461902018310072527
صلة قرابة	مطار دبى الدولى	23/11/2018 04:19:00 PM	دخول	دخول				نعم	مقبول	16/11/2018 06:12:49 AM	0101077461902018311423676
صلة قرابة				خروج				لا	مرفوض	22/12/2018 03:04:09 PM	0101077491902018312628048
صلة قرابة				خروج				لا	مقبول	25/11/2018 08:11:40 AM	0101077861902018311658225
صلة قرابة				خروج				لا	مقبول	30/11/2018 07:58:37 PM	0101077861902018311907389
صلة قرابة	مطار دبى الدولى	22/11/2018 03:47:00 PM	خروج	خروج				نعم	مقبول	10/11/2018 06:35:49 PM	0101077491902018311179254
صلة قرابة	مطار دبى الدولى	24/10/2018 08:28:33 AM	خروج	خروج				نعم	مقبول	22/10/2018 06:56:51 PM	0101077491902018310490097
صلة قرابة	مطار ابوظبى الدول	21/09/2018 09:34:12 AM	خروج	خروج				نعم	مقبول	09/09/2018 11:12:29 PM	0101077491902018308897147
صلة قرابة	مطار ابوظبى الدول	25/10/2018 09:38:08 AM	خروج	خروج				نعم	مقبول	11/10/2018 11:34:57 PM	0101077491902018310117331
صلة قرابة	مطار ابوظبي	14/10/2018 03:21:58 AM	دخول	دخول				نعم	مقبول	03/10/2018 07:01:45 PM	0101077481902018309766323
أخرى	مطار دبى الدولى	28/09/2018 07:40:54 AM	خروج	خروج				نعم	مقبول	11/09/2018 05:55:28 PM	0101077491902018308980577
صلة قرابة	منفذ جوازات المض	18/12/2018 09:41:12 PM	دخول	دخول				نعم	مقبول	27/11/2018 12:24:03 AM	0101077481902018311760466
صلة قرابة				خروج				لا	مرفوض	22/12/2018 10:52:44 AM	0101077491902018312620602
صلة قرابة	مطار ابوظبي	29/11/2018 03:29:45 AM	خروج	خروج				نعم	مقبول	25/11/2018 03:43:18 PM	0101077491902018311693039
صلة قرابة	مطار ابوظبي	10/10/2018 03:43:15 AM	دخول	دخول				نعم	مقبول	06/09/2018 05:36:19 PM	0101077481902018308815178
صلة قرابة	مطار ابوظبي	14/11/2018 03:21:26 AM	دخول	دخول				نعم	مقبول	22/10/2018 07:00:51 PM	0101077481902018310493842
صلة قرابة	جوازات شكله	22/11/2018 02:40:43 PM	خروج	خروج				نعم	مقبول	06/11/2018 02:50:38 AM	0101077491902018311045376
صلة قرابة	مركز جوازات هيلي	13/10/2018 03:05:34 PM	خروج	خروج				نعم	مقبول	12/10/2018 01:46:08 AM	0101077491902018310117853
صلة قرابة	مطار دبى الدولى	10/09/2018 07:16:00 PM	خروج	خروج				نعم	مقبول	05/09/2018 09:47:25 PM	0101077491902018308775753
صلة قرابة	مطار دبى الدولى	13/10/2018 07:48:00 PM	دخول	دخول				نعم	مقبول	28/09/2018 09:52:40 PM	0101077461902018309586834
صلة قرابة	مطار ابوظبي	10/09/2018 10:23:55 AM	خروج	خروج				نعم	مقبول	09/09/2018 09:26:22 PM	0101077491902018308895027
صلة قرابة	مطار ابوظبي	11/10/2018 10:28:00 AM	خروج	خروج				نعم	مقبول	08/10/2018 11:37:05 PM	0101077491902018309973581
صلة قرابة	مطار دبى الدولى	28/11/2018 09:18:00 AM	خروج	خروج				نعم	مقبول	27/11/2018 01:59:55 PM	0101077861902018311757745
صلة قرابة				خروج				لا	مقبول	06/12/2018 10:34:20 PM	0101077491902018312072362
صلة قرابة	مطار دبى الدولى	18/10/2018 08:35:00 AM	خروج	خروج				نعم	مقبول	16/10/2018 07:57:35 PM	0101077491902018310270975
صلة قرابة	مطار ابوظبى الدول	16/10/2018 09:54:26 AM	خروج	خروج				نعم	مقبول	08/10/2018 10:33:01 PM	0101077491902018309968340
صلة قرابة	جوازات شكله	20/12/2018 05:33:28 PM	دخول	دخول				نعم	مقبول	16/08/2018 10:23:19 PM	0101077481902018308269975
صلة قرابة	مطار ابوظبي	18/08/2018 02:33:17 PM	خروج	خروج				نعم	مقبول	15/08/2018 09:55:13 AM	0101077491902018308183382
صلة قرابة	مطار ابوظبي	18/08/2018 02:33:17 PM	خروج	خروج				نعم	مقبول	15/08/2018 02:15:06 PM	0101077491902018308205030
صلة قرابة	مطار دبى الدولى	23/08/2018 10:19:00 AM	دخول	دخول				نعم	مقبول	13/08/2018 02:02:14 AM	0101077481902018308078219
صلة قرابة				خروج				لا	مرفوض	20/12/2018 08:31:27 PM	0101077491902018312612174
صلة قرابة	خطم الملاحه	23/12/2018 02:09:10 PM	خروج	خروج				نعم	مقبول	02/12/2018 01:15:14 AM	0101077491902018311919301
صلة قرابة	جوازات شكله	23/11/2018 05:19:54 PM	دخول	دخول				نعم	مقبول	22/09/2018 11:32:26 AM	0101077481902018309326926
صلة قرابة	مطار ابوظبى الدول	03/10/2018 09:21:34 AM	خروج	خروج				نعم	مقبول	01/10/2018 09:43:45 PM	0101077491902018309661881
صلة قرابة	مطار ابوظبى الدول	03/10/2018 09:22:10 AM	خروج	خروج				نعم	مقبول	01/10/2018 09:43:45 PM	0101077491902018309665467
صلة قرابة	مطار دبى الدولى	30/08/2018 06:31:00 PM	خروج	خروج				نعم	مقبول	27/08/2018 09:26:53 PM	0101077491902018308416970
صلة قرابة	منفذ جوازات المض	29/11/2018 09:13:43 PM	دخول	دخول				نعم	مقبول	29/11/2018 03:25:59 PM	0101077461902018311759405
صلة قرابة	خطم الملاحه	29/08/2018 04:30:21 PM	خروج	خروج				نعم	مقبول	15/08/2018 03:27:22 PM	0101077491902018308207623
صلة قرابة	منفذ جوازات المض	16/12/2018 07:59:26 PM	خروج	خروج				نعم	مقبول	12/12/2018 02:34:03 PM	0101077491902018312277338
صلة قرابة	مطار دبى الدولى	24/09/2018 09:22:24 AM	خروج	خروج				نعم	مقبول	23/09/2018 06:24:54 PM	0101077491902018309383699
صلة قرابة	مركز جوازات حتا	10/11/2018 05:03:00 PM	دخول	دخول				نعم	مقبول	14/09/2018 11:10:02 PM	0101077481902018309050614
صلة قرابة				خروج				لا	مقبول	14/10/2018 09:30:59 PM	0101077491902018310178899
صلة قرابة				دخول				لا	مقبول	10/12/2018 06:16:18 PM	0101077481902018312188689
صلة قرابة				دخول				لا	مقبول	10/12/2018 06:12:17 PM	0101077481902018312188179
صلة قرابة				دخول				لا	مقبول	10/12/2018 06:12:17 PM	0101077481902018312187650

صلة قرابة	منفذ جوازات المض	14/12/2018 07:11:22 PM	دخول	دخول				نعم	مقبول	10/12/2018 06:19:19 PM	0101077481902018312187116
صلة قرابة				خروج				لا	مرفوض	13/12/2018 09:48:14 AM	0101077491902018312307269
صلة قرابة				دخول				لا	مقبول	05/09/2018 06:45:53 PM	0101077461902018308770539
صلة قرابة	مطار ابوظبى الدول	04/11/2018 03:33:00 AM	دخول	دخول				نعم	مقبول	27/10/2018 10:52:41 PM	0101077461902018310680722
صلة قرابة	الغويفات	23/12/2018 10:34:36 AM	خروج	خروج				نعم	مقبول	20/11/2018 04:28:37 PM	0101077861902018311525992
صلة قرابة	مطار ابوظبى الدول	17/12/2018 10:26:15 AM	دخول	دخول				نعم	مقبول	10/12/2018 10:32:03 PM	0101077461902018312191108
صلة قرابة	مطار ابوظبى الدول	24/09/2018 07:25:20 AM	خروج	خروج				نعم	مقبول	23/09/2018 03:32:34 PM	0101077491902018309375263
صلة قرابة	مطار دبى الدولى	22/12/2018 09:31:00 AM	خروج	خروج				نعم	مقبول	17/12/2018 08:57:33 PM	0101077491902018312452186
صلة قرابة	مطار ابوظبى الدول	24/09/2018 03:18:57 AM	دخول	دخول				نعم	مقبول	23/09/2018 10:06:44 AM	0101077481902018309348360
صلة قرابة	مطار ابوظبي	20/12/2018 10:23:40 AM	خروج	خروج				نعم	مقبول	04/12/2018 04:10:51 AM	0101077491902018311929757
صلة قرابة	مطار دبى الدولى	15/10/2018 10:37:00 PM	دخول	دخول				نعم	مقبول	04/10/2018 07:10:16 PM	0101077481902018309832953
صلة قرابة	الغويفات	02/11/2018 09:31:24 PM	دخول	دخول				نعم	مقبول	27/08/2018 01:10:50 AM	0101077461902018308373320
صلة قرابة	الغويفات	02/11/2018 09:31:24 PM	دخول	دخول				نعم	مقبول	28/08/2018 12:56:04 PM	0101077481902018308441557
صلة قرابة	مركز جوازات هيلي	31/08/2018 06:15:14 PM	دخول	دخول				نعم	مقبول	30/08/2018 09:04:44 AM	0101077481902018308518604
صلة قرابة	مركز جوازات هيلي	31/08/2018 06:15:14 PM	دخول	دخول				نعم	مقبول	30/08/2018 09:49:54 AM	0101077481902018308521395
صلة قرابة	مركز جوازات هيلي	31/08/2018 06:15:14 PM	دخول	دخول				نعم	مقبول	30/08/2018 03:35:09 PM	0101077481902018308545768
صلة قرابة	مركز جوازات هيلي	31/08/2018 06:15:14 PM	دخول	دخول				نعم	مقبول	30/08/2018 04:00:14 PM	0101077481902018308547201
صلة قرابة	جوازات شكله	18/08/2018 06:18:24 PM	دخول	دخول				نعم	مقبول	12/08/2018 04:16:25 PM	0101077461902018308019198
صلة قرابة				خروج				لا	مقبول	22/12/2018 04:02:40 AM	0101077861902018312619694
صلة قرابة	جوازات شكله	27/10/2018 04:29:40 PM	دخول	دخول				نعم	مقبول	15/10/2018 02:37:40 AM	0101077461902018310156527
صلة قرابة				دخول				لا	مرفوض	11/12/2018 03:23:43 AM	0101077481902018312195233
صلة قرابة	مطار دبى الدولى	13/08/2018 08:40:30 AM	خروج	خروج				نعم	مقبول	10/08/2018 02:20:46 PM	0101077491902018308009363
صلة قرابة				خروج				لا	مقبول	27/08/2018 12:38:10 PM	0101077491902018308392407
صلة قرابة				خروج				لا	مقبول	21/09/2018 02:53:59 PM	0101077491902018309321300
صلة قرابة				خروج				لا	مقبول	25/09/2018 11:03:06 PM	0101077491902018309490296
صلة قرابة				دخول				لا	مقبول	19/10/2018 07:47:46 PM	0101077461902018310384919
صلة قرابة	مطار ابوظبى الدول	20/09/2018 09:45:19 AM	خروج	خروج				نعم	مقبول	17/09/2018 10:09:53 AM	0101077491902018309131350
صلة قرابة				خروج				لا	مرفوض	22/12/2018 08:44:15 PM	0101077491902018312635463
صلة قرابة	جوازات شكله	22/08/2018 09:11:46 PM	دخول	دخول				نعم	مقبول	17/08/2018 12:45:29 AM	0101077461902018308271227
صلة قرابة	جوازات شكله	22/08/2018 09:11:46 PM	دخول	دخول				نعم	مقبول	19/08/2018 12:55:19 AM	0101077461902018308289870
صلة قرابة	مطار دبى الدولى	23/08/2018 10:19:00 AM	دخول	دخول				نعم	مقبول	13/08/2018 02:02:14 AM	0101077481902018308078299
صلة قرابة	مطار دبى الدولى	24/12/2018 09:37:00 AM	خروج	خروج				نعم	مقبول	18/12/2018 11:52:07 PM	0101077491902018312488329
صلة قرابة	جوازات شكله	20/12/2018 06:13:29 PM	دخول	دخول				نعم	مقبول	20/12/2018 12:18:43 AM	0101077461902018312298206
صلة قرابة	مطار ابوظبى الدول	29/11/2018 09:29:00 AM	خروج	خروج				نعم	مقبول	18/10/2018 12:19:47 AM	0101077491902018310334635
صلة قرابة	مطار ابوظبى الدول	31/10/2018 03:47:41 PM	خروج	خروج				نعم	مقبول	31/10/2018 05:32:28 AM	0101077491902018310844641
صلة قرابة	جوازات شكله	10/11/2018 05:24:04 PM	دخول	دخول				نعم	مقبول	04/10/2018 10:24:53 PM	0101077481902018309850530
صلة قرابة	مركز جوازات هيلي	30/08/2018 09:52:47 PM	دخول	دخول				نعم	مقبول	30/08/2018 02:06:54 PM	0101077461902018308540972
صلة قرابة	جوازات شكله	10/12/2018 05:47:36 PM	دخول	دخول				نعم	مقبول	13/09/2018 09:13:37 PM	0101077461902018309049198
صلة قرابة				خروج				لا	مرفوض	22/12/2018 03:05:09 PM	0101077491902018312628335
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صلة قرابة	مطار دبى الدولى	28/11/2018 08:35:00 AM	خروج	خروج				نعم	مقبول	05/11/2018 03:36:09 PM	0101077491902018311019435
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صلة قرابة	مطار دبى الدولى	28/11/2018 08:35:00 AM	خروج	خروج				نعم	مقبول	05/11/2018 03:36:09 PM	0101077491902018311020590
صلة قرابة	مطار دبى الدولى	14/10/2018 05:00:00 PM	دخول	دخول				نعم	مقبول	10/10/2018 05:06:41 AM	0101077481902018310023095
صلة قرابة	مركز جوازات حتا	05/09/2018 06:13:00 PM	خروج	خروج				نعم	مقبول	30/08/2018 02:47:01 PM	0101077491902018308543966
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صلة قرابة	مركز جوازات هيلي	11/09/2018 12:08:25 PM	خروج	خروج				نعم	مقبول	28/08/2018 06:31:15 PM	0101077491902018308458116
صلة قرابة	جوازات شكله	13/11/2018 07:33:52 PM	خروج	خروج				نعم	مقبول	15/10/2018 02:29:05 PM	0101077491902018310200734
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صلة قرابة				خروج				لا	مقبول	24/12/2018 02:36:35 AM	0101077491902018312688029
صلة قرابة	مطار ابوظبى الدول	16/12/2018 10:21:01 AM	خروج	خروج				نعم	مقبول	12/12/2018 10:38:13 PM	0101077491902018312290147
صلة قرابة				دخول				لا	مقبول	09/07/2018 09:37:23 PM	0101077461902018307015197
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صلة قرابة	خطم الملاحه	14/11/2018 11:44:44 AM	خروج	خروج				نعم	مقبول	12/11/2018 09:50:25 PM	0101077491902018311288133
صلة قرابة				دخول				لا	مقبول	15/08/2018 09:58:24 PM	0101077461902018308223109
صلة قرابة	مركز جوازات هيلي	11/10/2018 06:29:52 PM	دخول	دخول				نعم	مقبول	09/10/2018 02:16:49 PM	0101077461902018309992999
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صلة قرابة	مطار ابوظبى الدول	04/10/2018 07:31:12 PM	خروج	خروج				نعم	مقبول	04/10/2018 07:12:16 PM	0101077491902018309837494
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صلة قرابة	مطار دبى الدولى	23/12/2018 07:03:45 AM	خروج	خروج				نعم	مقبول	19/12/2018 09:24:20 PM	0101077491902018312510410
صلة قرابة	مطار ابوظبى الدول	10/09/2018 07:18:10 AM	دخول	دخول				نعم	مقبول	27/08/2018 05:20:54 PM	0101077481902018308406487

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0101077481902018308463747	28/08/2018 08:31:35 PM	مقبول	لا				دخول				صلة قرابة
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صلة قرابة				خروج					لا	مقبول	13/12/2018 09:31:24 PM	0101077491902018312331800
أخرى				خروج					لا	مقبول	16/12/2018 09:55:54 PM	0101077491902018312414470
صلة قرابة	مطار ابوظبي الدول	12/10/2018 09:04:18 AM	خروج	خروج					نعم	مقبول	11/10/2018 07:35:26 PM	0101077491902018310093726
صلة قرابة	مركز جوازات هيلي	21/12/2018 06:25:52 AM	خروج	خروج					نعم	مقبول	20/12/2018 11:05:41 AM	0101077491902018312568107
صلة قرابة	مطار ابوظبي الدول	12/09/2018 04:05:02 AM	دخول	دخول					نعم	مقبول	24/08/2018 04:02:43 AM	0101077461902018308315571
صلة قرابة	مطار ابوظبي الدول	12/09/2018 04:05:02 AM	دخول	دخول					نعم	مقبول	29/08/2018 03:56:36 PM	0101077461902018308499132
صلة قرابة	مطار ابوظبي الدول	12/09/2018 04:05:02 AM	دخول	دخول					نعم	مقبول	05/09/2018 03:05:03 AM	0101077461902018308728438
صلة قرابة	مركز جوازات حتا	06/09/2018 07:07:00 PM	دخول	دخول					نعم	مقبول	04/09/2018 01:15:01 PM	0101077461902018308702536
صلة قرابة	جوازات شكله	19/08/2018 06:01:02 PM	دخول	دخول					نعم	مقبول	14/08/2018 09:41:17 PM	0101077461902018308172559
صلة قرابة	مطار دبي الدولي	19/12/2018 03:09:00 PM	خروج	خروج					نعم	مقبول	02/11/2018 03:58:06 AM	0101077491902018310931954
صلة قرابة	خطم الملاحه	22/12/2018 07:54:33 PM	دخول	دخول					نعم	مقبول	16/12/2018 11:45:15 PM	0101077461902018312419270
صلة قرابة	منفذ جوازات المض	16/12/2018 06:45:04 PM	دخول	دخول					نعم	مقبول	15/12/2018 03:06:23 PM	0101077461902018312362021
صلة قرابة	منفذ جوازات المض	13/11/2018 06:50:54 PM	دخول	دخول					نعم	مقبول	12/11/2018 02:43:17 PM	0101077461902018311265047
صلة قرابة	منفذ جوازات المض	16/11/2018 08:19:34 PM	خروج	خروج					نعم	مقبول	15/11/2018 05:13:50 PM	0101077491902018311413314
أخرى	خطم الملاحه	13/12/2018 11:58:23 AM	خروج	خروج					نعم	مقبول	27/11/2018 09:45:18 PM	0101077491902018311790359
صلة قرابة	جوازات شكله	18/12/2018 06:05:53 PM	دخول	دخول					نعم	مقبول	30/07/2018 11:03:00 AM	0101077481902018307644176
صلة قرابة	جوازات شكله	18/12/2018 06:05:53 PM	دخول	دخول					نعم	مقبول	03/11/2018 10:50:09 PM	0101077461902018310940198
صلة قرابة	الغويفات	19/12/2018 03:08:31 PM	خروج	خروج					نعم	مقبول	06/12/2018 02:23:38 PM	0101077491902018312014969
صلة قرابة				خروج					لا	مرفوض	17/12/2018 08:06:45 AM	0101077491902018312412285
أخرى				خروج					لا	مقبول	20/12/2018 06:08:40 AM	0101077491902018312570003
صلة قرابة	مطار دبي الدولي	24/12/2018 09:37:38 AM	خروج	خروج					نعم	مقبول	18/12/2018 11:52:07 PM	0101077491902018312491037
صلة قرابة	مطار ابوظبي الدول	21/09/2018 09:33:52 AM	خروج	خروج					نعم	مقبول	09/09/2018 11:12:29 PM	0101077491902018308897006
صلة قرابة	مطار ابوظبي الدول	31/10/2018 09:01:10 AM	خروج	خروج					نعم	مقبول	11/10/2018 07:42:26 PM	0101077491902018310105869
صلة قرابة	مطار دبي الدولي	09/09/2018 08:44:00 PM	دخول	دخول					نعم	مقبول	12/07/2018 01:43:19 AM	0101077461902018307103305
صلة قرابة				خروج					لا	مقبول	21/12/2018 10:28:19 PM	0101077491902018312618418
صلة قرابة				خروج					لا	مقبول	12/08/2018 02:56:21 PM	0101077491902018308059696
صلة قرابة				خروج					لا	مقبول	07/09/2018 01:38:26 AM	0101077491902018308824458
صلة قرابة				خروج					لا	مقبول	22/12/2018 07:00:03 PM	0101077491902018312632661
دراسة				دخول					لا	مقبول	23/09/2018 02:26:20 PM	0101077461902018309372711
صلة قرابة	مطار ابوظبي الدول	15/09/2018 11:27:12 PM	دخول	دخول					نعم	مقبول	10/09/2018 01:01:07 AM	0101077461902018308897461
صلة قرابة				خروج					لا	مقبول	25/08/2018 08:12:43 PM	0101077491902018308328437
صلة قرابة				دخول					لا	مقبول	01/09/2018 03:18:09 PM	0101077461902018308573008
صلة قرابة	مطار دبي الدولي	14/12/2018 09:42:00 AM	خروج	خروج					نعم	مقبول	03/12/2018 10:15:00 PM	0101077491902018311924821
صلة قرابة				دخول					لا	مقبول	16/12/2018 06:52:12 PM	0101077461902018312403833
صلة قرابة				خروج					لا	مرفوض	17/12/2018 03:47:56 AM	0101077491902018312421284
صلة قرابة	مطار دبي الدولي	03/09/2018 08:09:00 PM	دخول	دخول					نعم	مقبول	18/07/2018 04:11:56 PM	0101077481902018307314570
أخرى				خروج					لا	مقبول	20/12/2018 08:05:22 PM	0101077491902018312611996
صلة قرابة	مطار دبي الدولي	13/12/2018 11:53:13 AM	خروج	خروج					نعم	مقبول	12/12/2018 10:39:13 PM	0101077491902018312221602
صلة قرابة				دخول					لا	مقبول	23/08/2018 08:03:26 PM	0101077461902018308315205
صلة قرابة	مركز جوازات هيلي	15/09/2018 06:15:27 PM	دخول	دخول					نعم	مقبول	09/09/2018 10:27:27 PM	0101077461902018308895922
صلة قرابة				دخول					لا	مقبول	05/09/2018 10:24:24 AM	0101077461902018308737633
صلة قرابة	منفذ جوازات المض	13/11/2018 06:49:46 PM	دخول	دخول					نعم	مقبول	12/11/2018 02:43:17 PM	0101077461902018311267076
صلة قرابة	مطار ابوظبي الدول	16/12/2018 10:20:15 AM	خروج	خروج					نعم	مقبول	12/12/2018 10:38:13 PM	0101077491902018312294060
صلة قرابة	مطار دبي الدولي	13/12/2018 08:58:00 AM	خروج	خروج					نعم	مقبول	07/12/2018 06:21:42 AM	0101077491902018312073491
صلة قرابة				خروج					لا	مقبول	13/12/2018 02:43:11 PM	0101077861902018311919422
أخرى	مطار الشارقه الدول	23/09/2018 12:03:35 AM	دخول	دخول					نعم	مقبول	17/09/2018 10:43:01 AM	0101077461902018309132210
صلة قرابة	مطار دبي الدولي	29/11/2018 09:29:00 AM	خروج	خروج					نعم	مقبول	27/11/2018 09:40:18 PM	0101077491902018311796277
صلة قرابة				خروج					لا	مقبول	12/11/2018 04:24:43 AM	0101077491902018311245687
صلة قرابة				خروج					لا	مقبول	10/09/2018 09:41:35 PM	0101077491902018308943585
صلة قرابة	مطار ابوظبي الدول	08/09/2018 09:41:50 PM	دخول	دخول					نعم	مقبول	05/09/2018 01:50:04 PM	0101077461902018308755936
صلة قرابة				دخول					لا	مقبول	11/08/2018 06:06:48 PM	0101077481902018308023902
صلة قرابة	مطار الشارقه الدول	25/08/2018 11:21:36 PM	دخول	دخول					نعم	مقبول	30/07/2018 03:39:50 PM	0101077481902018307660592
صلة قرابة	مطار الشارقه الدول	25/08/2018 11:21:36 PM	دخول	دخول					نعم	مقبول	30/07/2018 03:49:52 PM	0101077461902018307660856
صلة قرابة	مطار ابوظبي الدول	06/09/2018 07:15:15 PM	دخول	دخول					نعم	مقبول	09/07/2018 05:24:00 AM	0101077481902018306974217
صلة قرابة	منفذ جوازات المض	17/08/2018 08:24:43 PM	خروج	خروج					نعم	مقبول	17/08/2018 02:15:33 AM	0101077491902018308244133
صلة قرابة	منفذ جوازات المض	25/08/2018 02:37:33 PM	دخول	دخول					نعم	مقبول	25/08/2018 12:56:28 AM	0101077461902018308317327
صلة قرابة				خروج					لا	مقبول	17/08/2018 02:15:33 AM	0101077491902018308268001
صلة قرابة				دخول					لا	مقبول	25/08/2018 12:56:28 AM	0101077461902018308317329
صلة قرابة				خروج					لا	مقبول	16/12/2018 12:37:21 PM	0101077491902018312391155
صلة قرابة				خروج					لا	مقبول	18/08/2018 08:40:37 PM	0101077491902018308287377
أخرى	مطار دبي الدولي	18/12/2018 07:02:00 AM	دخول	دخول					نعم	مقبول	09/10/2018 11:27:08 AM	0101077481902018309984527
صلة قرابة	مطار دبي الدولي	10/12/2018 07:56:56 AM	خروج	خروج					نعم	مقبول	18/11/2018 10:14:00 PM	0101077861902018311186449
صلة قرابة	مطار ابوظبي	10/12/2018 10:40:05 AM	خروج	خروج					نعم	مقبول	07/12/2018 06:22:39 AM	0101077491902018312073705
صلة قرابة	مطار دبي الدولي	19/12/2018 03:09:00 PM	خروج	خروج					نعم	مقبول	02/11/2018 03:58:06 AM	0101077491902018310931960
صلة قرابة				خروج					لا	مقبول	03/12/2018 10:02:57 PM	0101077491902018311926072
صلة قرابة				خروج					لا	مقبول	09/12/2018 02:51:30 AM	0101077491902018312064202
صلة قرابة	مركز جوازات حتا	06/09/2018 07:06:00 PM	دخول	دخول					نعم	مقبول	04/09/2018 01:15:01 PM	0101077461902018308685329
صلة قرابة	مطار ابوظبي الدول	12/12/2018 10:11:12 AM	خروج	خروج					نعم	مقبول	11/12/2018 02:35:49 PM	0101077491902018311863316
صلة قرابة	مطار دبي الدولي	14/12/2018 08:14:00 AM	خروج	خروج					نعم	مقبول	23/11/2018 10:34:25 PM	0101077491902018311640947
صلة قرابة	خطم الملاحه	14/12/2018 01:15:21 PM	خروج	خروج					نعم	مقبول	11/12/2018 10:27:56 PM	0101077491902018312247924
صلة قرابة	مطار ابوظبي الدول	19/11/2018 05:37:17 AM	دخول	دخول					نعم	مقبول	04/11/2018 02:23:39 PM	0101077481902018310975311
صلة قرابة	مطار ابوظبي الدول	19/11/2018 05:37:17 AM	دخول	دخول					نعم	مقبول	05/11/2018 10:38:12 AM	0101077461902018311006780
صلة قرابة	مطار دبي الدولي	13/12/2018 11:53:34 AM	خروج	خروج					نعم	مقبول	12/12/2018 10:39:13 PM	0101077491902018312222465
صلة قرابة	مطار ابوظبي الدول	24/12/2018 10:05:09 AM	خروج	خروج					نعم	مقبول	11/11/2018 10:26:48 PM	0101077491902018311239947
صلة قرابة	مطار ابوظبي الدول	22/08/2018 10:26:24 PM	دخول	دخول					نعم	مقبول	20/08/2018 11:17:22 PM	0101077461902018308308678
صلة قرابة	مطار ابوظبي الدول	22/10/2018 03:10:14 AM	دخول	دخول					نعم	مقبول	17/10/2018 10:29:36 PM	0101077461902018310334984
صلة قرابة	مطار ابوظبي الدول	22/11/2018 10:22:32 AM	دخول	دخول					نعم	مقبول	20/11/2018 02:05:13 PM	0101077461902018311517840
صلة قرابة	جوازات شكله	22/12/2018 05:28:03 PM	دخول	دخول					نعم	مقبول	19/12/2018 05:33:36 PM	0101077461902018312541244
صلة قرابة				خروج					لا	مقبول	07/11/2018 02:17:08 PM	0101077491902018311115257
صلة قرابة				خروج					لا	مقبول	21/12/2018 10:28:19 PM	0101077491902018312618411
صلة قرابة	مطار دبي الدولي	01/11/2018 09:00:00 AM	خروج	خروج					نعم	مقبول	13/10/2018 07:51:22 PM	0101077491902018310134176
صلة قرابة	مركز جوازات حتا	04/10/2018 02:54:00 PM	خروج	خروج					نعم	مقبول	11/08/2018 09:23:01 PM	0101077491902018308029163
صلة قرابة	مطار ابوظبي الدول	04/09/2018 07:27:09 PM	دخول	دخول					نعم	مقبول	23/08/2018 01:57:31 AM	0101077461902018308310729

صلة قرابة	مطار ابوظبي الدول	20/12/2018 10:33:07 AM	دخول	دخول					نعم	مقبول	12/11/2018 02:44:16 PM	0101077461902018311271214
صلة قرابة	جوازات شكله	27/10/2018 04:27:06 PM	دخول	دخول					نعم	مقبول	20/10/2018 04:48:43 AM	0101077461902018310385774
صلة قرابة				دخول					لا	مقبول	20/12/2018 12:12:38 AM	0101077461902018311481710
صلة قرابة	مطار دبي الدولي	12/09/2018 10:21:00 PM	دخول	دخول					نعم	مقبول	04/08/2018 04:12:58 AM	0101077481902018307783958
صلة قرابة	مطار دبي الدولي	12/09/2018 10:21:00 PM	دخول	دخول					نعم	مقبول	13/08/2018 02:19:33 PM	0101077481902018308099707
صلة قرابة	مطار دبي الدولي	12/09/2018 10:21:00 PM	دخول	دخول					نعم	مقبول	07/09/2018 01:32:29 PM	0101077461902018308824634
صلة قرابة				دخول					لا	مقبول	03/09/2018 10:33:12 AM	0101077461902018308639396
صلة قرابة	مطار ابوظبي	23/09/2018 08:48:27 PM	خروج	خروج					نعم	مقبول	23/09/2018 03:32:34 PM	0101077491902018309373422
صلة قرابة	جوازات شكله	05/09/2018 07:05:23 PM	دخول	دخول					نعم	مقبول	04/09/2018 07:42:04 PM	0101077461902018308721855
أخرى	مطار ابوظبي الدول	10/09/2018 03:40:43 AM	دخول	دخول					نعم	مقبول	05/09/2018 01:11:56 PM	0101077461902018308749959
صلة قرابة	مطار دبي الدولي	01/11/2018 08:59:00 AM	خروج	خروج					نعم	مقبول	13/10/2018 07:51:22 PM	0101077491902018310134055
صلة قرابة	مطار ابوظبي الدول	21/10/2018 01:22:43 AM	دخول	دخول					نعم	مقبول	10/10/2018 05:05:41 AM	0101077481902018310020039
صلة قرابة	مطار ابوظبي الدول	12/10/2018 09:26:03 AM	خروج	خروج					نعم	مقبول	10/10/2018 01:29:36 PM	0101077461902018310044886
صلة قرابة	مطار ابوظبي الدول	12/10/2018 09:26:03 AM	خروج	خروج					نعم	مقبول	11/10/2018 07:35:26 PM	0101077491902018310092414
صلة قرابة	مطار ابوظبي الدول	14/11/2018 10:29:16 AM	خروج	خروج					نعم	مقبول	02/11/2018 12:09:28 AM	0101077491902018310931823
صلة قرابة				خروج					لا	مقبول	12/12/2018 01:43:54 PM	0101077461902018312272331
صلة قرابة	مطار ابوظبي الدول	11/07/2018 10:11:11 PM	دخول	دخول					نعم	مقبول	09/07/2018 11:12:13 AM	0101077461902018306984670
صلة قرابة	مطار دبي الدولي	22/12/2018 11:43:00 AM	خروج	خروج					نعم	مقبول	10/11/2018 06:59:51 PM	0101077491902018311195803
صلة قرابة				خروج					لا	مقبول	06/12/2018 10:34:20 PM	0101077491902018312073129
صلة قرابة	مطار دبي الدولي	16/08/2018 04:46:00 PM	دخول	دخول					نعم	مقبول	01/08/2018 03:52:06 PM	0101077461902018307734287
صلة قرابة	مطار دبي الدولي	04/10/2018 10:23:00 PM	دخول	دخول					نعم	مقبول	13/09/2018 08:24:30 PM	0101077461902018309047095
صلة قرابة	مطار دبي الدولي	05/12/2018 04:24:00 PM	دخول	دخول					نعم	مقبول	04/12/2018 12:39:26 PM	0101077461902018311943636
صلة قرابة	منفذ جوازات المض	18/08/2018 06:37:39 PM	دخول	دخول					نعم	مقبول	18/08/2018 11:18:55 AM	0101077461902018308273643
صلة قرابة	منفذ جوازات المض	14/09/2018 12:24:50 AM	خروج	خروج					نعم	مقبول	12/09/2018 05:58:08 PM	0101077491902018308972146
صلة قرابة	منفذ جوازات المض	14/09/2018 12:24:50 AM	خروج	خروج					نعم	مقبول	12/09/2018 05:58:08 PM	0101077491902018308936571
صلة قرابة	منفذ جوازات المض	14/09/2018 12:24:50 AM	خروج	خروج					نعم	مقبول	12/09/2018 07:50:25 PM	0101077491902018309034439
صلة قرابة	مطار ابوظبي الدول	14/12/2018 10:09:48 AM	خروج	خروج					نعم	مقبول	25/11/2018 08:24:51 PM	0101077461902018311615761
صلة قرابة	مطار دبي الدولي	24/07/2018 07:25:00 PM	دخول	دخول					نعم	مقبول	09/07/2018 08:54:14 PM	0101077461902018307014576
صلة قرابة	مطار ابوظبي الدول	07/11/2018 04:10:12 AM	دخول	دخول					نعم	مقبول	24/10/2018 06:18:08 AM	0101077461902018310560264
صلة قرابة				خروج					لا	مرفوض	23/12/2018 05:32:24 AM	0101077461902018312641565
صلة قرابة	منفذ جوازات المض	23/12/2018 06:25:47 PM	دخول	دخول					نعم	مقبول	21/12/2018 11:52:22 PM	0101077461902018312619645
صلة قرابة	مطار ابوظبي الدول	04/09/2018 10:13:38 PM	دخول	دخول					نعم	مقبول	03/09/2018 05:58:45 PM	0101077461902018308667588
صلة قرابة	منفذ جوازات المض	29/11/2018 01:40:18 AM	دخول	دخول					نعم	مقبول	14/10/2018 12:25:07 PM	0101077481902018309958367
صلة قرابة				خروج					لا	مقبول	21/12/2018 10:28:19 PM	0101077491902018312618390
صلة قرابة				خروج					لا	مقبول	12/11/2018 09:50:25 PM	0101077491902018311288697
صلة قرابة	مطار دبي الدولي	15/12/2018 09:37:00 PM	دخول	دخول					نعم	مقبول	21/11/2018 05:46:20 PM	0101077461902018311571453
صلة قرابة	مطار ابوظبي الدول	26/10/2018 03:28:58 AM	دخول	دخول					نعم	مقبول	24/10/2018 12:10:27 PM	0101077461902018310571814
صلة قرابة	مطار ابوظبي الدول	03/11/2018 10:29:44 AM	خروج	خروج					نعم	مقبول	01/11/2018 10:07:22 PM	0101077491902018310922745
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صلة قرابة	جوازات شكله	03/11/2018 09:25:47 PM	دخول	دخول					نعم	مقبول	01/11/2018 10:23:26 PM	0101077461902018310734528
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صلة قرابة	مطار ابوظبي	13/12/2018 09:59:02 AM	خروج	خروج					نعم	مقبول	01/12/2018 07:30:10 AM	0101077491902018311908805
صلة قرابة	مطار ابوظبي الدول	13/12/2018 09:59:37 AM	خروج	خروج					نعم	مقبول	01/12/2018 07:30:10 AM	0101077491902018311908803
صلة قرابة	جوازات شكله	05/09/2018 10:55:47 PM	دخول	دخول					نعم	مقبول	05/09/2018 08:00:04 PM	0101077461902018308772322
صلة قرابة				دخول					لا	مقبول	23/12/2018 11:08:02 AM	0101077461902018312643624
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صلة قرابة	مطار ابوظبي الدول	23/09/2018 09:45:42 PM	خروج	خروج					نعم	مقبول	23/09/2018 01:23:03 PM	0101077491902018309367634
صلة قرابة	مطار ابوظبي الدول	29/09/2018 09:09:45 AM	دخول	دخول					نعم	مقبول	29/09/2018 08:09:36 AM	0101077461902018309587556
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صلة قرابة	مطار ابوظبي الدول	07/11/2018 10:27:59 AM	خروج	خروج					نعم	مقبول	30/10/2018 04:09:14 AM	0101077491902018310776620
صلة قرابة	مطار ابوظبي الدول	15/12/2018 10:53:23 AM	خروج	خروج					نعم	مقبول	29/11/2018 03:29:41 AM	0101077491902018311812544
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صلة قرابة	مطار ابوظبي الدول	06/09/2018 07:23:31 PM	دخول	دخول					نعم	مقبول	09/07/2018 05:24:00 AM	0101077481902018306974194
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صلة قرابة	مطار دبي الدولي	15/12/2018 08:49:00 AM	خروج	خروج					نعم	مقبول	21/11/2018 08:26:45 PM	0101077491902018311585064
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صلة قرابة	جوازات شكله	19/08/2018 06:36:15 PM	خروج	خروج					نعم	مقبول	17/08/2018 09:23:50 PM	0101077491902018308272764
صلة قرابة	مطار ابوظبي الدول	18/08/2018 09:41:11 AM	خروج	خروج					نعم	مقبول	15/08/2018 05:39:44 PM	0101077491902018308215029
صلة قرابة	مطار ابوظبي الدول	01/10/2018 09:21:43 PM	دخول	دخول					نعم	مقبول	11/09/2018 12:58:00 AM	0101077461902018308945415
صلة قرابة	مطار ابوظبي الدول	18/08/2018 09:41:27 AM	خروج	خروج					نعم	مقبول	15/08/2018 05:56:46 PM	0101077491902018308215906
صلة قرابة	مطار ابوظبي الدول	01/10/2018 09:21:24 PM	دخول	دخول					نعم	مقبول	11/09/2018 01:52:13 AM	0101077461902018308945999
صلة قرابة	مطار دبي الدولي	09/10/2018 08:03:00 PM	دخول	دخول					نعم	مقبول	08/10/2018 10:21:23 AM	0101077461902018309753009
صلة قرابة	مطار دبي الدولي	27/10/2018 06:35:03 AM	خروج	خروج					نعم	مقبول	25/10/2018 08:35:46 AM	0101077491902018310610282
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صلة قرابة				خروج					لا	مقبول	05/09/2018 05:09:36 PM	0101077491902018308765089

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0101077481902018306974233	09/07/2018 05:24:00 AM	مقبول	نعم				دخول	دخول	06/09/2018 07:21:53 PM	مطار ابوظبى الدول	صلة قرابة
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صلة قرابة	جوازات شكله	23/08/2018 06:27:29 PM	دخول	دخول				نعم	مقبول	18/08/2018 09:49:50 AM	0101077461902018308274237
صلة قرابة	مطار ابوظبى الدول	06/09/2018 07:20:51 PM	دخول	دخول				نعم	مقبول	09/07/2018 05:24:00 AM	0101077481902018306974200
صلة قرابة	منفذ جوازات المض	22/12/2018 06:37:55 PM	دخول	دخول				نعم	مقبول	18/12/2018 03:53:45 AM	0101077461902018312470563
صلة قرابة	مطار ابوظبى الدول	01/11/2018 12:05:40 AM	دخول	دخول				نعم	مقبول	19/08/2018 12:12:13 AM	0101077461902018308289821
صلة قرابة	مطار ابوظبى الدول	17/10/2018 08:01:48 PM	خروج	خروج				نعم	مقبول	11/10/2018 05:41:23 AM	0101077491902018310072406
صلة قرابة	مطار ابوظبى الدول	02/12/2018 03:12:58 AM	دخول	دخول				نعم	مقبول	26/08/2018 08:38:59 PM	0101077481902018308367143
صلة قرابة	مطار ابوظبى الدول	15/12/2018 06:47:04 AM	خروج	خروج				نعم	مقبول	14/11/2018 09:28:29 PM	0101077491902018311320458
صلة قرابة				دخول				لا	مقبول	09/12/2018 02:50:30 AM	0101077481902018312095301
صلة قرابة	مطار دبى الدولى	15/12/2018 10:03:00 AM	خروج	خروج				نعم	مقبول	09/12/2018 01:42:20 AM	0101077491902018312092333
صلة قرابة	مطار دبى الدولى	17/08/2018 09:21:00 PM	دخول	دخول				نعم	مقبول	14/08/2018 08:04:59 PM	0101077461902018308169847
صلة قرابة				دخول				لا	مقبول	24/10/2018 02:05:59 PM	0101077461902018310581991
صلة قرابة				دخول				لا	مقبول	28/10/2018 12:59:29 PM	0101077461902018310702194
صلة قرابة	منفذ جوازات المض	21/12/2018 07:29:36 PM	دخول	دخول				نعم	مقبول	19/12/2018 10:43:21 AM	0101077461902018312525923
صلة قرابة				دخول				لا	مقبول	09/11/2018 01:58:48 AM	0101077481902018311165777
صلة قرابة				دخول				لا	مقبول	15/08/2018 09:24:18 PM	0101077481902018308222981
صلة قرابة				خروج				لا	مقبول	11/12/2018 03:33:46 AM	0101077861902018312140678
صلة قرابة	مطار ابوظبى الدول	13/12/2018 10:58:08 AM	خروج	خروج				نعم	مقبول	07/12/2018 06:21:38 AM	0101077491902018312073835
صلة قرابة	مطار دبى الدولى	07/12/2018 09:27:00 PM	دخول	دخول				نعم	مقبول	02/12/2018 06:46:20 PM	0101077461902018311915613
صلة قرابة	مطار دبى الدولى	29/08/2018 08:02:00 PM	دخول	دخول				نعم	مقبول	17/08/2018 10:31:07 PM	0101077461902018308273485
صلة قرابة	مطار دبى الدولى	29/08/2018 08:02:00 PM	دخول	دخول				نعم	مقبول	27/08/2018 11:05:44 AM	0101077461902018308385055
صلة قرابة	مطار دبى الدولى	29/09/2018 07:51:00 PM	دخول	دخول				نعم	مقبول	24/09/2018 06:29:23 PM	0101077461902018309432145

صلة قرابة	مطار دبى الدولى	06/12/2018 07:52:00 PM	دخول	دخول				نعم	مقبول	02/11/2018 12:09:28 AM	0101077481902018310931778
صلة قرابة	مطار دبى الدولى	06/12/2018 07:52:00 PM	دخول	دخول				نعم	مقبول	10/11/2018 02:31:17 PM	0101077481902018311094065
صلة قرابة	مطار دبى الدولى	06/12/2018 07:52:00 PM	دخول	دخول				نعم	مقبول	02/12/2018 01:17:14 AM	0101077481902018311916543
أخرى	جوازات شكله	21/12/2018 01:41:36 PM	خروج	خروج				نعم	مقبول	19/12/2018 02:32:39 AM	0101077491902018312521859
صلة قرابة				خروج				لا	مقبول	13/11/2018 10:26:54 PM	0101077491902018311289243
صلة قرابة				دخول				لا	مقبول	20/12/2018 06:05:40 AM	0101077461902018312572090
صلة قرابة				دخول				لا	مقبول	16/08/2018 10:23:19 PM	0101077481902018308270332
صلة قرابة	مطار دبى الدولى	13/12/2018 08:20:00 PM	دخول	دخول				نعم	مقبول	28/11/2018 12:27:43 PM	0101077461902018311823077
صلة قرابة	جوازات شكله	14/08/2018 08:27:31 PM	دخول	دخول				نعم	مقبول	12/08/2018 09:15:29 AM	0101077461902018308034019
صلة قرابة	مطار الشارقه الدول	14/12/2018 07:30:21 AM	خروج	خروج				نعم	مقبول	12/12/2018 08:53:03 PM	0101077491902018312289555
صلة قرابة	مطار دبى الدولى	15/10/2018 04:16:00 PM	دخول	دخول				نعم	مقبول	10/10/2018 11:56:12 AM	0101077461902018310035035
صلة قرابة	مطار دبى الدولى	18/12/2018 11:16:00 AM	خروج	خروج				نعم	مقبول	15/12/2018 02:45:15 PM	0101077491902018311920894
صلة قرابة	جوازات شكله	01/11/2018 08:48:45 PM	دخول	دخول				نعم	مقبول	01/11/2018 01:14:43 PM	0101077461902018310831244
صلة قرابة				دخول				لا	مقبول	20/12/2018 06:13:41 AM	0101077861902018312397243
صلة قرابة				دخول				لا	مقبول	15/07/2018 12:21:55 AM	0101077461902018307163166
صلة قرابة	جوازات شكله	16/08/2018 05:52:02 PM	دخول	دخول				نعم	مقبول	12/08/2018 07:41:01 PM	0101077461902018308071428
صلة قرابة	جوازات شكله	29/08/2018 02:31:19 PM	خروج	خروج				نعم	مقبول	13/08/2018 09:03:22 AM	0101077491902018308080896
صلة قرابة	جوازات شكله	09/11/2018 06:00:17 PM	دخول	دخول				نعم	مقبول	26/08/2018 11:16:32 PM	0101077481902018308372986
صلة قرابة	جوازات شكله	09/11/2018 06:00:17 PM	دخول	دخول				نعم	مقبول	08/11/2018 05:18:14 PM	0101077861902018311045255
صلة قرابة				دخول				لا	مقبول	22/12/2018 12:45:58 PM	0101077481902018312624324
صلة قرابة	منفذ جوازات المض	18/12/2018 10:37:34 PM	دخول	دخول				نعم	مقبول	13/12/2018 04:41:13 AM	0101077461902018312305235
صلة قرابة	منفذ جوازات المض	18/12/2018 10:37:34 PM	دخول	دخول				نعم	مقبول	17/12/2018 08:56:45 PM	0101077481902018312451291
صلة قرابة	مطار ابوظبى الدول	16/12/2018 10:49:11 AM	خروج	خروج				نعم	مقبول	28/11/2018 12:30:33 AM	0101077491902018311812499
صلة قرابة	منفذ جوازات المض	16/12/2018 07:03:23 PM	دخول	دخول				نعم	مقبول	14/12/2018 08:12:54 PM	0101077461902018312235664
صلة قرابة				دخول				لا	مقبول	29/08/2018 07:40:17 PM	0101077461902018308507920
صلة قرابة	مركز جوازات هيلي	14/12/2018 10:28:19 AM	خروج	خروج				نعم	مقبول	27/11/2018 11:23:33 PM	0101077491902018311810394
صلة قرابة	مركز جوازات هيلي	14/12/2018 10:28:35 AM	خروج	خروج				نعم	مقبول	27/11/2018 11:23:33 PM	0101077461902018311811466
صلة قرابة				دخول				لا	مقبول	22/12/2018 03:05:09 PM	0101077461902018312628172
صلة قرابة	مطار دبى الدولى	14/12/2018 08:14:00 AM	خروج	خروج				نعم	مقبول	23/11/2018 10:34:25 PM	0101077491902018311641988
صلة قرابة	مطار دبى الدولى	15/12/2018 04:53:00 PM	دخول	دخول				نعم	مقبول	25/11/2018 08:24:51 PM	0101077461902018311592519
صلة قرابة	مطار ابوظبى الدول	22/12/2018 08:54:00 PM	دخول	دخول				نعم	مقبول	30/11/2018 06:31:18 AM	0101077461902018311891852
صلة قرابة	مطار ابوظبى الدول	20/10/2018 10:11:43 AM	دخول	دخول				نعم	مقبول	08/10/2018 10:25:59 PM	0101077461902018309943016
صلة قرابة	مطار ابوظبى الدول	21/08/2018 10:27:56 PM	دخول	دخول				نعم	مقبول	19/08/2018 05:35:40 PM	0101077461902018308302150
صلة قرابة	مطار دبى الدولى	16/12/2018 04:37:58 AM	خروج	خروج				نعم	مقبول	07/12/2018 07:08:05 PM	0101077491902018312078150
صلة قرابة				دخول				لا	مقبول	31/08/2018 08:11:13 PM	0101077461902018308562012
صلة قرابة	منفذ جوازات المض	23/08/2018 08:05:01 PM	دخول	دخول				نعم	مقبول	07/08/2018 11:38:41 AM	0101077461902018307897277
صلة قرابة	مطار ابوظبى الدول	24/12/2018 10:05:38 AM	خروج	خروج				نعم	مقبول	11/11/2018 10:26:48 PM	0101077491902018311240167
صلة قرابة				خروج				لا	مقبول	24/12/2018 09:39:53 AM	0101077861902018312690237
أخرى	خطم الملاحه	13/12/2018 11:53:18 AM	خروج	خروج				نعم	مقبول	27/11/2018 09:45:18 PM	0101077491902018311793638
صلة قرابة	مطار دبى الدولى	12/11/2018 06:36:00 PM	خروج	خروج				نعم	مقبول	03/11/2018 10:51:09 PM	0101077491902018310944928
صلة قرابة	مطار دبى الدولى	22/08/2018 07:57:00 PM	دخول	دخول				نعم	مقبول	16/08/2018 11:32:17 AM	0101077461902018308239049
صلة قرابة	مطار دبى الدولى	09/08/2018 12:27:00 AM	دخول	دخول				نعم	مقبول	10/07/2018 05:32:54 PM	0101077481902018307049840
صلة قرابة	مطار دبى الدولى	09/08/2018 12:27:00 AM	دخول	دخول				نعم	مقبول	10/07/2018 05:42:56 PM	0101077461902018307050396
صلة قرابة	منفذ جوازات المض	14/09/2018 06:26:36 PM	دخول	دخول				نعم	مقبول	11/09/2018 11:16:11 AM	0101077461902018308957766
صلة قرابة				خروج				لا	مرفوض	21/12/2018 06:50:36 PM	0101077491902018312617313
صلة قرابة	خطم الملاحه	19/12/2018 05:53:29 PM	دخول	دخول				نعم	مقبول	16/12/2018 06:47:10 PM	0101077461902018312408666
صلة قرابة	مطار دبى الدولى	01/12/2018 09:10:00 AM	خروج	خروج				نعم	مقبول	28/11/2018 11:33:20 PM	0101077461902018311861234
صلة قرابة	جوازات شكله	21/07/2018 01:38:04 PM	خروج	خروج				نعم	مقبول	16/07/2018 06:14:31 PM	0101077461902018307239006
أخرى	الغويفات	21/08/2018 02:51:52 AM	دخول	دخول				نعم	مقبول	21/08/2018 01:06:42 AM	0101077461902018308308754
أخرى	الغويفات	07/11/2018 01:00:06 AM	دخول	دخول				نعم	مقبول	30/09/2018 02:28:35 PM	0101077491902018309637781
صلة قرابة	مطار ابوظبى الدول	08/09/2018 06:21:27 AM	خروج	خروج				نعم	مقبول	16/08/2018 04:06:07 PM	0101077461902018308257298
صلة قرابة				خروج				لا	مرفوض	23/12/2018 01:23:31 PM	0101077491902018312659366
صلة قرابة	مطار ابوظبى الدول	07/12/2018 01:32:04 AM	دخول	دخول				نعم	مقبول	02/11/2018 02:10:50 PM	0101077461902018309705979
صلة قرابة	مطار ابوظبى الدول	07/12/2018 01:32:04 AM	دخول	دخول				نعم	مقبول	28/11/2018 02:23:00 PM	0101077461902018311832086
صلة قرابة	مطار ابوظبى الدول	13/12/2018 01:52:09 PM	خروج	خروج				نعم	مقبول	05/12/2018 12:55:42 PM	0101077491902018311995812
صلة قرابة	مركز جوازات هيلي	14/12/2018 08:19:39 AM	خروج	خروج				نعم	مقبول	05/12/2018 12:59:43 PM	0101077491902018311998574
صلة قرابة	مركز جوازات هيلي	07/09/2018 05:35:23 PM	دخول	دخول				نعم	مقبول	27/08/2018 07:41:29 PM	0101077491902018308413293
صلة قرابة				خروج				لا	مقبول	18/12/2018 03:50:44 AM	0101077861902018312471117
صلة قرابة				خروج				لا	مقبول	18/12/2018 03:50:44 AM	0101077861902018312470624
صلة قرابة				دخول				لا	مقبول	17/12/2018 09:11:37 PM	0101077461902018312467398
صلة قرابة				دخول				لا	مقبول	24/10/2018 06:18:08 AM	0101077461902018310560250
صلة قرابة				دخول				لا	مقبول	19/09/2018 06:57:38 PM	0101077481902018309267292
صلة قرابة				دخول				لا	مقبول	23/09/2018 11:00:44 AM	0101077481902018309355584
صلة قرابة				خروج				لا	مقبول	23/12/2018 08:59:24 PM	0101077461902018312468740
صلة قرابة				خروج				لا	مقبول	05/12/2018 12:55:42 PM	0101077491902018311992407
صلة قرابة				خروج				لا	مقبول	09/12/2018 01:39:19 AM	0101077861902018312087991
صلة قرابة				خروج				لا	مقبول	21/12/2018 02:34:51 PM	0101077491902018311552068
صلة قرابة	مطار دبى الدولى	16/08/2018 08:50:00 PM	دخول	دخول				نعم	مقبول	13/08/2018 01:05:15 PM	0101077461902018308081432
صلة قرابة				دخول				لا	مقبول	02/09/2018 09:42:14 PM	0101077461902018308624806
صلة قرابة	مطار ابوظبى الدول	22/12/2018 01:46:33 PM	خروج	خروج				نعم	مقبول	09/12/2018 02:50:26 AM	0101077861902018312098010
صلة قرابة	مطار دبى الدولى	06/12/2018 10:42:00 PM	دخول	دخول				نعم	مقبول	09/11/2018 05:52:33 PM	0101077861902018311000147
صلة قرابة				خروج				لا	مرفوض	26/11/2018 10:19:01 PM	0101077491902018311759236
صلة قرابة				دخول				لا	مقبول	22/11/2018 10:28:33 PM	0101077461902018311635243
صلة قرابة				دخول				لا	مقبول	22/11/2018 10:28:33 PM	0101077461902018311635875
صلة قرابة				دخول				لا	مقبول	11/08/2018 12:36:00 PM	0101077461902018308016546
صلة قرابة				خروج				لا	مقبول	25/08/2018 03:13:56 PM	0101077491902018308323967
صلة قرابة				دخول				لا	مقبول	11/12/2018 03:28:44 AM	0101077461902018312147872
صلة قرابة	مطار ابوظبى الدول	08/09/2018 09:40:51 PM	دخول	دخول				نعم	مقبول	05/09/2018 02:03:07 PM	0101077461902018308757279
صلة قرابة	مطار دبى الدولى	23/08/2018 10:20:00 AM	دخول	دخول				نعم	مقبول	13/08/2018 02:02:14 AM	0101077481902018308078316
صلة قرابة	جوازات شكله	21/07/2018 01:38:45 PM	خروج	خروج				نعم	مقبول	16/07/2018 06:14:31 PM	0101077461902018307238782
صلة قرابة	مطار دبى الدولى	20/12/2018 07:03:00 PM	دخول	دخول				نعم	مقبول	15/12/2018 02:45:15 PM	0101077461902018311924532
صلة قرابة	مطار ابوظبى الدول	19/08/2018 09:39:30 AM	خروج	خروج				نعم	مقبول	14/08/2018 04:51:29 PM	0101077491902018308159334
صلة قرابة				خروج				لا	مرفوض	16/12/2018 09:16:42 PM	0101077491902018312416502

Annex 17

صلة قرابة	مطار دبى الدولى	04/11/2018 12:16:00 AM	دخول	دخول				نعم	مقبول	31/10/2018 02:16:29 PM	0101077461902018310817849
صلة قرابة	مطار دبى الدولى	25/11/2018 07:27:00 PM	دخول	دخول				نعم	مقبول	10/11/2018 02:24:14 PM	0101077461902018311182458
صلة قرابة	مطار دبى الدولى	25/11/2018 07:27:00 PM	دخول	دخول				نعم	مقبول	24/11/2018 07:43:37 PM	0101077461902018311647012
صلة قرابة	مطار دبى الدولى	18/12/2018 07:57:00 PM	دخول	دخول				نعم	مقبول	09/12/2018 01:51:51 PM	0101077461902018312124222
صلة قرابة	مطار دبى الدولى	13/12/2018 08:57:00 AM	خروج	خروج				نعم	مقبول	07/12/2018 06:21:42 AM	0101077491902018312072309
صلة قرابة	مطار دبى الدولى	23/11/2018 09:45:00 AM	دخول	دخول				نعم	مقبول	20/11/2018 02:12:14 PM	0101077461902018311501707
صلة قرابة	جوازات شكله	01/09/2018 06:12:16 PM	دخول	دخول				نعم	مقبول	28/08/2018 01:14:07 PM	0101077461902018308442945
صلة قرابة	جوازات شكله	01/09/2018 06:12:16 PM	دخول	دخول				نعم	مقبول	29/08/2018 11:15:34 AM	0101077461902018308480903
صلة قرابة				خروج				لا	مقبول	13/11/2018 11:10:56 PM	0101077861902018311332311
صلة قرابة	مطار ابوظبى الدول	12/12/2018 10:10:04 AM	خروج	خروج				نعم	مقبول	11/12/2018 02:35:49 PM	0101077491902018311864500
صلة قرابة	جوازات شكله	15/12/2018 01:51:14 PM	خروج	خروج				نعم	مقبول	27/11/2018 09:40:18 PM	0101077491902018311776444
صلة قرابة	منفذ جوازات المض	16/12/2018 06:43:58 PM	دخول	دخول				نعم	مقبول	15/12/2018 06:44:56 PM	0101077461902018312366316
صلة قرابة				خروج				لا	مرفوض	10/12/2018 04:41:00 PM	0101077491902018312176520
صلة قرابة	مطار دبى الدولى	03/09/2018 01:44:00 AM	دخول	دخول				نعم	مقبول	29/08/2018 03:44:34 PM	0101077461902018308499115
صلة قرابة	مطار ابوظبى الدول	16/12/2018 10:40:25 AM	خروج	خروج				نعم	مقبول	28/11/2018 12:30:33 AM	0101077491902018311811880
صلة قرابة				دخول				لا	مقبول	10/12/2018 10:42:04 PM	0101077461902018312180185
صلة قرابة	مطار ابوظبى الدول	17/12/2018 10:26:43 AM	دخول	دخول				نعم	مقبول	10/12/2018 10:32:03 PM	0101077461902018312191671
صلة قرابة	جوازات شكله	23/08/2018 06:21:31 PM	دخول	دخول				نعم	مقبول	22/08/2018 01:00:43 PM	0101077461902018308309759
صلة قرابة	مطار دبى الدولى	20/12/2018 07:03:00 PM	دخول	دخول				نعم	مقبول	15/12/2018 02:45:15 PM	0101077461902018311924542
صلة قرابة	منفذ جوازات المض	26/08/2018 06:09:41 PM	دخول	دخول				نعم	مقبول	25/08/2018 07:05:43 PM	0101077461902018308327249
صلة قرابة	منفذ جوازات المض	21/12/2018 06:36:50 PM	دخول	دخول				نعم	مقبول	19/12/2018 10:44:24 AM	0101077461902018312525670
صلة قرابة	مطار ابوظبى الدول	19/12/2018 12:51:02 PM	خروج	خروج				نعم	مقبول	08/12/2018 08:08:52 PM	0101077491902018312079192
صلة قرابة	مطار ابوظبى الدول	18/08/2018 09:37:08 AM	خروج	خروج				نعم	مقبول	10/08/2018 02:56:51 AM	0101077491902018308009047
صلة قرابة	مطار ابوظبى الدول	18/08/2018 09:37:08 AM	خروج	خروج				نعم	مقبول	15/08/2018 05:09:38 PM	0101077491902018308211987
صلة قرابة	مطار ابوظبى الدول	01/10/2018 09:20:58 PM	دخول	دخول				نعم	مقبول	11/09/2018 01:17:07 AM	0101077461902018308945967
صلة قرابة	مطار دبى الدولى	12/10/2018 07:49:00 PM	دخول	دخول				نعم	مقبول	08/10/2018 01:15:06 PM	0101077461902018309936186
صلة قرابة	جوازات شكله	08/09/2018 05:30:09 PM	دخول	دخول				نعم	مقبول	26/08/2018 10:21:29 PM	0101077461902018308372351
صلة قرابة				خروج				لا	مرفوض	03/12/2018 10:03:56 PM	0101077491902018311926201
صلة قرابة				دخول				لا	مرفوض	26/08/2018 01:09:37 AM	0101077461902018308330815
صلة قرابة	منفذ جوازات المض	26/08/2018 01:23:12 PM	دخول	دخول				نعم	مقبول	26/08/2018 08:09:25 AM	0101077461902018308331084
صلة قرابة	منفذ جوازات المض	26/08/2018 01:23:12 PM	دخول	دخول				نعم	مقبول	26/08/2018 11:58:23 AM	0101077461902018308344150
صلة قرابة	مطار دبى الدولى	19/12/2018 03:09:00 PM	خروج	خروج				نعم	مقبول	02/11/2018 03:58:06 AM	0101077491902018310932466
صلة قرابة	منفذ جوازات المض	08/12/2018 03:09:09 PM	دخول	دخول				نعم	مقبول	06/12/2018 06:40:57 AM	0101077461902018312026919
صلة قرابة	مطار ابوظبى الدول	24/09/2018 07:23:32 AM	خروج	خروج				نعم	مقبول	23/09/2018 03:32:34 PM	0101077491902018309375508
صلة قرابة	مطار ابوظبى الدول	23/12/2018 09:46:35 AM	خروج	خروج				نعم	مقبول	12/12/2018 01:43:54 PM	0101077491902018312276452
صلة قرابة	خطم الملاحه	22/12/2018 09:54:31 PM	خروج	خروج				نعم	مقبول	15/08/2018 01:42:01 PM	0101077491902018308202835
صلة قرابة				خروج				لا	مرفوض	17/12/2018 08:06:45 AM	0101077491902018312413263
صلة قرابة	مركز جوازات هيلي	01/08/2018 07:43:14 PM	دخول	دخول				نعم	مقبول	09/07/2018 07:52:01 PM	0101077461902018307012213
صلة قرابة	جوازات شكله	07/11/2018 05:11:27 PM	دخول	دخول				نعم	مقبول	06/11/2018 02:49:38 AM	0101077461902018311046224
صلة قرابة	جوازات شكله	07/11/2018 05:11:27 PM	دخول	دخول				نعم	مقبول	06/11/2018 07:29:53 PM	0101077461902018311077233
صلة قرابة				خروج				لا	مقبول	12/12/2018 11:20:30 AM	0101077491902018312260225
صلة قرابة	منفذ جوازات المض	16/09/2018 05:55:36 PM	دخول	دخول				نعم	مقبول	22/08/2018 06:43:36 AM	0101077481902018308309618
صلة قرابة				خروج				لا	مرفوض	17/12/2018 09:06:35 PM	0101077491902018312464651
صلة قرابة	مطار دبى الدولى	14/12/2018 10:30:11 AM	خروج	خروج				نعم	مقبول	28/10/2018 01:36:11 AM	0101077491902018310683618
صلة قرابة	منفذ جوازات المض	13/11/2018 06:51:49 PM	دخول	دخول				نعم	مقبول	12/11/2018 02:43:17 PM	0101077461902018311265870
صلة قرابة	منفذ جوازات المض	16/11/2018 08:18:53 PM	خروج	خروج				نعم	مقبول	15/11/2018 05:13:50 PM	0101077491902018311413094
صلة قرابة	مطار دبى الدولى	14/12/2018 09:40:00 AM	خروج	خروج				نعم	مقبول	29/11/2018 12:28:27 AM	0101077491902018311861977
صلة قرابة	مطار دبى الدولى	30/09/2018 10:06:00 AM	خروج	خروج				نعم	مقبول	30/09/2018 12:57:33 AM	0101077491902018309608324
صلة قرابة	جوازات شكله	14/12/2018 10:32:06 AM	خروج	خروج				نعم	مقبول	11/12/2018 03:23:43 AM	0101077491902018312194666
صلة قرابة	مطار ابوظبى الدول	20/10/2018 10:11:09 AM	دخول	دخول				نعم	مقبول	08/10/2018 10:25:59 PM	0101077461902018309948918
صلة قرابة				دخول				لا	مقبول	30/11/2018 06:31:18 AM	0101077461902018311893251
صلة قرابة	جوازات شكله	27/10/2018 04:28:16 PM	دخول	دخول				نعم	مقبول	15/10/2018 02:37:40 AM	0101077461902018310157121
صلة قرابة	مركز جوازات هيلي	10/10/2018 05:54:02 PM	دخول	دخول				نعم	مقبول	01/09/2018 12:39:56 PM	0101077461902018308568800
صلة قرابة	مركز جوازات هيلي	10/10/2018 05:54:02 PM	دخول	دخول				نعم	مقبول	11/09/2018 06:21:32 PM	0101077461902018308985069
صلة قرابة	الغويفات	23/12/2018 10:40:54 AM	خروج	خروج				نعم	مقبول	17/11/2018 06:35:12 PM	0101077861902018311179476
صلة قرابة	الغويفات	23/12/2018 10:40:54 AM	خروج	خروج				نعم	مقبول	20/11/2018 04:28:37 PM	0101077861902018311526113
صلة قرابة	مركز جوازات هيلي	25/08/2018 09:30:01 PM	دخول	دخول				نعم	مقبول	25/08/2018 06:43:43 PM	0101077461902018308326999
صلة قرابة	جوازات شكله	14/08/2018 08:26:15 PM	دخول	دخول				نعم	مقبول	12/08/2018 09:15:29 AM	0101077461902018308034566
صلة قرابة	مطار دبى الدولى	19/07/2018 02:12:00 PM	خروج	خروج				نعم	مقبول	12/07/2018 04:49:07 PM	0101077491902018307131923
صلة قرابة	مطار دبى الدولى	22/11/2018 03:47:00 PM	خروج	خروج				نعم	مقبول	09/11/2018 08:47:00 PM	0101077491902018311179195
صلة قرابة	مطار دبى الدولى	19/07/2018 02:12:00 PM	خروج	خروج				نعم	مقبول	12/07/2018 04:49:07 PM	0101077491902018307132577
صلة قرابة	مطار دبى الدولى	22/11/2018 03:46:00 PM	خروج	خروج				نعم	مقبول	09/11/2018 08:47:00 PM	0101077491902018311179219
صلة قرابة	مطار ابوظبى الدول	30/08/2018 09:41:19 PM	دخول	دخول				نعم	مقبول	25/08/2018 07:23:43 PM	0101077461902018308327443
صلة قرابة	مطار دبى الدولى	12/11/2018 06:35:46 PM	خروج	خروج				نعم	مقبول	04/11/2018 08:22:57 PM	0101077491902018310980372
صلة قرابة	جوازات شكله	19/08/2018 06:35:25 PM	خروج	خروج				نعم	مقبول	17/08/2018 08:43:42 PM	0101077491902018308272844
صلة قرابة	جوازات شكله	19/08/2018 06:35:51 PM	خروج	خروج				نعم	مقبول	17/08/2018 09:23:50 PM	0101077491902018308272920
صلة قرابة				خروج				لا	مرفوض	10/12/2018 04:46:01 PM	0101077491902018312177869
صلة قرابة				خروج				لا	مقبول	06/12/2018 10:34:20 PM	0101077491902018312073560
صلة قرابة	مطار دبى الدولى	23/12/2018 07:02:47 AM	خروج	خروج				نعم	مقبول	19/12/2018 09:23:20 PM	0101077491902018312514123
صلة قرابة	منفذ جوازات المض	17/12/2018 02:24:23 PM	خروج	خروج				نعم	مقبول	12/12/2018 07:52:52 PM	0101077491902018312285321
صلة قرابة	مطار دبى الدولى	13/12/2018 08:21:45 AM	خروج	خروج				نعم	مقبول	06/12/2018 02:03:31 PM	0101077491902018312053845
صلة قرابة	جوازات شكله	14/12/2018 08:51:30 PM	دخول	دخول				نعم	مقبول	07/12/2018 07:09:05 PM	0101077461902018312078219
صلة قرابة	مطار دبى الدولى	06/08/2018 04:50:00 AM	دخول	دخول				نعم	مقبول	02/08/2018 08:08:39 AM	0101077461902018307747699
صلة قرابة	مركز جوازات هيلي	08/11/2018 11:14:20 AM	خروج	خروج				نعم	مقبول	03/11/2018 10:52:09 PM	0101077491902018310728049
صلة قرابة	مطار دبى الدولى	03/09/2018 12:56:00 AM	دخول	دخول				نعم	مقبول	17/08/2018 05:57:13 PM	0101077461902018308271427
صلة قرابة	مطار دبى الدولى	03/09/2018 12:56:00 AM	دخول	دخول				نعم	مقبول	31/08/2018 02:47:19 PM	0101077461902018308560342
صلة قرابة	مطار دبى الدولى	13/08/2018 08:41:19 AM	خروج	خروج				نعم	مقبول	10/08/2018 01:50:41 PM	0101077491902018308009345
صلة قرابة	مطار دبى الدولى	23/12/2018 05:58:00 PM	دخول	دخول				نعم	مقبول	22/12/2018 10:50:15 PM	0101077461902018312633718
صلة قرابة				دخول				لا	مقبول	09/07/2018 05:24:00 AM	0101077481902018306974040
صلة قرابة				دخول				لا	مقبول	01/09/2018 12:26:52 PM	0101077481902018308568629
صلة قرابة				دخول				لا	مقبول	01/09/2018 12:47:58 PM	0101077461902018308569842
صلة قرابة	منفذ جوازات المض	22/12/2018 06:36:49 PM	دخول	دخول				نعم	مقبول	15/12/2018 02:10:11 PM	0101077461902018312359129
صلة قرابة	مطار دبى الدولى	26/11/2018 10:12:00 PM	دخول	دخول				نعم	مقبول	17/10/2018 02:02:02 PM	0101077481902018310300237

صلة قرابة	مطار دبى الدولى	26/11/2018 10:12:00 PM	دخول	دخول				نعم	مقبول	19/11/2018 05:19:34 PM	0101077461902018311471256
أخرى	مطار ابوظبى الدول	09/10/2018 03:40:38 PM	دخول	دخول				نعم	مقبول	07/10/2018 01:48:30 PM	0101077461902018309863669
صلة قرابة	مطار دبى الدولى	19/10/2018 07:07:00 PM	دخول	دخول				نعم	مقبول	15/10/2018 04:08:24 PM	0101077461902018310217359
صلة قرابة	مطار دبى الدولى	15/08/2018 06:20:21 PM	خروج	خروج				نعم	مقبول	12/08/2018 12:29:50 PM	0101077491902018308045798
صلة قرابة	مطار دبى الدولى	28/11/2018 08:36:00 AM	خروج	خروج				نعم	مقبول	21/10/2018 12:34:29 PM	0101077491902018310415475
أخرى	جوازات شكله	13/10/2018 07:05:08 PM	دخول	دخول				نعم	مقبول	13/10/2018 02:47:21 PM	0101077461902018310126950
صلة قرابة	مطار ابوظبى الدول	17/12/2018 10:25:26 AM	دخول	دخول				نعم	مقبول	10/12/2018 10:32:03 PM	0101077461902018312191496
صلة قرابة	مطار دبى الدولى	20/08/2018 10:48:00 AM	دخول	دخول				نعم	مقبول	19/07/2018 05:44:08 PM	0101077481902018307359203
صلة قرابة	مطار دبى الدولى	20/08/2018 10:48:00 AM	دخول	دخول				نعم	مقبول	15/08/2018 11:55:44 PM	0101077481902018308224537
صلة قرابة				خروج				لا	مرفوض	23/12/2018 01:23:31 PM	0101077491902018312658226
صلة قرابة	مطار دبى الدولى	18/12/2018 11:15:00 AM	خروج	خروج				نعم	مقبول	15/12/2018 02:45:15 PM	0101077491902018311920899
صلة قرابة	جوازات شكله	03/11/2018 05:40:32 PM	دخول	دخول				نعم	مقبول	31/10/2018 02:14:29 PM	0101077461902018310869935
صلة قرابة	جوازات شكله	03/11/2018 05:40:32 PM	دخول	دخول				نعم	مقبول	01/11/2018 10:23:26 PM	0101077461902018310734882
صلة قرابة	مطار دبى الدولى	05/09/2018 08:59:00 AM	خروج	خروج				نعم	مقبول	15/08/2018 12:58:48 AM	0101077491902018308175877
صلة قرابة	جوازات شكله	13/12/2018 07:30:49 PM	خروج	خروج				نعم	مقبول	09/12/2018 01:04:34 PM	0101077491902018311979108
صلة قرابة				خروج				لا	مرفوض	16/12/2018 09:16:42 PM	0101077491902018312415414
صلة قرابة	مطار ابوظبى الدول	21/08/2018 10:29:47 PM	دخول	دخول				نعم	مقبول	19/08/2018 05:35:40 PM	0101077461902018308302086
صلة قرابة	جوازات شكله	24/11/2018 06:35:44 PM	دخول	دخول				نعم	مقبول	23/11/2018 11:15:36 PM	0101077461902018311642353
صلة قرابة	جوازات شكله	14/12/2018 08:52:21 PM	دخول	دخول				نعم	مقبول	05/12/2018 08:39:11 PM	0101077461902018312017519
صلة قرابة	منفذ جوازات المض	22/12/2018 06:35:37 PM	دخول	دخول				نعم	مقبول	18/12/2018 03:53:45 AM	0101077461902018312470659
صلة قرابة	جوازات مزيد	14/08/2018 10:49:22 AM	دخول	دخول				نعم	مقبول	13/08/2018 10:28:08 PM	0101077461902018308122447
صلة قرابة	مطار ابوظبى الدول	18/08/2018 09:17:53 AM	خروج	خروج				نعم	مقبول	15/08/2018 05:23:41 PM	0101077491902018308214013
صلة قرابة	مطار ابوظبى الدول	01/10/2018 09:20:26 PM	دخول	دخول				نعم	مقبول	11/09/2018 01:41:10 AM	0101077461902018308945981
صلة قرابة	مركز جوازات هيلي	21/07/2018 05:48:09 PM	دخول	دخول				نعم	مقبول	10/07/2018 06:46:06 PM	0101077461902018307053232
صلة قرابة	مركز جوازات هيلي	15/11/2018 06:12:25 PM	دخول	دخول				نعم	مقبول	06/11/2018 02:48:38 AM	0101077461902018311040335
صلة قرابة	مطار دبى الدولى	01/09/2018 09:00:01 AM	خروج	خروج				نعم	مقبول	16/07/2018 12:30:27 PM	0101077491902018307219265
صلة قرابة	مركز جوازات هيلي	08/11/2018 11:12:49 AM	خروج	خروج				نعم	مقبول	03/11/2018 10:52:09 PM	0101077491902018310730325
صلة قرابة	مطار دبى الدولى	14/09/2018 12:07:00 AM	دخول	دخول				نعم	مقبول	12/09/2018 07:12:20 PM	0101077461902018309036843
صلة قرابة	جوازات شكله	20/12/2018 02:18:34 PM	خروج	خروج				نعم	مقبول	17/12/2018 02:15:58 PM	0101077491902018312145980
صلة قرابة	مطار دبى الدولى	22/12/2018 11:34:00 PM	دخول	دخول				نعم	مقبول	17/12/2018 01:40:55 PM	0101077461902018312443758
صلة قرابة				دخول				لا	مقبول	09/11/2018 05:54:33 PM	0101077861902018311083701
صلة قرابة				دخول				لا	مقبول	17/12/2018 09:12:37 PM	0101077461902018312468259
صلة قرابة				خروج				لا	مرفوض	21/12/2018 06:50:36 PM	0101077491902018312617340
صلة قرابة	مطار دبى الدولى	06/09/2018 07:45:00 AM	خروج	خروج				نعم	مقبول	31/08/2018 01:49:13 AM	0101077491902018308560379
صلة قرابة	منفذ جوازات المض	17/11/2018 07:32:46 PM	دخول	دخول				نعم	مقبول	14/11/2018 05:33:52 PM	0101077461902018311364265
صلة قرابة				خروج				لا	مقبول	16/11/2018 06:10:49 AM	0101077861902018311422873
صلة قرابة	مطار ابوظبى الدول	17/12/2018 09:58:24 AM	خروج	خروج				نعم	مقبول	05/12/2018 09:21:02 AM	0101077491902018311967067
صلة قرابة	منفذ جوازات المض	29/08/2018 01:19:55 PM	دخول	دخول				نعم	مقبول	28/08/2018 09:31:45 PM	0101077461902018308463536
أخرى	منفذ جوازات المض	07/11/2018 06:02:11 PM	دخول	دخول				نعم	مقبول	07/11/2018 02:13:42 AM	0101077461902018311092692
صلة قرابة	جوازات شكله	21/12/2018 01:58:42 PM	خروج	خروج				نعم	مقبول	16/12/2018 06:12:25 AM	0101077491902018312372004
صلة قرابة	منفذ جوازات المض	21/12/2018 01:57:56 PM	خروج	خروج				نعم	مقبول	20/12/2018 05:39:54 PM	0101077491902018312602989
صلة قرابة	منفذ جوازات المض	21/12/2018 01:56:39 PM	خروج	خروج				نعم	مقبول	20/12/2018 05:39:54 PM	0101077491902018312602237
صلة قرابة	مطار ابوظبى الدول	23/12/2018 09:46:09 AM	خروج	خروج				نعم	مقبول	12/12/2018 01:43:54 PM	0101077491902018312277064
صلة قرابة	منفذ جوازات المض	26/08/2018 01:22:24 PM	دخول	دخول				نعم	مقبول	26/08/2018 08:27:31 AM	0101077461902018308331367
صلة قرابة	مطار دبى الدولى	03/09/2018 01:45:00 AM	دخول	دخول				نعم	مقبول	29/08/2018 03:29:29 PM	0101077461902018308496948
صلة قرابة	مركز جوازات هيلي	14/12/2018 08:19:47 AM	خروج	خروج				نعم	مقبول	05/12/2018 12:59:43 PM	0101077491902018311998080
صلة قرابة	جوازات شكله	17/09/2018 06:40:24 PM	دخول	دخول				نعم	مقبول	12/09/2018 11:01:43 AM	0101077461902018309006207
صلة قرابة	منفذ جوازات المض	28/09/2018 10:21:10 PM	دخول	دخول				نعم	مقبول	17/09/2018 10:55:05 AM	0101077461902018309134036
صلة قرابة	منفذ جوازات المض	28/09/2018 10:21:10 PM	دخول	دخول				نعم	مقبول	24/09/2018 07:45:36 PM	0101077461902018309435102
صلة قرابة	مطار دبى الدولى	03/09/2018 08:10:00 PM	دخول	دخول				نعم	مقبول	18/07/2018 04:11:56 PM	0101077481902018307314703
صلة قرابة	جوازات شكله	23/08/2018 06:27:16 PM	دخول	دخول				نعم	مقبول	18/08/2018 09:49:50 AM	0101077461902018308275021
صلة قرابة	مطار دبى الدولى	14/12/2018 08:13:23 AM	خروج	خروج				نعم	مقبول	23/11/2018 10:34:25 PM	0101077491902018311641999
صلة قرابة	جوازات شكله	20/12/2018 05:45:31 PM	دخول	دخول				نعم	مقبول	20/12/2018 02:38:22 PM	0101077461902018312587135
صلة قرابة	مركز جوازات هيلي	26/08/2018 08:19:42 PM	دخول	دخول				نعم	مقبول	24/08/2018 02:28:37 PM	0101077461902018308316549
صلة قرابة	منفذ جوازات المض	18/12/2018 10:39:49 PM	دخول	دخول				نعم	مقبول	13/12/2018 04:42:13 AM	0101077461902018312305094
صلة قرابة				دخول				لا	مقبول	21/12/2018 01:49:35 AM	0101077481902018312613457
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صلة قرابة	مطار دبى الدولى	06/10/2018 08:27:00 PM	دخول	دخول				نعم	مقبول	02/10/2018 06:19:52 AM	0101077481902018309707608
صلة قرابة	مطار دبى الدولى	23/11/2018 04:18:00 PM	دخول	دخول				نعم	مقبول	11/10/2018 07:40:44 AM	0101077461902018310072566
صلة قرابة	مطار دبى الدولى	23/11/2018 04:18:00 PM	دخول	دخول				نعم	مقبول	16/11/2018 06:12:49 AM	0101077461902018311423747
صلة قرابة	مركز جوازات حتا	23/12/2018 04:29:00 PM	خروج	خروج				نعم	مقبول	02/12/2018 01:15:14 AM	0101077491902018311919352
صلة قرابة	مطار ابوظبى الدول	25/10/2018 09:39:12 AM	خروج	خروج				نعم	مقبول	11/10/2018 11:34:57 PM	0101077491902018310117567
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صلة قرابة	مطار ابوظبى الدول	26/10/2018 03:23:17 PM	دخول	دخول				نعم	مقبول	21/10/2018 02:12:34 PM	0101077461902018310427184
صلة قرابة	مركز جوازات حتا	21/12/2018 12:30:00 PM	خروج	خروج				نعم	مقبول	06/12/2018 02:22:38 PM	0101077861902018311826980
صلة قرابة	منفذ جوازات المض	23/12/2018 06:32:08 PM	دخول	دخول				نعم	مقبول	21/12/2018 10:26:19 PM	0101077461902018312619510
صلة قرابة	مركز جوازات هيلي	26/08/2018 08:16:28 PM	دخول	دخول				نعم	مقبول	24/08/2018 02:28:37 PM	0101077461902018308316558
صلة قرابة				دخول				لا	مقبول	26/11/2018 06:25:04 AM	0101077461902018311713177
صلة قرابة				خروج				لا	مقبول	09/12/2018 01:39:19 AM	0101077861902018312088672
صلة قرابة	جوازات شكله	21/11/2018 01:30:48 PM	خروج	خروج				نعم	مقبول	19/11/2018 05:27:35 PM	0101077491902018311469314
صلة قرابة				دخول				لا	مقبول	03/09/2018 10:42:38 PM	0101077461902018308678298
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صلة قرابة	جوازات شكله	14/12/2018 05:09:01 PM	دخول	دخول				نعم	مقبول	01/09/2018 05:31:25 PM	0101077481902018308575501
صلة قرابة	مطار ابوظبى الدول	03/11/2018 10:28:45 AM	خروج	خروج				نعم	مقبول	01/11/2018 10:07:22 PM	0101077491902018310923482
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صلة قرابة				خروج				لا	مرفوض	16/12/2018 10:14:59 PM	0101077491902018312365807
صلة قرابة	مطار ابوظبى الدول	02/12/2018 03:15:42 AM	دخول	دخول				نعم	مقبول	26/08/2018 08:38:59 PM	0101077481902018308369954
صلة قرابة	مطار ابوظبى الدول	27/10/2018 01:03:37 AM	دخول	دخول				نعم	مقبول	17/10/2018 01:56:02 PM	0101077461902018310307263
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صلة قرابة	جوازات شكله	09/11/2018 05:48:33 PM	دخول	دخول				نعم	مقبول	06/11/2018 11:34:37 PM	0101077461902018311087908
صلة قرابة	مطار ابوظبى الدول	14/12/2018 10:09:15 AM	خروج	خروج				نعم	مقبول	04/12/2018 01:48:40 PM	0101077491902018311939570
صلة قرابة				خروج				لا	مرفوض	17/12/2018 08:06:45 AM	0101077491902018312412873
صلة قرابة	الغويفات	28/08/2018 03:04:32 PM	خروج	خروج				نعم	مقبول	19/08/2018 06:09:07 AM	0101077491902018308289907

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0101077491902018308679699	03/09/2018 11:21:38 PM	مقبول	نعم				خروج	خروج	05/09/2018 12:52:01 PM	جوازات شكله	صلة قرابة
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صلة قرابة	مطار ابوظبي الدولي	30/08/2018 09:39:57 PM	دخول	دخول				نعم	مقبول	25/08/2018 06:40:42 PM	0101077461902018308326431
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صلة قرابة	مطار دبي الدولي	23/09/2018 12:55:00 AM	دخول	دخول				نعم	مقبول	20/09/2018 06:10:53 PM	0101077461902018309312410
صلة قرابة	مطار دبي الدولي	12/09/2018 07:04:00 PM	دخول	دخول				نعم	مقبول	04/09/2018 11:12:38 AM	0101077461902018308680654
صلة قرابة	مركز جوازات هيلي	06/09/2018 06:59:43 PM	دخول	دخول				نعم	مقبول	04/09/2018 01:15:01 PM	0101077461902018308702673
صلة قرابة	منفذ جوازات المض	18/12/2018 10:42:07 PM	دخول	دخول				نعم	مقبول	14/09/2018 02:48:28 PM	0101077461902018309049713
صلة قرابة	مركز جوازات هيلي	06/09/2018 07:00:04 PM	دخول	دخول				نعم	مقبول	04/09/2018 01:24:02 PM	0101077461902018308703731
صلة قرابة	مركز جوازات هيلي	06/09/2018 07:00:04 PM	دخول	دخول				نعم	مقبول	04/09/2018 01:35:03 PM	0101077461902018308704968
صلة قرابة				دخول				لا	مقبول	13/12/2018 04:42:13 AM	0101077461902018312277216
صلة قرابة	مطار دبي الدولي	08/09/2018 07:16:00 PM	دخول	دخول				نعم	مقبول	05/09/2018 12:52:51 PM	0101077461902018308750951
صلة قرابة	مطار دبي الدولي	27/11/2018 04:39:00 PM	دخول	دخول				نعم	مقبول	26/11/2018 10:25:01 PM	0101077461902018311754706
صلة قرابة	مطار دبي الدولي	11/09/2018 08:17:00 PM	دخول	دخول				نعم	مقبول	05/09/2018 10:19:34 PM	0101077461902018308776744
صلة قرابة	مطار دبي الدولي	11/09/2018 08:17:00 PM	دخول	دخول				نعم	مقبول	05/09/2018 10:19:34 PM	0101077461902018308777166
صلة قرابة	خطم الملاحه	07/11/2018 04:11:32 PM	دخول	دخول				نعم	مقبول	04/11/2018 08:28:57 PM	0101077461902018310995871
صلة قرابة	جوازات شكله	08/09/2018 06:33:46 PM	دخول	دخول				نعم	مقبول	07/09/2018 10:08:53 PM	0101077461902018308826539
صلة قرابة	مركز جوازات هتا	05/10/2018 06:47:00 PM	دخول	دخول				نعم	مقبول	10/09/2018 06:24:03 PM	0101077461902018308935720
صلة قرابة	مركز جوازات هتا	05/10/2018 06:47:00 PM	دخول	دخول				نعم	مقبول	10/09/2018 06:35:05 PM	0101077461902018308936394
صلة قرابة	مركز جوازات هيلي	10/09/2018 07:33:41 PM	دخول	دخول				نعم	مقبول	08/09/2018 03:52:00 AM	0101077461902018308826734
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صلة قرابة				دخول				لا	مقبول	10/09/2018 01:14:10 AM	0101077461902018308897470
صلة قرابة				دخول				لا	مقبول	14/09/2018 04:39:49 PM	0101077461902018309049721
صلة قرابة				دخول				لا	مقبول	10/09/2018 01:28:15 AM	0101077461902018308897501
صلة قرابة				دخول				لا	مقبول	12/09/2018 07:41:24 PM	0101077461902018309036852
صلة قرابة				دخول				لا	مقبول	10/09/2018 02:42:26 PM	0101077461902018308281499
صلة قرابة	مطار دبي الدولي	15/09/2018 07:15:00 PM	دخول	دخول				نعم	مقبول	11/09/2018 10:00:53 AM	0101077461902018308952607
صلة قرابة				دخول				لا	مقبول	10/09/2018 06:16:01 PM	0101077461902018308935785
صلة قرابة				خروج				لا	مقبول	11/09/2018 11:12:27 PM	0101077491902018308824507
صلة قرابة	مطار دبي الدولي	16/09/2018 07:32:00 PM	دخول	دخول				نعم	مقبول	12/09/2018 12:50:47 AM	0101077461902018308995500
صلة قرابة				دخول				لا	مقبول	12/09/2018 09:30:23 AM	0101077491902018308997935
صلة قرابة	جوازات شكله	17/09/2018 06:38:31 PM	دخول	دخول				نعم	مقبول	12/09/2018 11:01:43 AM	0101077461902018309007494
صلة قرابة	جوازات شكله	17/09/2018 06:38:47 PM	دخول	دخول				نعم	مقبول	12/09/2018 11:01:43 AM	0101077461902018309007788
صلة قرابة	جوازات شكله	17/09/2018 06:39:00 PM	دخول	دخول				نعم	مقبول	12/09/2018 11:01:43 AM	0101077461902018309006655
صلة قرابة	مطار ابوظبي الدولي	15/09/2018 09:40:50 PM	دخول	دخول				نعم	مقبول	13/09/2018 12:12:05 PM	0101077461902018309045487
صلة قرابة	مطار ابوظبي الدولي	14/11/2018 03:23:02 PM	خروج	خروج				نعم	مقبول	10/11/2018 09:50:13 PM	0101077491902018311199146
صلة قرابة	منفذ جوازات المض	21/12/2018 01:56:58 PM	خروج	خروج				نعم	مقبول	20/12/2018 05:39:54 PM	0101077491902018312602049
صلة قرابة				دخول				لا	مقبول	12/09/2018 05:58:08 PM	0101077481902018308289905
أخرى				دخول				لا	مقبول	12/09/2018 05:58:08 PM	0101077461902018308306712
صلة قرابة				دخول				لا	مقبول	12/09/2018 05:58:08 PM	0101077461902018308559907
دراسة	مركز جوازات هتا	28/09/2018 03:41:00 PM	دخول	دخول				نعم	مقبول	12/09/2018 05:58:08 PM	0101077461902018308761821
صلة قرابة				دخول				لا	مقبول	12/09/2018 05:58:08 PM	0101077481902018308824481
صلة قرابة	مطار دبي الدولي	14/09/2018 12:06:00 AM	دخول	دخول				نعم	مقبول	12/09/2018 06:12:09 PM	0101077461902018309032912
صلة قرابة				دخول				لا	مرفوض	12/09/2018 07:50:25 PM	0101077481902018308271663
صلة قرابة				دخول				لا	مقبول	13/09/2018 03:19:42 PM	0101077461902018309046975
صلة قرابة	مطار ابوظبي الدولي	19/09/2018 10:05:04 PM	دخول	دخول				نعم	مقبول	13/09/2018 08:02:27 PM	0101077461902018309048411

صلة قرابة	مركز جوازات هيلي	14/08/2018 10:12:13 PM	دخول	دخول				نعم	مقبول	13/08/2018 07:22:34 PM	0101077461902018308117972
صلة قرابة	مركز جوازات هيلي	14/08/2018 10:11:44 PM	دخول	دخول				نعم	مقبول	13/08/2018 07:22:34 PM	0101077461902018308117342
صلة قرابة	مركز جوازات هيلي	20/11/2018 09:26:04 PM	دخول	دخول				نعم	مقبول	18/11/2018 01:13:32 PM	0101077461902018311441534
صلة قرابة	مطار دبي الدولي	16/08/2018 09:23:00 PM	دخول	دخول				نعم	مقبول	13/08/2018 08:55:49 PM	0101077461902018308080804
صلة قرابة				دخول				لا	مقبول	13/08/2018 10:28:08 PM	0101077461902018308123329
صلة قرابة				دخول				لا	مقبول	13/08/2018 10:28:08 PM	0101077461902018308123274
صلة قرابة				دخول				لا	مقبول	13/08/2018 10:28:08 PM	0101077461902018308121621
صلة قرابة				دخول				لا	مقبول	13/08/2018 10:28:08 PM	0101077461902018308123101
صلة قرابة	جوازات شكله	17/08/2018 04:04:55 PM	دخول	دخول				نعم	مقبول	13/08/2018 10:47:10 PM	0101077461902018308123229
صلة قرابة	منفذ جوازات المض	19/08/2018 07:32:01 PM	دخول	دخول				نعم	مقبول	14/08/2018 01:01:19 AM	0101077461902018308123880
صلة قرابة	جوازات شكله	14/08/2018 09:47:52 AM	دخول	دخول				نعم	مقبول	14/08/2018 05:55:10 AM	0101077461902018308125034
صلة قرابة	مركز جوازات هيلي	16/08/2018 06:42:36 PM	دخول	دخول				نعم	مقبول	14/08/2018 11:35:30 PM	0101077461902018308175574
صلة قرابة	منفذ جوازات المض	18/12/2018 10:41:38 PM	دخول	دخول				نعم	مقبول	14/09/2018 02:57:29 PM	0101077461902018309049719
صلة قرابة	منفذ جوازات المض	18/12/2018 10:41:38 PM	دخول	دخول				نعم	مقبول	12/12/2018 10:41:10 PM	0101077461902018312141588
صلة قرابة	مركز جوازات هيلي	16/08/2018 06:44:57 PM	دخول	دخول				نعم	مقبول	14/08/2018 11:50:31 PM	0101077461902018308175689
صلة قرابة	منفذ جوازات المض	18/12/2018 10:41:00 PM	دخول	دخول				نعم	مقبول	13/09/2018 09:13:37 PM	0101077461902018309049218
صلة قرابة	منفذ جوازات المض	18/12/2018 10:41:00 PM	دخول	دخول				نعم	مقبول	13/09/2018 09:30:40 PM	0101077461902018309049247
صلة قرابة	منفذ جوازات المض	18/12/2018 10:41:00 PM	دخول	دخول				نعم	مقبول	10/12/2018 06:20:57 AM	0101077461902018312142710
صلة قرابة	منفذ جوازات المض	18/12/2018 10:41:00 PM	دخول	دخول				نعم	مقبول	12/12/2018 07:48:52 PM	0101077461902018312283333
صلة قرابة				دخول				لا	مقبول	21/12/2018 01:49:35 AM	0101077481902018312614110
صلة قرابة	جوازات شكله	15/08/2018 02:07:02 PM	دخول	دخول				نعم	مقبول	15/08/2018 01:41:00 PM	0101077461902018308201318
صلة قرابة	جوازات شكله	17/08/2018 06:09:44 PM	دخول	دخول				نعم	مقبول	15/08/2018 05:26:42 PM	0101077461902018308214020
صلة قرابة	جوازات شكله	17/12/2018 05:05:47 PM	دخول	دخول				نعم	مقبول	16/12/2018 12:16:21 PM	0101077461902018312391119
صلة قرابة				دخول				لا	مقبول	15/08/2018 10:12:28 PM	0101077461902018308223315
صلة قرابة				دخول				لا	مقبول	19/09/2018 01:03:59 AM	0101077461902018309224626
صلة قرابة				دخول				لا	مقبول	20/09/2018 06:29:56 PM	0101077461902018309314288
صلة قرابة	جوازات شكله	17/08/2018 06:42:05 PM	دخول	دخول				نعم	مقبول	15/08/2018 10:34:34 PM	0101077461902018308223440
صلة قرابة				دخول				لا	مرفوض	12/09/2018 05:58:07 PM	0101077461902018308157177
صلة قرابة				دخول				لا	مرفوض	12/09/2018 07:50:25 PM	0101077461902018308210191
صلة قرابة	مطار دبي الدولي	18/08/2018 10:44:00 PM	دخول	دخول				نعم	مقبول	16/08/2018 09:27:45 AM	0101077461902018308227028
صلة قرابة	مطار دبي الدولي	18/08/2018 10:45:00 PM	دخول	دخول				نعم	مقبول	16/08/2018 09:27:45 AM	0101077461902018308228466
صلة قرابة	مطار دبي الدولي	23/08/2018 10:09:00 PM	دخول	دخول				نعم	مقبول	16/08/2018 09:39:06 PM	0101077461902018308269198
صلة قرابة	جوازات شكله	16/12/2018 05:21:33 PM	دخول	دخول				نعم	مقبول	16/08/2018 10:50:23 PM	0101077461902018308269174
صلة قرابة	جوازات شكله	16/12/2018 05:21:33 PM	دخول	دخول				نعم	مقبول	13/12/2018 04:39:12 AM	0101077461902018312305153
صلة قرابة				دخول				لا	مقبول	16/08/2018 11:23:22 PM	0101077461902018308271210
صلة قرابة	مطار دبي الدولي	20/08/2018 04:56:00 PM	دخول	دخول				نعم	مقبول	16/08/2018 11:33:23 PM	0101077461902018308271253
صلة قرابة	مطار دبي الدولي	20/12/2018 07:22:00 PM	دخول	دخول				نعم	مقبول	09/12/2018 02:48:29 AM	0101077461902018312104357
صلة قرابة				دخول				لا	مقبول	18/08/2018 11:05:55 AM	0101077461902018308277037
صلة قرابة				دخول				لا	مقبول	18/08/2018 11:05:55 AM	0101077461902018308276425
صلة قرابة				دخول				لا	مقبول	18/08/2018 11:05:55 AM	0101077461902018308276006
صلة قرابة				دخول				لا	مقبول	18/08/2018 11:05:55 AM	0101077461902018308276149
صلة قرابة				دخول				لا	مقبول	18/08/2018 11:05:55 AM	0101077461902018308275904
صلة قرابة				دخول				لا	مقبول	23/08/2018 06:07:07 PM	0101077461902018308314460
صلة قرابة				دخول				لا	مقبول	23/08/2018 06:50:15 PM	0101077461902018308315103
صلة قرابة	مطار دبي الدولي	25/08/2018 08:59:00 PM	دخول	دخول				نعم	مقبول	23/08/2018 06:07:07 PM	0101077461902018308315016
صلة قرابة	مطار دبي الدولي	25/08/2018 08:59:00 PM	دخول	دخول				نعم	مقبول	23/08/2018 06:50:15 PM	0101077461902018308315109
أخرى	منفذ جوازات المض	20/08/2018 12:21:34 AM	دخول	دخول				نعم	مقبول	19/08/2018 10:42:05 AM	0101077461902018308293361
أخرى	منفذ جوازات المض	20/08/2018 12:20:57 AM	دخول	دخول				نعم	مقبول	19/08/2018 10:42:05 AM	0101077461902018308293252
أخرى	منفذ جوازات المض	20/08/2018 12:20:57 AM	دخول	دخول				نعم	مقبول	19/08/2018 01:05:27 PM	0101077461902018308297431
أخرى				دخول				لا	مقبول	19/08/2018 10:42:05 AM	0101077461902018308293172
أخرى				دخول				لا	مرفوض	12/09/2018 05:58:08 PM	0101077481902018308373319
أخرى				دخول				لا	مقبول	19/08/2018 01:05:27 PM	0101077461902018308297318
صلة قرابة	جوازات شكله	14/12/2018 05:08:00 PM	دخول	دخول				نعم	مقبول	01/09/2018 05:31:25 PM	0101077481902018308574027
صلة قرابة				دخول				لا	مقبول	20/08/2018 10:16:18 PM	0101077461902018308308574
صلة قرابة				خروج				لا	مقبول	31/10/2018 12:20:33 AM	0101077491902018310843541
صلة قرابة				دخول				لا	مقبول	09/11/2018 01:59:49 AM	0101077461902018311173970
صلة قرابة				خروج				لا	مقبول	14/11/2018 05:32:52 PM	0101077491902018311366958
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صلة قرابة				دخول				لا	مقبول	21/08/2018 10:25:23 PM	0101077461902018308308752
صلة قرابة	منفذ جوازات المض	26/08/2018 06:08:41 PM	دخول	دخول				نعم	مقبول	25/08/2018 05:49:37 PM	0101077461902018308326039
صلة قرابة	منفذ جوازات المض	26/08/2018 06:05:40 PM	دخول	دخول				نعم	مقبول	23/08/2018 03:51:47 AM	0101077461902018308310743
صلة قرابة				دخول				لا	مقبول	23/08/2018 03:57:49 AM	0101077461902018308310745
صلة قرابة				دخول				لا	مقبول	07/10/2018 06:24:40 PM	0101077461902018309807617
صلة قرابة				دخول				لا	مقبول	24/10/2018 10:22:40 PM	0101077461902018310593954
صلة قرابة				دخول				لا	مقبول	13/11/2018 05:42:39 AM	0101077461902018311290599
صلة قرابة				دخول				لا	مقبول	15/11/2018 03:55:39 PM	0101077461902018311411083
صلة قرابة				دخول				لا	مقبول	18/11/2018 02:54:26 AM	0101077461902018311439375
صلة قرابة				دخول				لا	مقبول	25/11/2018 08:19:42 AM	0101077461902018311664976
صلة قرابة				دخول				لا	مقبول	01/12/2018 06:17:05 AM	0101077481902018311908784
صلة قرابة	مطار الشارقه الدو	26/08/2018 10:52:50 PM	دخول	دخول				نعم	مقبول	23/08/2018 05:32:03 PM	0101077461902018308314394
صلة قرابة	مطار الشارقه الدو	26/08/2018 10:52:50 PM	دخول	دخول				نعم	مقبول	25/08/2018 05:02:24 PM	0101077461902018308325200
صلة قرابة	مطار الشارقه الدو	26/08/2018 10:52:50 PM	دخول	دخول				نعم	مقبول	25/08/2018 08:19:43 PM	0101077461902018308328721
صلة قرابة	جوازات شكله	18/12/2018 07:47:43 PM	دخول	دخول				نعم	مقبول	23/08/2018 08:13:28 PM	0101077461902018308315317
صلة قرابة	جوازات شكله	18/12/2018 07:47:43 PM	دخول	دخول				نعم	مقبول	13/12/2018 04:37:11 AM	0101077461902018312305975
صلة قرابة	جوازات شكله	18/12/2018 07:48:03 PM	دخول	دخول				نعم	مقبول	23/08/2018 08:13:28 PM	0101077461902018308315274
صلة قرابة	جوازات شكله	18/12/2018 07:48:03 PM	دخول	دخول				نعم	مقبول	13/12/2018 04:39:12 AM	0101077461902018312305456
صلة قرابة	جوازات شكله	05/09/2018 11:07:47 PM	دخول	دخول				نعم	مقبول	24/08/2018 02:51:31 AM	0101077461902018308315905
صلة قرابة	مطار ابوظبي الدولي	12/09/2018 04:06:21 AM	دخول	دخول				نعم	مقبول	24/08/2018 04:02:43 AM	0101077461902018308315907
صلة قرابة	مطار ابوظبي الدولي	12/09/2018 04:06:21 AM	دخول	دخول				نعم	مقبول	29/08/2018 03:56:36 PM	0101077461902018308499984
صلة قرابة	مطار ابوظبي الدولي	12/09/2018 04:06:21 AM	دخول	دخول				نعم	مقبول	05/09/2018 03:05:03 AM	0101077461902018308728447
صلة قرابة	جوازات مزيد	25/08/2018 09:40:29 PM	دخول	دخول				نعم	مقبول	24/08/2018 02:42:40 PM	0101077461902018308316542
صلة قرابة				دخول				لا	مقبول	24/08/2018 09:26:49 PM	0101077461902018308317157
صلة قرابة	جوازات شكله	27/08/2018 05:41:18 PM	دخول	دخول				نعم	مقبول	25/08/2018 12:37:42 PM	0101077461902018308321833

صلة قرابة	مطار دبى الدولى	01/11/2018 10:22:00 PM	دخول	دخول				نعم	مقبول	21/10/2018 07:57:10 AM	0101077461902018310385532
صلة قرابة	مطار دبى الدولى	01/11/2018 10:22:00 PM	دخول	دخول				نعم	مقبول	21/10/2018 07:57:10 AM	0101077461902018310385620
صلة قرابة	مطار ابوظبى الدول	07/11/2018 04:08:39 AM	دخول	دخول				نعم	مقبول	23/10/2018 05:00:16 AM	0101077461902018310508203
صلة قرابة	مطار ابوظبى الدول	07/11/2018 04:09:43 AM	دخول	دخول				نعم	مقبول	23/10/2018 05:00:16 AM	0101077461902018310508223
صلة قرابة	مطار ابوظبى الدول	07/11/2018 04:09:16 AM	دخول	دخول				نعم	مقبول	24/10/2018 06:18:08 AM	0101077461902018310560287
صلة قرابة				دخول				لا	مقبول	24/10/2018 02:06:59 PM	0101077461902018310419499
صلة قرابة				دخول				لا	مرفوض	24/10/2018 02:06:59 PM	0101077461902018310584286
صلة قرابة				دخول				لا	مقبول	24/10/2018 10:19:40 PM	0101077461902018309842093
صلة قرابة				دخول				لا	مقبول	24/10/2018 10:19:40 PM	0101077461902018309844454
صلة قرابة				دخول				لا	مقبول	24/10/2018 10:19:40 PM	0101077461902018309843464
صلة قرابة	جوازات شكله	25/10/2018 05:57:08 PM	دخول	دخول				نعم	مقبول	24/10/2018 10:24:40 PM	0101077461902018310608454
صلة قرابة	جوازات شكله	22/12/2018 05:33:15 PM	دخول	دخول				نعم	مقبول	05/12/2018 12:44:40 PM	0101077461902018311814716
صلة قرابة	مطار ابوظبى الدول	16/11/2018 03:49:02 AM	دخول	دخول				نعم	مقبول	26/10/2018 06:20:46 AM	0101077461902018310658633
صلة قرابة	مطار دبى الدولى	28/10/2018 08:04:00 PM	دخول	دخول				نعم	مقبول	27/10/2018 03:57:48 PM	0101077461902018310671430
صلة قرابة				دخول				لا	مقبول	02/11/2018 06:52:36 PM	0101077481902018310932902
صلة قرابة	منفذ جوازات المض	01/11/2018 06:08:47 PM	دخول	دخول				نعم	مقبول	29/10/2018 09:07:57 PM	0101077461902018310785070
صلة قرابة	منفذ جوازات المض	01/11/2018 06:08:12 PM	دخول	دخول				نعم	مقبول	29/10/2018 09:07:57 PM	0101077461902018310785371
صلة قرابة	مطار ابوظبى الدول	04/11/2018 03:31:07 AM	دخول	دخول				نعم	مقبول	27/10/2018 10:52:41 PM	0101077461902018310681233
صلة قرابة				دخول				لا	مقبول	28/10/2018 12:59:29 PM	0101077461902018310703410
صلة قرابة	مطار ابوظبى الدول	31/10/2018 01:17:30 AM	دخول	دخول				نعم	مقبول	29/10/2018 03:03:51 PM	0101077461902018310397518
صلة قرابة	مطار ابوظبى الدول	31/10/2018 01:05:34 AM	دخول	دخول				نعم	مقبول	29/10/2018 03:03:51 PM	0101077461902018310397950
صلة قرابة				دخول				لا	مقبول	29/10/2018 08:40:56 PM	0101077461902018310757669
صلة قرابة	مطار ابوظبى الدول	01/11/2018 01:08:53 AM	دخول	دخول				نعم	مقبول	29/10/2018 10:58:14 PM	0101077461902018310785291
صلة قرابة	مطار ابوظبى الدول	01/11/2018 01:08:53 AM	دخول	دخول				نعم	مقبول	30/10/2018 04:08:14 AM	0101077461902018310792611
صلة قرابة	مطار ابوظبى الدول	01/11/2018 01:08:51 AM	دخول	دخول				نعم	مقبول	29/10/2018 10:58:14 PM	0101077461902018310785806
صلة قرابة	مطار ابوظبى الدول	01/11/2018 01:08:51 AM	دخول	دخول				نعم	مقبول	30/10/2018 04:09:14 AM	0101077461902018310792628
صلة قرابة				دخول				لا	مقبول	31/10/2018 11:10:46 AM	0101077461902018310820508
صلة قرابة				دخول				لا	مقبول	17/12/2018 06:24:25 AM	0101077461902018312422997
صلة قرابة	جوازات شكله	03/11/2018 05:40:43 PM	دخول	دخول				نعم	مقبول	31/10/2018 02:14:30 PM	0101077461902018310870644
صلة قرابة	جوازات شكله	03/11/2018 05:40:43 PM	دخول	دخول				نعم	مقبول	01/11/2018 10:23:26 PM	0101077461902018310735102
صلة قرابة				دخول				لا	مقبول	01/11/2018 06:13:09 AM	0101077461902018310891669
صلة قرابة				دخول				لا	مقبول	01/11/2018 06:14:09 AM	0101077461902018310890935
صلة قرابة				دخول				لا	مقبول	01/11/2018 06:14:09 AM	0101077461902018310890573
دراسة				دخول				لا	مقبول	01/11/2018 03:06:06 PM	0101077461902018310919513
صلة قرابة				دخول				لا	مرفوض	02/11/2018 02:11:50 PM	0101077461902018309706624
صلة قرابة				دخول				لا	مقبول	26/11/2018 09:50:46 AM	0101077061902018309706624
صلة قرابة	جوازات شكله	18/12/2018 06:06:59 PM	دخول	دخول				نعم	مقبول	03/11/2018 10:50:09 PM	0101077461902018310938612
صلة قرابة	جوازات شكله	18/12/2018 06:07:22 PM	دخول	دخول				نعم	مقبول	03/11/2018 10:50:09 PM	0101077461902018310939843
مالك عقار				دخول				لا	مقبول	08/11/2018 12:48:22 PM	0101077461902018311150676
أخرى				دخول				لا	مرفوض	11/11/2018 02:14:50 PM	0101077461902018311222283
صلة قرابة	مركز جوازات هيلي	14/11/2018 06:05:38 PM	دخول	دخول				نعم	مقبول	09/11/2018 05:54:33 PM	0101077861902018311084319
صلة قرابة	مطار دبى الدولى	12/12/2018 01:09:00 PM	دخول	دخول				نعم	مقبول	09/11/2018 06:00:33 PM	0101077461902018311177920
أخرى				دخول				لا	مقبول	21/12/2018 10:25:18 PM	0101077481902018312619469
صلة قرابة	جوازات شكله	30/11/2018 05:18:40 PM	دخول	دخول				نعم	مقبول	09/11/2018 08:50:03 PM	0101077461902018311177882
صلة قرابة				دخول				لا	مقبول	10/11/2018 02:24:14 PM	0101077461902018311183785
صلة قرابة	جوازات شكله	13/11/2018 05:20:04 PM	دخول	دخول				نعم	مقبول	10/11/2018 02:26:15 PM	0101077461902018311179675
صلة قرابة	جوازات شكله	08/12/2018 05:01:22 PM	دخول	دخول				نعم	مقبول	06/12/2018 06:40:57 AM	0101077461902018312026888
صلة قرابة	منفذ جوازات المض	11/11/2018 08:03:13 PM	دخول	دخول				نعم	مقبول	11/11/2018 11:38:51 AM	0101077461902018311204293
صلة قرابة	مركز جوازات هيلي	25/11/2018 11:36:04 PM	خروج	خروج				نعم	مقبول	12/11/2018 02:35:14 PM	0101077861902018311216039
صلة قرابة	مطار ابوظبى الدول	20/12/2018 10:33:49 AM	دخول	دخول				نعم	مقبول	12/11/2018 02:45:17 PM	0101077461902018311272046
صلة قرابة	مطار ابوظبى الدول	20/12/2018 10:34:14 AM	دخول	دخول				نعم	مقبول	12/11/2018 02:45:17 PM	0101077461902018311271745
صلة قرابة	مطار دبى الدولى	12/12/2018 04:33:00 AM	دخول	دخول				نعم	مقبول	13/11/2018 12:04:54 PM	0101077461902018311253894
صلة قرابة	مطار دبى الدولى	12/12/2018 04:33:00 AM	دخول	دخول				نعم	مقبول	12/12/2018 01:01:05 AM	0101077461902018312249556
صلة قرابة	مطار دبى الدولى	12/12/2018 04:32:00 AM	دخول	دخول				نعم	مقبول	13/11/2018 12:05:54 PM	0101077461902018311295227
صلة قرابة	مطار دبى الدولى	12/12/2018 04:32:00 AM	دخول	دخول				نعم	مقبول	12/12/2018 01:01:05 AM	0101077461902018312251429
صلة قرابة	مطار دبى الدولى	12/12/2018 04:33:00 AM	دخول	دخول				نعم	مقبول	13/11/2018 12:05:54 PM	0101077461902018311296848
صلة قرابة	مطار دبى الدولى	12/12/2018 04:33:00 AM	دخول	دخول				نعم	مقبول	12/12/2018 01:01:05 AM	0101077461902018312251454
صلة قرابة	مطار دبى الدولى	12/12/2018 04:32:00 AM	دخول	دخول				نعم	مقبول	13/11/2018 12:07:53 PM	0101077461902018311297907
صلة قرابة	مطار دبى الدولى	12/12/2018 04:32:00 AM	دخول	دخول				نعم	مقبول	12/12/2018 01:01:05 AM	0101077461902018312251975
صلة قرابة	مطار دبى الدولى	22/11/2018 08:42:00 PM	دخول	دخول				نعم	مقبول	13/11/2018 11:12:55 PM	0101077461902018311334546
صلة قرابة	مطار دبى الدولى	01/12/2018 09:08:00 AM	خروج	خروج				نعم	مقبول	14/11/2018 01:01:06 AM	0101077861902018311286204
صلة قرابة	مطار دبى الدولى	01/12/2018 09:08:00 AM	خروج	خروج				نعم	مقبول	20/11/2018 02:04:13 PM	0101077861902018311494916
صلة قرابة				دخول				لا	مقبول	14/11/2018 05:32:52 PM	0101077461902018311366687
صلة قرابة				دخول				لا	مقبول	14/11/2018 05:33:52 PM	0101077461902018311364953
صلة قرابة	جوازات شكله	19/11/2018 07:07:22 AM	دخول	دخول				نعم	مقبول	18/11/2018 03:41:32 PM	0101077461902018311441900
صلة قرابة	مركز جوازات هيلي	20/11/2018 09:25:02 PM	دخول	دخول				نعم	مقبول	18/11/2018 01:13:32 PM	0101077461902018311441480
صلة قرابة				خروج				لا	مقبول	06/12/2018 10:34:20 PM	0101077491902018312073590
صلة قرابة	جوازات شكله	19/11/2018 06:02:44 PM	دخول	دخول				نعم	مقبول	19/11/2018 03:49:15 PM	0101077461902018311474876
صلة قرابة	جوازات شكله	19/11/2018 06:02:55 PM	دخول	دخول				نعم	مقبول	19/11/2018 04:02:19 PM	0101077461902018311476525
صلة قرابة				دخول				لا	مقبول	19/11/2018 12:22:36 PM	0101077461902018311329835
صلة قرابة				دخول				لا	مقبول	19/11/2018 12:22:36 PM	0101077461902018311331026
صلة قرابة				خروج				لا	مقبول	19/11/2018 07:37:55 PM	0101077861902018311475362
صلة قرابة	مطار دبى الدولى	19/12/2018 07:23:00 PM	دخول	دخول				نعم	مقبول	19/11/2018 09:31:13 PM	0101077461902018311058354
صلة قرابة	مطار دبى الدولى	19/12/2018 07:22:00 PM	دخول	دخول				نعم	مقبول	19/11/2018 09:31:13 PM	0101077461902018311059350
صلة قرابة	مطار دبى الدولى	19/12/2018 07:24:00 PM	دخول	دخول				نعم	مقبول	19/11/2018 09:31:13 PM	0101077461902018311058872
صلة قرابة	مطار دبى الدولى	19/12/2018 07:24:00 PM	دخول	دخول				نعم	مقبول	19/11/2018 09:31:13 PM	0101077461902018311056343
صلة قرابة	مطار دبى الدولى	24/12/2018 09:14:00 AM	خروج	خروج				نعم	مقبول	07/12/2018 10:14:41 PM	0101077861902018312079137
صلة قرابة	مطار دبى الدولى	24/12/2018 09:14:00 AM	خروج	خروج				نعم	مقبول	07/12/2018 10:14:41 PM	0101077861902018312079191
صلة قرابة				خروج				لا	مقبول	07/12/2018 10:19:43 PM	0101077861902018312079108
صلة قرابة	مركز جوازات حتا	23/11/2018 12:14:00 PM	دخول	دخول				نعم	مقبول	20/11/2018 09:09:26 PM	0101077461902018311528440
صلة قرابة	خطم الملاحه	20/12/2018 06:58:40 PM	دخول	دخول				نعم	مقبول	21/11/2018 05:42:20 PM	0101077461902018310783924
صلة قرابة	خطم الملاحه	20/12/2018 06:58:13 PM	دخول	دخول				نعم	مقبول	21/11/2018 05:42:21 PM	0101077461902018311289582
صلة قرابة	خطم الملاحه	20/12/2018 06:56:57 PM	دخول	دخول				نعم	مقبول	21/11/2018 05:42:21 PM	0101077461902018311289604

دراسة	مركز جوازات هيلي	21/09/2018 03:16:07 PM	دخول	دخول				نعم	مقبول	15/09/2018 01:16:39 AM	0101077461902018309050745
دراسة	مركز جوازات هيلي	15/12/2018 01:08:08 PM	خروج	خروج				نعم	مقبول	06/12/2018 07:01:29 PM	0101077491902018312059936
صلة قرابة	مطار ابوظبى الدول	17/09/2018 03:19:24 PM	دخول	دخول				نعم	مقبول	15/09/2018 03:02:53 AM	0101077461902018309050764
صلة قرابة	منفذ جوازات المض	28/09/2018 10:20:46 PM	دخول	دخول				نعم	مقبول	17/09/2018 10:55:05 AM	0101077461902018309134875
صلة قرابة	منفذ جوازات المض	28/09/2018 10:20:46 PM	دخول	دخول				نعم	مقبول	24/09/2018 07:45:36 PM	0101077461902018309435398
صلة قرابة	مطار دبى الدولى	30/10/2018 10:06:00 PM	دخول	دخول				نعم	مقبول	17/09/2018 05:59:29 PM	0101077461902018309162113
صلة قرابة				دخول				لا	مقبول	26/09/2018 11:09:55 PM	0101077461902018309539721
صلة قرابة				دخول				لا	مقبول	22/10/2018 01:12:52 PM	0101077461902018310476995
أخرى				دخول				لا	مقبول	27/10/2018 07:27:23 PM	0101077481902018310677998
صلة قرابة				دخول				لا	مقبول	12/11/2018 02:43:17 PM	0101077461902018311269478
أخرى				دخول				لا	مقبول	12/11/2018 02:44:16 PM	0101077481902018311269982
صلة قرابة	مطار دبى الدولى	24/11/2018 10:47:00 PM	دخول	دخول				نعم	مقبول	19/09/2018 07:44:47 PM	0101077461902018309268976
صلة قرابة	مطار دبى الدولى	24/11/2018 10:47:00 PM	دخول	دخول				نعم	مقبول	22/09/2018 03:08:49 PM	0101077461902018309333804
صلة قرابة	مطار دبى الدولى	24/11/2018 10:47:00 PM	دخول	دخول				نعم	مقبول	22/11/2018 07:05:55 PM	0101077461902018311574328
صلة قرابة				دخول				لا	مقبول	22/09/2018 03:33:54 PM	0101077461902018309334707
صلة قرابة				دخول				لا	مقبول	29/11/2018 05:09:59 AM	0101077461902018311702004
صلة قرابة				دخول				لا	مقبول	20/09/2018 11:14:36 AM	0101077461902018309289500
صلة قرابة	مطار ابوظبى الدول	26/09/2018 03:24:06 PM	دخول	دخول				نعم	مقبول	23/09/2018 09:10:28 PM	0101077461902018309389097
صلة قرابة	جوازات شكله	28/09/2018 06:21:03 PM	دخول	دخول				نعم	مقبول	20/09/2018 09:18:21 PM	0101077461902018309314108
صلة قرابة	جوازات شكله	28/09/2018 06:21:03 PM	دخول	دخول				نعم	مقبول	27/09/2018 05:18:33 PM	0101077461902018309576204
صلة قرابة				دخول				لا	مقبول	24/09/2018 09:22:56 PM	0101077461902018309438334
صلة قرابة				دخول				لا	مقبول	26/09/2018 10:33:38 AM	0101077461902018309498214
صلة قرابة				دخول				لا	مقبول	24/09/2018 09:22:56 PM	0101077461902018309438534
صلة قرابة				دخول				لا	مقبول	26/09/2018 10:33:38 AM	0101077461902018309499553
علاج				دخول				لا	مقبول	24/09/2018 11:20:27 PM	0101077461902018309439893
علاج				دخول				لا	مقبول	26/09/2018 12:24:33 AM	0101077461902018309490665
صلة قرابة				دخول				لا	مقبول	24/09/2018 06:39:25 PM	0101077461902018309432386
صلة قرابة				دخول				لا	مقبول	06/11/2018 02:12:02 PM	0101077461902018311070444
صلة قرابة				دخول				لا	مقبول	16/12/2018 10:11:04 AM	0101077461902018312381550
صلة قرابة				دخول				لا	مقبول	21/12/2018 05:14:19 PM	0101077461902018312617307
صلة قرابة	مركز جوازات هيلي	28/09/2018 07:21:05 PM	دخول	دخول				نعم	مقبول	24/09/2018 07:06:29 PM	0101077461902018309433091
علاج	مطار ابوظبى الدول	08/10/2018 09:01:01 PM	دخول	دخول				نعم	مقبول	24/09/2018 11:20:27 PM	0101077461902018309440197
صلة قرابة				دخول				لا	مقبول	25/09/2018 05:13:59 PM	0101077461902018309477485
صلة قرابة	مطار دبى الدولى	10/10/2018 11:52:00 PM	دخول	دخول				نعم	مقبول	25/09/2018 05:26:01 PM	0101077461902018309478029
صلة قرابة	جوازات شكله	01/10/2018 05:53:52 PM	دخول	دخول				نعم	مقبول	25/09/2018 05:56:06 PM	0101077461902018309479411
صلة قرابة	جوازات شكله	01/10/2018 05:53:52 PM	دخول	دخول				نعم	مقبول	28/09/2018 12:40:09 AM	0101077461902018309584416
صلة قرابة	مركز جوازات هيلي	26/09/2018 08:49:32 PM	دخول	دخول				نعم	مقبول	26/09/2018 02:18:01 AM	0101077461902018309490922
صلة قرابة	منفذ جوازات المض	01/10/2018 08:14:02 PM	دخول	دخول				نعم	مقبول	26/09/2018 05:43:11 PM	0101077461902018309523887
صلة قرابة	مطار دبى الدولى	13/12/2018 11:53:55 AM	خروج	خروج				نعم	مقبول	12/12/2018 10:39:13 PM	0101077491902018312223856
صلة قرابة				دخول				لا	مقبول	03/10/2018 07:03:46 PM	0101077461902018309794376
صلة قرابة	جوازات شكله	06/10/2018 09:56:23 PM	دخول	دخول				نعم	مقبول	06/10/2018 09:29:21 PM	0101077461902018309872098
صلة قرابة				دخول				لا	مقبول	07/10/2018 06:13:40 PM	0101077481902018309910935
أخرى	مطار ابوظبى الدول	09/10/2018 03:37:09 PM	دخول	دخول				نعم	مقبول	07/10/2018 11:02:13 AM	0101077461902018309864554
صلة قرابة				دخول				لا	مقبول	07/10/2018 11:02:13 AM	0101077461902018309862811
صلة قرابة				دخول				لا	مقبول	16/12/2018 10:59:17 AM	0101077461902018311922031
صلة قرابة				دخول				لا	مقبول	07/10/2018 11:19:13 AM	0101077461902018309878315
صلة قرابة	مطار دبى الدولى	01/11/2018 10:12:00 PM	دخول	دخول				نعم	مقبول	08/10/2018 06:10:27 AM	0101077461902018309843187
صلة قرابة	مطار ابوظبى الدول	20/10/2018 10:08:23 AM	دخول	دخول				نعم	مقبول	08/10/2018 10:25:59 PM	0101077461902018309940336
صلة قرابة	مركز جوازات هيلي	11/10/2018 06:32:14 PM	دخول	دخول				نعم	مقبول	09/10/2018 02:16:49 PM	0101077461902018309998442
صلة قرابة	مركز جوازات هيلي	11/10/2018 06:32:33 PM	دخول	دخول				نعم	مقبول	09/10/2018 02:16:49 PM	0101077461902018309996942
صلة قرابة	مطار دبى الدولى	15/10/2018 04:11:00 PM	دخول	دخول				نعم	مقبول	09/10/2018 05:37:20 PM	0101077461902018309993194
صلة قرابة	مطار دبى الدولى	31/10/2018 02:33:00 PM	خروج	خروج				نعم	مقبول	24/10/2018 01:00:40 PM	0101077491902018310578134
صلة قرابة	مركز جوازات هيلي	14/12/2018 10:28:00 AM	خروج	خروج				نعم	مقبول	27/11/2018 11:23:33 PM	0101077491902018311811544
صلة قرابة	مطار دبى الدولى	21/12/2018 09:50:00 PM	دخول	دخول				نعم	مقبول	10/10/2018 11:53:11 AM	0101077461902018310026503
صلة قرابة	منفذ جوازات المض	14/10/2018 05:41:48 PM	دخول	دخول				نعم	مقبول	10/10/2018 11:55:11 AM	0101077461902018310023118
صلة قرابة				دخول				لا	مقبول	17/10/2018 10:30:36 PM	0101077481902018310331209
صلة قرابة				دخول				لا	مقبول	10/10/2018 09:44:59 PM	0101077461902018310060395
صلة قرابة				دخول				لا	مقبول	11/10/2018 11:15:42 AM	0101077461902018310083896
صلة قرابة	جوازات شكله	12/10/2018 11:56:51 PM	دخول	دخول				نعم	مقبول	12/10/2018 08:59:28 PM	0101077461902018310119717
صلة قرابة				دخول				لا	مقبول	13/10/2018 05:13:42 PM	0101077461902018310129157
صلة قرابة	جوازات شكله	17/10/2018 06:11:31 PM	دخول	دخول				نعم	مقبول	14/10/2018 09:33:59 PM	0101077461902018310180790
صلة قرابة	جوازات شكله	27/10/2018 04:28:36 PM	دخول	دخول				نعم	مقبول	15/10/2018 02:37:40 AM	0101077461902018310161606
صلة قرابة	جوازات شكله	17/10/2018 06:11:09 PM	دخول	دخول				نعم	مقبول	15/10/2018 02:29:05 PM	0101077461902018310210069
صلة قرابة				دخول				لا	مقبول	15/10/2018 04:11:26 PM	0101077461902018310217395
صلة قرابة	مطار دبى الدولى	24/10/2018 07:02:00 PM	دخول	دخول				نعم	مقبول	16/10/2018 06:19:37 AM	0101077461902018310234427
صلة قرابة	مطار دبى الدولى	09/11/2018 04:28:00 PM	دخول	دخول				نعم	مقبول	16/10/2018 06:22:38 AM	0101077461902018310231283
صلة قرابة				دخول				لا	مقبول	16/10/2018 06:22:38 AM	0101077461902018310229600
صلة قرابة				دخول				لا	مقبول	16/10/2018 06:27:40 AM	0101077461902018310227924
صلة قرابة				دخول				لا	مقبول	17/10/2018 10:32:36 PM	0101077461902018310324983
صلة قرابة	مركز جوازات هيلي	24/10/2018 10:55:19 PM	دخول	دخول				نعم	مقبول	16/10/2018 02:20:38 PM	0101077461902018310261190
صلة قرابة	مركز جوازات هيلي	24/10/2018 10:55:19 PM	دخول	دخول				نعم	مقبول	20/10/2018 10:17:05 PM	0101077461902018310400962
صلة قرابة	مطار دبى الدولى	19/10/2018 08:14:00 PM	دخول	دخول				نعم	مقبول	17/10/2018 12:42:22 AM	0101077461902018310281984
صلة قرابة	مطار دبى الدولى	25/10/2018 08:28:00 AM	دخول	دخول				نعم	مقبول	17/10/2018 07:25:30 AM	0101077461902018310236546
صلة قرابة	مطار ابوظبى الدول	25/10/2018 06:10:30 PM	دخول	دخول				نعم	مقبول	17/10/2018 07:25:30 AM	0101077461902018310274650
صلة قرابة	مركز جوازات هيلي	15/12/2018 01:22:38 PM	خروج	خروج				نعم	مقبول	12/12/2018 12:44:40 PM	0101077491902018312232907
صلة قرابة	مطار دبى الدولى	19/10/2018 08:15:00 PM	دخول	دخول				نعم	مقبول	18/10/2018 01:51:50 AM	0101077461902018310338494
صلة قرابة	جوازات شكله	18/12/2018 07:45:02 PM	دخول	دخول				نعم	مقبول	13/12/2018 04:40:12 AM	0101077461902018312304461
صلة قرابة				دخول				لا	مقبول	18/10/2018 01:52:50 AM	0101077461902018310338417
صلة قرابة	مركز جوازات هيلي	09/11/2018 06:39:14 PM	دخول	دخول				نعم	مقبول	18/10/2018 05:09:07 PM	0101077461902018310370662
صلة قرابة	مركز جوازات هيلي	09/11/2018 06:39:14 PM	دخول	دخول				نعم	مقبول	31/10/2018 05:38:29 AM	0101077461902018310844505
صلة قرابة	مطار دبى الدولى	01/11/2018 10:23:00 PM	دخول	دخول				نعم	مقبول	19/10/2018 10:05:14 PM	0101077461902018310385632
صلة قرابة	جوازات شكله	27/10/2018 04:20:16 PM	دخول	دخول				نعم	مقبول	20/10/2018 04:48:43 AM	0101077461902018310385781
صلة قرابة	مطار ابوظبى الدول	21/10/2018 03:54:44 PM	دخول	دخول				نعم	مقبول	20/10/2018 03:04:04 PM	0101077461902018310393695

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0101077861902018312302123	12/12/2018 10:35:13 PM	مقبول	لا				خروج				صلة قرابة
0101077461902018312305126	13/12/2018 04:42:13 AM	مقبول	لا				دخول				صلة قرابة
0101077481902018312471251	18/12/2018 03:51:44 AM	مقبول	لا				دخول				صلة قرابة
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0101077861902018312416656	16/12/2018 09:15:42 PM	مقبول	نعم				خروج	خروج	24/12/2018 11:04:51 AM	مطار ابوظبى الدول	صلة قرابة
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0101077461902018312422998	17/12/2018 06:24:25 AM	مقبول	لا				دخول				صلة قرابة
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0101077861902018311597742	22/11/2018 10:25:04 AM	مقبول	لا				خروج				صلة قرابة
0101077861902018311509188	22/11/2018 12:15:34 PM	مقبول	نعم				خروج	خروج	28/11/2018 03:19:07 PM	مطار دبى الدولى	صلة قرابة
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0101077461902018311640504	24/11/2018 08:13:28 AM	مقبول	لا				دخول				صلة قرابة
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0101077491902018307580945	28/07/2018 05:05:39 AM	مقبول	لا				خروج				صلة قرابة
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0101077461902018312395589	20/12/2018 06:13:41 AM	مقبول	لا				دخول				صلة قرابة
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0101077491902018312195042	11/12/2018 03:25:43 AM	مقبول	نعم				خروج	خروج	22/12/2018 06:43:00 PM	مطار دبى الدولى	صلة قرابة
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Annex 17

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0101077481902018308810486	12/09/2018 07:50:25 PM	مقبول	لا				دخول				صلة قرابة
0101077491902018310271444	16/10/2018 07:57:35 PM	مقبول	نعم				خروج	خروج	18/10/2018 08:36:00 AM	مطار دبى الدولى	صلة قرابة
0101077461902018312202441	11/12/2018 03:08:41 AM	مقبول	نعم				دخول	دخول	14/12/2018 07:46:00 PM	مطار دبى الدولى	أخرى
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0101077461902018312299672	20/12/2018 12:18:43 AM	مقبول	لا				دخول				صلة قرابة
0101077461902018309048094	13/09/2018 08:24:30 PM	مقبول	نعم				دخول	دخول	04/10/2018 10:24:00 PM	مطار دبى الدولى	صلة قرابة
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0101077461902018308458055	28/08/2018 06:36:16 PM	مقبول	لا				دخول				صلة قرابة
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0101077461902018308662445	03/09/2018 03:41:19 PM	مقبول	لا				دخول				صلة قرابة
0101077491902018307130542	12/07/2018 04:49:07 PM	مقبول	نعم				خروج	خروج	19/07/2018 02:13:00 PM	مطار دبى الدولى	صلة قرابة
0101077461902018309433317	24/09/2018 07:06:29 PM	مقبول	نعم				دخول	دخول	28/09/2018 07:22:32 PM	مركز جوازات هيلي	صلة قرابة
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0101077861902018312292177	12/12/2018 08:57:05 PM	مقبول	لا				خروج				صلة قرابة
0101077861902018311863215	19/12/2018 05:43:35 PM	مقبول	لا				خروج				صلة قرابة
0101077461902018312165054	13/12/2018 04:49:14 AM	مقبول	نعم				دخول	دخول	17/12/2018 03:11:27 AM	مطار ابوظبى الدول	صلة قرابة
0101077461902018308824763	07/09/2018 04:22:53 PM	مقبول	نعم				دخول	دخول	12/09/2018 07:59:00 PM	مطار دبى الدولى	صلة قرابة
0101077461902018309480708	25/09/2018 06:55:16 PM	مقبول	نعم				دخول	دخول	04/10/2018 06:21:13 PM	خطم الملاحه	صلة قرابة
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0101077491902018310932474	02/11/2018 03:58:06 AM	مقبول	نعم				خروج	خروج	19/12/2018 03:10:00 PM	مطار دبى الدولى	صلة قرابة
0101077461902018308271429	17/08/2018 05:57:13 PM	مقبول	نعم				دخول	دخول	03/09/2018 12:57:00 AM	مطار دبى الدولى	صلة قرابة
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0101077481902018312624073	22/12/2018 12:45:58 PM	مقبول	لا				دخول				صلة قرابة
0101077481902018310932479	02/11/2018 03:56:06 AM	مرفوض	لا				دخول				صلة قرابة
0101077491902018312098983	09/12/2018 02:51:30 AM	مقبول	نعم				خروج	خروج	14/12/2018 01:16:40 PM	مركز جوازات حتا	صلة قرابة

صلة قرابة	جوازات شكله	17/12/2018 05:05:18 PM	دخول	دخول				نعم	مقبول	16/12/2018 12:26:21 PM	0101077461902018312392172
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صلة قرابة	مركز جوازات حتا	24/12/2018 10:50:00 AM	خروج	خروج				نعم	مقبول	10/12/2018 05:54:14 PM	0101077861902018312188048
صلة قرابة	مركز جوازات حتا	24/12/2018 10:49:00 AM	خروج	خروج				نعم	مقبول	10/12/2018 05:54:14 PM	0101077861902018312186269
صلة قرابة	مركز جوازات حتا	24/12/2018 10:50:00 AM	خروج	خروج				نعم	مقبول	10/12/2018 05:54:14 PM	0101077861902018312188254
صلة قرابة	مطار ابوظبى الدول	07/11/2018 04:05:35 AM	دخول	دخول				نعم	مقبول	23/10/2018 01:31:44 AM	0101077461902018310508160
صلة قرابة				خروج				لا	مقبول	20/12/2018 10:43:54 PM	0101077861902018312613376
صلة قرابة	مطار دبى الدولى	15/08/2018 10:39:00 AM	دخول	دخول				نعم	مقبول	28/07/2018 03:40:25 AM	0101077461902018307580936
صلة قرابة	مطار دبى الدولى	15/08/2018 10:39:00 AM	دخول	دخول				نعم	مقبول	28/07/2018 03:52:27 AM	0101077481902018307580938
صلة قرابة				خروج				لا	مقبول	28/07/2018 05:05:39 AM	0101077491902018307580941
دراسة				دخول				لا	مقبول	11/09/2018 03:48:05 PM	0101077461902018308976139
صلة قرابة				دخول				لا	مقبول	08/07/2018 09:10:43 PM	0101077461902018306970284
صلة قرابة	منفذ جوازات المط	14/09/2018 06:44:55 PM	دخول	دخول				نعم	مقبول	10/09/2018 04:13:42 PM	0101077461902018308929562
صلة قرابة	مطار دبى الدولى	02/08/2018 08:00:21 AM	خروج	خروج				نعم	مقبول	16/07/2018 06:56:40 PM	0101077491902018307240649
صلة قرابة	مطار دبى الدولى	22/12/2018 07:13:00 PM	دخول	دخول				نعم	مقبول	11/12/2018 06:48:40 PM	0101077461902018312238686
صلة قرابة	مطار دبى الدولى	24/07/2018 07:23:00 PM	دخول	دخول				نعم	مقبول	09/07/2018 08:54:14 PM	0101077461902018307013873
صلة قرابة	جوازات شكله	20/12/2018 05:11:05 PM	دخول	دخول				نعم	مقبول	11/12/2018 03:25:43 AM	0101077461902018312146961
مالك عقار				دخول				لا	مقبول	14/09/2018 03:27:34 PM	0101077461902018309049735
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مالك عقار				خروج				لا	مقبول	28/11/2018 09:31:05 PM	0101077491902018311818941
صلة قرابة	مطار دبى الدولى	29/08/2018 06:14:00 PM	دخول	دخول				نعم	مقبول	18/08/2018 12:24:25 AM	0101077461902018308273609
صلة قرابة	جوازات شكله	18/08/2018 08:51:32 PM	دخول	دخول				نعم	مقبول	18/08/2018 07:51:29 PM	0101077461902018308286634
صلة قرابة				خروج				لا	مقبول	22/12/2018 04:02:40 AM	0101077861902018312619800
صلة قرابة	جوازات شكله	18/08/2018 06:15:35 PM	دخول	دخول				نعم	مقبول	12/08/2018 04:16:25 PM	0101077461902018308045277
صلة قرابة				دخول				لا	مرفوض	12/09/2018 05:58:08 PM	0101077481902018308677888
صلة قرابة				خروج				لا	مقبول	22/12/2018 04:02:40 AM	0101077861902018312619797
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صلة قرابة	منفذ جوازات المط	06/12/2018 05:45:36 PM	دخول	دخول				نعم	مقبول	01/12/2018 02:29:46 PM	0101077461902018311913400
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صلة قرابة	مطار دبى الدولى	08/12/2018 07:13:00 PM	خروج	خروج				نعم	مقبول	25/11/2018 08:11:41 AM	0101077861902018311660247
صلة قرابة	مطار دبى الدولى	08/12/2018 07:13:00 PM	خروج	خروج				نعم	مقبول	30/11/2018 07:58:37 PM	0101077861902018311908473
صلة قرابة	مطار دبى الدولى	08/12/2018 07:13:00 PM	خروج	خروج				نعم	مقبول	25/11/2018 08:11:41 AM	0101077861902018311659995
صلة قرابة	مطار دبى الدولى	08/12/2018 07:13:00 PM	خروج	خروج				نعم	مقبول	30/11/2018 07:58:37 PM	0101077861902018311907459
صلة قرابة	جوازات شكله	27/10/2018 04:27:30 PM	دخول	دخول				نعم	مقبول	15/10/2018 02:37:40 AM	0101077461902018310159337
صلة قرابة	جوازات شكله	22/12/2018 05:34:15 PM	دخول	دخول				نعم	مقبول	05/12/2018 12:44:40 PM	0101077461902018311814509
أخرى	مطار ابوظبى الدول	23/12/2018 03:20:35 AM	خروج	خروج				نعم	مقبول	16/12/2018 01:21:32 AM	0101077861902018312372908
صلة قرابة	مطار الشارقه الدو	20/08/2018 02:21:20 PM	دخول	دخول				نعم	مقبول	13/08/2018 03:59:55 PM	0101077461902018308098755
صلة قرابة	مطار الشارقه الدو	20/08/2018 02:21:20 PM	دخول	دخول				نعم	مقبول	13/08/2018 05:12:11 PM	0101077461902018308111575
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صلة قرابة	مطار دبى الدولى	12/11/2018 06:03:00 AM	دخول	دخول				نعم	مقبول	09/11/2018 01:58:48 AM	0101077461902018311161379
صلة قرابة	مطار ابوظبى الدول	07/10/2018 10:06:38 AM	دخول	دخول				نعم	مقبول	20/09/2018 11:14:36 AM	0101077461902018309274226
صلة قرابة	مطار دبى الدولى	08/12/2018 07:12:00 PM	خروج	خروج				نعم	مقبول	25/11/2018 08:11:41 AM	0101077861902018311660391
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صلة قرابة				دخول				لا	مقبول	16/08/2018 10:23:19 PM	0101077481902018308270185
صلة قرابة				خروج				لا	مقبول	12/12/2018 11:18:29 AM	0101077861902018312257746
صلة قرابة	جوازات شكله	20/12/2018 05:41:49 PM	دخول	دخول				نعم	مقبول	16/08/2018 10:23:19 PM	0101077461902018308270379
صلة قرابة	منفذ جوازات المط	22/12/2018 05:55:52 PM	دخول	دخول				نعم	مقبول	15/12/2018 02:10:11 PM	0101077461902018312357398
صلة قرابة	جوازات شكله	04/10/2018 06:41:21 PM	دخول	دخول				نعم	مقبول	26/09/2018 09:17:37 PM	0101077461902018309537135
صلة قرابة	جوازات شكله	19/11/2018 07:06:51 AM	دخول	دخول				نعم	مقبول	18/11/2018 10:12:01 PM	0101077461902018311444053
صلة قرابة	مطار دبى الدولى	22/10/2018 02:02:51 PM	خروج	خروج				نعم	مقبول	09/10/2018 12:15:24 PM	0101077491902018309987896
صلة قرابة	مطار دبى الدولى	01/09/2018 08:21:00 PM	دخول	دخول				نعم	مقبول	29/08/2018 11:36:56 PM	0101077461902018308514984
صلة قرابة				دخول				لا	مقبول	26/09/2018 10:31:38 AM	0101077461902018309498165
صلة قرابة				دخول				لا	مقبول	22/12/2018 04:03:41 AM	0101077461902018312619839
صلة قرابة	منفذ جوازات المط	13/12/2018 01:21:43 PM	دخول	دخول				نعم	مقبول	13/12/2018 04:39:12 AM	0101077461902018312305968
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صلة قرابة	مطار دبى الدولى	15/09/2018 09:00:00 PM	دخول	دخول				نعم	مقبول	23/08/2018 10:31:52 PM	0101077461902018308315712
صلة قرابة	مطار دبى الدولى	20/10/2018 08:31:00 PM	دخول	دخول				نعم	مقبول	30/09/2018 01:51:34 PM	0101077461902018309635866
صلة قرابة	مطار دبى الدولى	16/08/2018 05:19:00 PM	دخول	دخول				نعم	مقبول	13/08/2018 03:01:43 PM	0101077461902018308106104
صلة قرابة	مطار ابوظبى الدول	05/11/2018 03:24:22 AM	دخول	دخول				نعم	مقبول	16/08/2018 06:11:30 PM	0101077461902018308263212
صلة قرابة	مطار دبى الدولى	31/08/2018 09:27:00 PM	دخول	دخول				نعم	مقبول	29/08/2018 08:11:23 PM	0101077461902018308510010
صلة قرابة	مطار دبى الدولى	31/08/2018 09:23:00 PM	دخول	دخول				نعم	مقبول	29/08/2018 08:11:23 PM	0101077461902018308510478
صلة قرابة	مطار دبى الدولى	18/07/2018 06:33:00 PM	دخول	دخول				نعم	مقبول	10/07/2018 09:38:09 AM	0101077461902018307021965
صلة قرابة	مطار دبى الدولى	14/11/2018 04:19:00 PM	دخول	دخول				نعم	مقبول	12/11/2018 09:48:25 PM	0101077461902018311286184
صلة قرابة				دخول				لا	مقبول	03/08/2018 04:57:58 AM	0101077461902018307783293
صلة قرابة	جوازات شكله	27/10/2018 04:27:47 PM	دخول	دخول				نعم	مقبول	20/10/2018 04:48:43 AM	0101077461902018310385776
صلة قرابة				دخول				لا	مرفوض	22/11/2018 10:24:31 PM	0101077481902018311636722
صلة قرابة	مطار دبى الدولى	06/11/2018 10:45:00 PM	دخول	دخول				نعم	مقبول	27/10/2018 07:28:56 AM	0101077461902018310660629
صلة قرابة	مطار ابوظبى الدول	22/11/2018 07:41:34 PM	دخول	دخول				نعم	مقبول	21/11/2018 08:24:46 PM	0101077461902018311543041
صلة قرابة	مطار دبى الدولى	23/12/2018 05:58:00 PM	دخول	دخول				نعم	مقبول	22/12/2018 10:51:15 PM	0101077461902018312635194
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صلة قرابة	مطار دبى الدولى	16/12/2018 04:33:00 PM	دخول	دخول				نعم	مقبول	15/12/2018 06:43:55 PM	0101077461902018312366983
صلة قرابة	مطار دبى الدولى	06/08/2018 04:49:00 AM	دخول	دخول				نعم	مقبول	02/08/2018 08:08:39 AM	0101077461902018307747663
صلة قرابة				دخول				لا	مقبول	26/08/2018 10:21:29 PM	0101077461902018308371818
صلة قرابة	مطار دبى الدولى	31/10/2018 10:43:00 PM	دخول	دخول				نعم	مقبول	27/10/2018 05:36:11 PM	0101077461902018310674170
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صلة قرابة				خروج				لا	مقبول	13/11/2018 10:58:56 PM	0101077861902018311200818
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صلة قرابة				خروج				لا	مقبول	21/12/2018 10:27:19 PM	0101077861902018312420857
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صلة قرابة	مطار دبى الدولى	06/09/2018 11:02:00 PM	دخول	دخول				نعم	مقبول	03/09/2018 10:16:32 PM	0101077461902018308677579
صلة قرابة	مطار دبى الدولى	20/08/2018 06:49:00 AM	خروج	خروج				نعم	مقبول	18/08/2018 10:07:03 PM	0101077491902018308288152
صلة قرابة	مطار دبى الدولى	13/12/2018 03:07:00 PM	خروج	خروج				نعم	مقبول	12/12/2018 10:41:10 PM	0101077491902018312021978
صلة قرابة				خروج				لا	مقبول	24/12/2018 09:40:54 AM	0101077491902018312688278
صلة قرابة	مطار دبى الدولى	11/12/2018 07:48:00 PM	دخول	دخول				نعم	مقبول	09/12/2018 09:54:44 PM	0101077461902018312140676
صلة قرابة				دخول				لا	مرفوض	12/09/2018 05:58:07 PM	0101077461902018308209268
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صلة قرابة	مطار دبى الدولى	18/08/2018 05:24:00 PM	دخول	دخول				نعم	مقبول	13/08/2018 02:39:15 AM	0101077461902018308078300
صلة قرابة	مطار دبى الدولى	18/08/2018 05:23:00 PM	دخول	دخول				نعم	مقبول	13/08/2018 02:39:15 AM	0101077461902018308078253
صلة قرابة				دخول				لا	مقبول	22/12/2018 07:16:23 AM	0101077461902018312619774
صلة قرابة	مطار دبى الدولى	18/08/2018 05:24:00 PM	دخول	دخول				نعم	مقبول	13/08/2018 02:39:15 AM	0101077461902018308078273
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صلة قرابة	مطار دبى الدولى	18/10/2018 07:26:00 PM	دخول	دخول				نعم	مقبول	07/10/2018 11:22:13 AM	0101077461902018309875019
علاج	مطار دبى الدولى	23/11/2018 07:46:00 PM	دخول	دخول				نعم	مقبول	19/11/2018 04:30:55 AM	0101077461902018311446025
صلة قرابة	مطار دبى الدولى	04/12/2018 07:05:00 PM	دخول	دخول				نعم	مقبول	19/11/2018 05:19:34 PM	0101077461902018311467226
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صلة قرابة	مطار دبى الدولى	15/08/2018 10:00:00 PM	دخول	دخول				نعم	مقبول	15/08/2018 08:42:59 AM	0101077461902018308178531
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صلة قرابة	مركز جوازات حتا	21/12/2018 12:30:00 PM	خروج	خروج				نعم	مقبول	06/12/2018 02:22:38 PM	0101077861902018311831933
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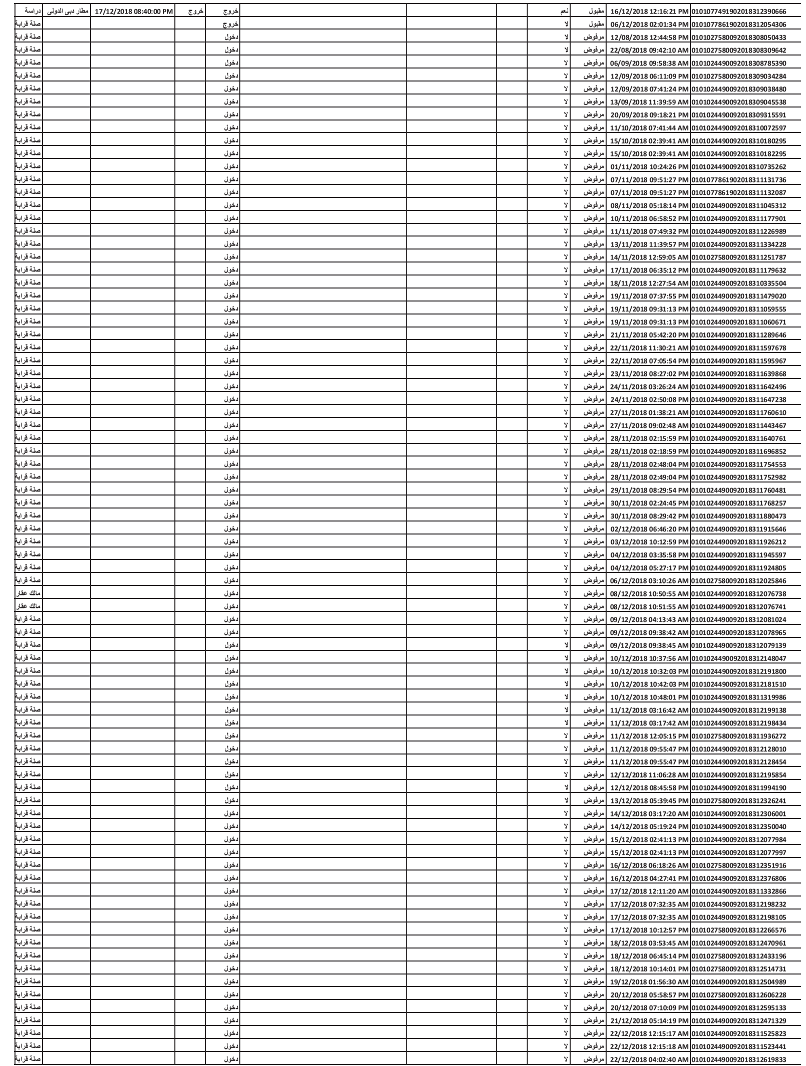

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صلة قرابة				دخول					لا	مرفوض	22/12/2018 12:15:17 AM	0101024490092018311525823
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صلة قرابة				دخول					لا	مرفوض	22/12/2018 04:02:40 AM	0101024490092018312619833

[Annex 1.3, [Excel Redacted] Holders of UAE Resident Permits (English Translation)]

FEDERAL AUTHORITY FOR IDENTITY AND CITIZENSHIP

UNIFIED NUMBER	NAME	Movement	Date	Identification Document Number	Port
[This column includes the given numbers] **Number Redacted**	[This column includes the name of the Qatari nationals who were given a permit to enter the country] **Name Redacted**	[Entry or Exit]	[the date of the movement]	[the Number of ID] **Number Redacted**	[The port name whether it is Abu Dhabi International Airport, Abu Dhabi Airport, Ghuwaifat, Al-Mudeef Port, Dubai International Airport, Al-Sharjah International Airport, Khatmat Malaha port, Shaklah port, Hatta border Cross, or Hili Port]

Annex 17

المنفذ	رقم الهوية	التاريخ	الحركة	الاسم	الرقم الموحد
مطار ابوظبي الدولى		1/3/2018	Entry		
مطار ابوظبي الدولى		1/14/2018	Entry		
مطار ابوظبي الدولى		3/3/2018	Entry		
مطار ابوظبي الدولى		3/15/2018	Entry		
مطار ابوظبي الدولى		4/5/2018	Entry		
مطار ابوظبي الدولى		4/7/2018	Entry		
مطار ابوظبي الدولى		4/7/2018	Entry		
مطار ابوظبي الدولى		5/4/2018	Entry		
مطار ابوظبي الدولى		5/10/2018	Entry		
مطار ابوظبي الدولى		5/12/2018	Entry		
مطار ابوظبي الدولى		5/10/2018	Entry		
مطار ابوظبي الدولى		7/10/2018	Entry		
مطار ابوظبي الدولى		7/13/2018	Entry		
مطار ابوظبي الدولى		7/16/2018	Entry		
مطار ابوظبي الدولى		7/27/2018	Entry		
مطار ابوظبي الدولى		7/27/2018	Entry		
مطار ابوظبي الدولى		7/27/2018	Entry		
مطار ابوظبي الدولى		8/2/2018	Entry		
مطار ابوظبي الدولى		8/2/2018	Entry		
مطار ابوظبي الدولى		8/4/2018	Entry		
مطار ابوظبي الدولى		8/7/2018	Entry		
مطار ابوظبي الدولى		8/17/2018	Entry		
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مطار ابوظبي الدولى		8/24/2018	Entry		
مطار ابوظبي الدولى		8/24/2018	Entry		
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مطار ابوظبي الدولى		8/29/2018	Entry		
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مطار ابوظبي الدولى		9/8/2018	Entry		
مطار ابوظبي الدولى		9/10/2018	Entry		
مطار ابوظبي الدولى		9/12/2018	Entry		
مطار ابوظبي الدولى		9/13/2018	Entry		
مطار ابوظبي الدولى		9/14/2018	Entry		
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مطار ابوظبي الدولى		9/21/2018	Entry		
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مطار ابوظبي الدولى		10/7/2018	Entry		
مطار ابوظبي الدولى		10/25/2018	Entry		
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مطار ابوظبي الدولى		11/17/2018	Entry		
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الغويفات		4/20/2018	Exit		
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الغويفات		5/14/2018	Exit		
الغويفات		5/18/2018	Exit		
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الغويفات		7/10/2018	Exit		
الغويفات		8/9/2018	Exit		
الغويفات		12/12/2018	Exit		

الغويفات		12/19/2018	Exit		
الغويفات		12/20/2018	Exit		
منفذ جوازات المضيف		2/10/2018	Entry		
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منفذ جوازات المضيف		8/25/2018	Entry		
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منفذ جوازات المضيف		8/29/2018	Entry		
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منفذ جوازات المضيف		9/1/2018	Entry		
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منفذ جوازات المضيف		10/29/2018	Entry		
منفذ جوازات المضيف		12/16/2018	Entry		
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منفذ جوازات المضيف		2/18/2018	Exit		
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منفذ جوازات المضيف		5/1/2018	Exit		
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منفذ جوازات المضيف		12/17/2018	Exit		

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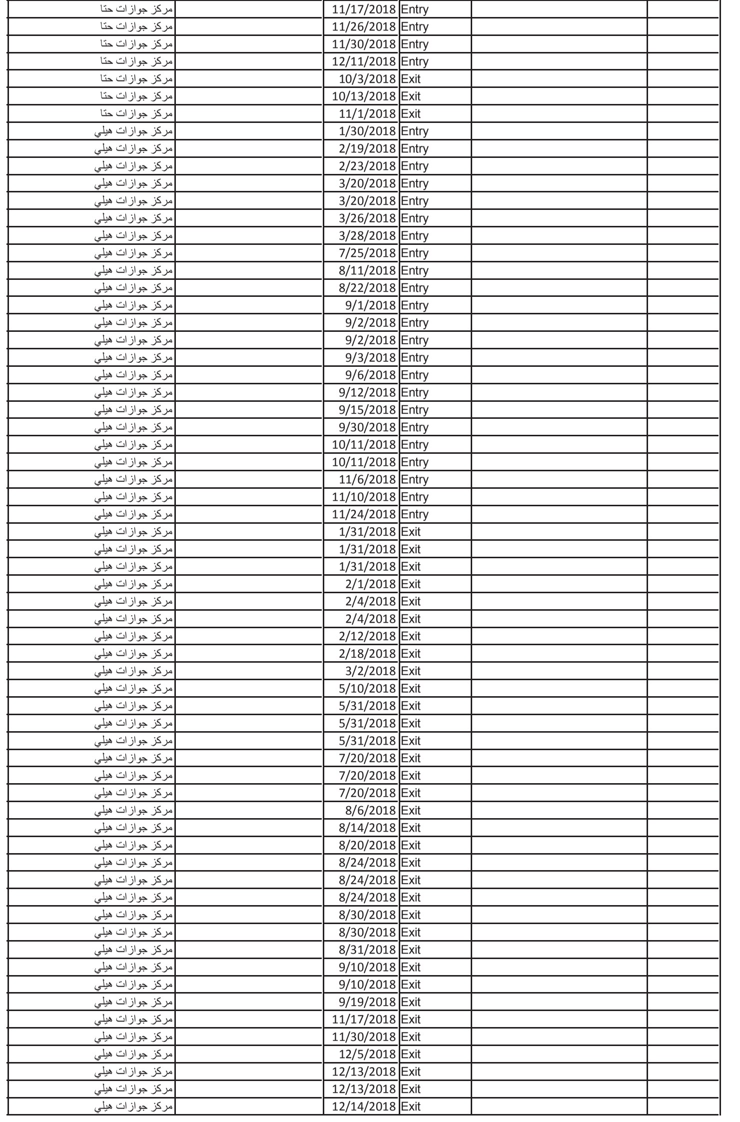
مركز جوازات حتا		4/17/2018	Entry		
مركز جوازات حتا		8/3/2018	Entry		
مركز جوازات حتا		8/10/2018	Entry		
مركز جوازات حتا		8/25/2018	Entry		
مركز جوازات حتا		8/25/2018	Entry		
مركز جوازات حتا		8/31/2018	Entry		
مركز جوازات حتا		9/16/2018	Entry		



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مركز جوازات هيلي		9/19/2018	Exit		
مركز جوازات هيلي		11/17/2018	Exit		
مركز جوازات هيلي		11/30/2018	Exit		
مركز جوازات هيلي		12/5/2018	Exit		
مركز جوازات هيلي		12/13/2018	Exit		
مركز جوازات هيلي		12/13/2018	Exit		
مركز جوازات هيلي		12/14/2018	Exit		

مركز جوازات هيلي		12/15/2018	Exit		
مركز جوازات هيلي		12/16/2018	Exit		
مركز جوازات هيلي		12/19/2018	Exit		
مركز جوازات هيلي		12/21/2018	Exit		
مركز جوازات هيلي		12/21/2018	Exit		

Federal Courts Statistics…

Judicial Inspection Department
Statistics Division

Statistics on the Number of Lawsuits Filed by or against Qatari Nationals
In the Period from 06/06/2017 to 25/09/2018

<table>
<tr><th>Subject</th><th>Litigation Level</th><th>Number</th></tr>
<tr><td rowspan="2">Number of prospective and still ongoing litigations to date</td><td>First Instance</td><td>2</td></tr>
<tr><td>Appeal</td><td>7</td></tr>
<tr><td rowspan="3">Number of litigations settled by judicial rulings</td><td>First Instance</td><td>12</td></tr>
<tr><td>Appeal</td><td>13</td></tr>
<tr><td>Supreme Court</td><td>4</td></tr>
<tr><td rowspan="5">Number of lawsuits filed by Qatari nationals</td><td>Family Guidance Committees</td><td>3</td></tr>
<tr><td>Conciliation and Reconciliation Centres</td><td>3</td></tr>
<tr><td>First Instance</td><td>1</td></tr>
<tr><td>Appeal</td><td>9</td></tr>
<tr><td>Supreme Court</td><td>2</td></tr>
<tr><td colspan="2">Notary Public Statistics (Powers of Attorney)</td><td>146</td></tr>
<tr><td colspan="2">Number of Marriage Contracts</td><td>1</td></tr>
</table>

[illegible seal]

Emirate of Abu Dhabi Courts Statistics…

All Qatari Lawsuits Listed from the Beginning of 2016 to September 2018

Stage	First Instance	Appeal	Cassation	Enforceable	Total
Final	176	35	10	15	236
Ongoing	30	8	7	47	92
Suspended		1			1
Total	206	44	17	62	329

2016 Lawsuits

Stage	First Instance	Appeal	Cassation	Enforceable	Total
Final	54	13	2	8	77
Ongoing	4	2		13	19
Total	58	15	2	21	96

2017 Lawsuits

Stage	First Instance	Appeal	Cassation	Enforceable	Total
Final	75	19	5	5	104
Ongoing	12	3	3	15	33
Total	87	22	8	20	137

2018

Stage	First Instance	Appeal	Cassation	Enforceable	Total
Final	47	3	3	2	55
Ongoing	14	3	4	19	40
Suspended		1			1
Total	61	7	7	21	96

Listed Post 05 June 2018 with Qatari Plaintiff

Stage	First Instance	Appeal	Cassation	Enforceable	Total
Final	2				2
Ongoing	5		1	3	9
Suspended		1			1
Total	7	1	1	3	12

The statistics regarding the number of transactions ratified at the branches of the Notary Public and Ratification Department in the regions (Abu Dhabi – Al-Ain – Al-Gharbeya [Western]) for the Divisions (Notary Public – Ratifications – Marriage Contracts), where one party is a Qatari national in the period from 01/03/2016 to date

Notary Public Division

Branch	Number of Certified Transactions
Abu Dhabi Court	144
Chamber of Commerce and Industry	51
Notary Public – Guarantee	4
Al-Jazira Branch	9
Bani Yas Court	45
Al Nahayan Camp	8
Economic Development Directorate	30
Al-Mussaffah	8
Al-Sharq Mall Gate	22
Al-Rahba Court	15
Al-Ain Court	31
Justice Services Unit	10
Al-Ain Commercial Court	2
Al-Yahr Court	6
Al Ruwais Court	9
Al Dhafra Court	3
Al Mirfa Court	2
TamGhayani Centre	5
Baia Al-Sila	5
Total	409

1

Ratifications Division

Branch	Number of Certified Transactions
Abu Dhabi Court of First Instance	198
Bani Yas Court of First Instance	49
Abu Dhabi Court – Community Development	2
Al-Mosaffah Branch	1
Al-Rahba Court of First Instance	25
Ratifications – Guarantee	9
Community Development – Bani Yas	2
Al-Ain Court of First Instance	31
Justice Services Unit – Ratifications	34
Al-Ain Court – Community Development	2
Al-Yahr Court of First Instance	5
Al Ruwais Court of First Instance	2
Al Dhafra Court of First Instance	12
Al Mirfa Court of First Instance	1
Baia –Al-Sila Court of First Instance	8
Al Dhafra Court of First Instance – Tam	2
Total	383

Marriage Contracts Division

Branch	Number of Certified Transactions
Abu Dhabi Court of First Instance	52
Bani Yas Court of First Instance	1
Justice Services Unit	10
Al Ruwais Court of First Instance	1
Baia –Al-Sila Court of First Instance	2
Al Dhafra Court of First Instance	1
Total	67

Judicial Rulings where One Party is a Qatari National

Ref. No.	Court Region	In Court	Court Name	Full Name	DOB	Age	Relation	Contract No.	Day of Marriage Contract	Month of Marriage Contract	Year of Marriage Contract	Dowry	Guardian capacity	[illegible]	Nationality	Religion	City	Type of ID	ID No.	Job	City
1-2829158576	Abu Dhabi	No	Abu Dhabi Court of First Instance		01/01/1959	59	Wife guardian	852	01	01	2018	50,000 Dirham	Father	45+	Qatar	Islam	Abu Dhabi	Register ID does not [illegible] documents		Does not work	
1-2853843924	Abu Dhabi	No	Abu Dhabi Court of First Instance		25/11/1987	31	Wife	2,904	03	06	2018	50,000 Dirham		30-34.99	Qatar	Islam	Abu Dhabi	ID Card		Without	
1-2853843924	Abu Dhabi	No	Abu Dhabi Court of First Instance		01/01/1952	66	Wife guardian	2,904	03	06	2018	50,000 Dirham	Father	45+	Qatar	Islam	UAE	ID Card			
1-2877698614	Abu Dhabi	No	Abu Dhabi Court of First Instance		30/11/2000	18	Wife	2,914	27	06	2018	40,000 Dirham		15-19.99	Qatar	Islam	Abu Dhabi	ID Card		Student	
1-2877698614	Abu Dhabi	No	Abu Dhabi Court of First Instance		29/12/1974	43	Wife guardian	2,914	27	06	2018	40,000 Dirham	Father	40-44.99	Qatar	Islam	UAE	Passport			

Dubai Courts Statistics…

From 05/06/2017 **To** 30/09/2018

1	Number of lawsuits heard before the judiciary with one party being a Qatari national (First Instance – Appeal – Cassation)	52
2	Number of lawsuits with judicial rulings with one party being a Qatari national (First Instance – Appeal – Cassation)	80
3	Number of lawsuits filed by Qatari national (ongoing lawsuits – finalised lawsuits) (First Instance – Appeal – Cassation)	72
4	Number of documents (Notary Public) certified with one party being a Qatari national	376
5	Number of marriage contracts with one party being a Qatari national	6

Ras Al Khaimah Courts Statistics…

First: Statistics on the Lawsuits Heard before the Ras Al-Khaimah Court Department
With one Party in the Case being a Qatari National
In the Period from 05/06/2017 to 25/09/2018

Type	First Instance		Appeal		Cassation		Order on petition
Circuit	Personal Status	Commercial Plenary	Status Appeal	Commercial Appeal	Status Cassation	Commercial Cassation	6
No.	3	1	1	1	1	1	
Total	4		2		2		6

Comment:
Attached are 2 statements of lawsuits and orders.

حكومة رأس الخيمة
Government of Ras Al Khaimah

دائرة المحاكم
Courts Department

The Esteemed Advisors to the Judicial Inspection Office
Peace be upon you and Allah's mercy and blessings,,,

As per the assignment by you, including an inventory of the judicial rulings where one party in the lawsuit is a Qatari national, as filed from 05/06/2017 to 25/09/2018

#	Lawsuit No.	Date of Listing	Claimant Name	Nationality	Defendant Name	Nationality	Ruling Date
1	187/2017 Personal Status	24/07/2017		Qatar		UAE	19/04/2018
2	100/2018 Status Appeal	13/05/2018		Qatar		UAE	13/06/2018
3	161-2017 Commercial Appeal	12/12/2017		UAE	1. 2.	Qatar	26/06/2018
4	150-2017 Personal Status	19/06/2017		UAE		Qatar	19/04/2017
5	86-2018 Personal Status	15/03/2018		UAE		Qatar	09/05/2018
6	30-2018 Commercial Cassation	18/07/2018	1. 2.	Qatar		UAE	24/09/2018
7	44-2018 Personal Status Cassation	12/07/2018		Qatar		UAE	24/09/2018
8	134-2017 Commercial Plenary	11/05/2017	1. 2.	Qatar		UAE	14/11/2017

Director of Justice Services Department
Al-Hai **Badria Rashid Al-Hai** [signature] *30/09/2018*

دائرة المحاكم
Courts Department

The Esteemed Advisors to the Judicial Inspection Office
Peace be upon you and Allah's mercy and blessings,,,,

As per the assignment by you, including an inventory of the judicial rulings where one party in the lawsuit is a Qatari national, as filed from 05/06/2017 to 25/09/2018

#	Lawsuit No.	Date of Listing	Claimant Name	Type of sequestration	Defendant Name	Nationality	Ruling Date
1	10460-2017 order on petition	12/06/2017	[redacted]	Precautionary sequestration	[redacted]	Qatar	13/03/2018
2	12838-2018 order on petition	08/05/2018	[redacted]	Precautionary sequestration	[redacted]	Qatar	09/05/2018
3	3732-2018 order on petition	14/02/2018	[redacted]	Precautionary sequestration	[redacted]	Qatar	14/02/2018
4	1598-2018 order on petition	24/01/2018	[redacted]	Precautionary sequestration	[redacted]	Qatar	25/01/2018
5	3729-2018 order on petition	14/02/2018	[redacted]	Precautionary sequestration	[redacted]	Qatar	14/02/2018
6	1883-2018 order on petition	29/01/2018	[redacted]	Mortgaged funds permit	[redacted]	Qatar	15/03/2018

Director of Justice Services Department
Al-Hai **Badria Rashid Al-Hai** [signature] *30/09/2018*

Second: Number of Lawsuits Ruled On
With One Party being a Qatari National
In the Period from 05/06/2017 to 25/09/2018

Total	First Instance	Appeal	Cassation
8	4	2	2

Comment:
Attached is a copy of the lawsuits statement with -2- copies of rulings.

Courts Department

The Esteemed Advisors to the Judicial Inspection Office
Peace be upon you and Allah's mercy and blessings,,,,

As per the assignment by you, including an inventory of the judicial rulings where one party in the lawsuit is a Qatari national, as filed from 05/06/2017 to 25/09/2018

#	Lawsuit No.	Date of Listing	Claimant Name	Nationality	Defendant Name	Nationality	Ruling Date
1	187/2017 Personal Status	24/07/2017		Qatar		UAE	19/04/2018
2	100/2018 Status Appeal	13/05/2018		Qatar		UAE	13/06/2018
3	161-2017 Commercial Appeal	12/12/2017		UAE	1. 2.	Qatar	26/06/2018
4	150-2017 Personal Status	19/06/2017		UAE		Qatar	19/04/2017
5	86-2018 Personal Status	15/03/2018		UAE		Qatar	09/05/2018
6	30-2018 Commercial Cassation	18/07/2018	1. 2.	Qatar		UAE	24/09/2018
7	44-2018 Personal Status Cassation	12/07/2018		Qatar		UAE	24/09/2018
8	134-2017 Commercial Plenary	11/05/2017	1. 2.	Qatar		UAE	14/11/2017

Director of Justice Services Department
Al-Hai **Badria Rashid Al-Hai** [signature] *30/09/2018*

Third: Number of Lawsuits Filed by Qatari Nationals
After 05/06/2017 to 25/09/2018

Total	Personal Status	Status Appeal	Cassation
4	1	1	2

Comment:
Attached is a copy of the lawsuits statement.

Courts Department

The Esteemed Advisors to the Judicial Inspection Office
Peace be upon you and Allah's mercy and blessings,,,,

As per the assignment by you, including an inventory of the judicial rulings where one party in the lawsuit is a Qatari national, as filed from 05/06/2017 to 25/09/2018

#	Lawsuit No.	Date of Listing	Claimant Name	Nationality	Defendant Name	Nationality	Ruling Date
1	187/2017 Personal Status	24/07/2017		Qatar		UAE	19/04/2018
2	100/2018 Status Appeal	13/05/2018		Qatar		UAE	13/06/2018
3	161-2017 Commercial Appeal	12/12/2017		UAE	1. 2.	Qatar	26/06/2018
4	150-2017 Personal Status	19/06/2017		UAE		Qatar	19/04/2017
5	86-2018 Personal Status	15/03/2018		UAE		Qatar	09/05/2018
6	30-2018 Commercial Cassation	18/07/2018	1. 2.	Qatar		UAE	24/09/2018
7	44-2018 Personal Status Cassation	12/07/2018		Qatar		UAE	24/09/2018
8	134-2017 Commercial Plenary	11/05/2017	1. 2.	Qatar		UAE	14/11/2017

Director of Justice Services Department
Al-Hai **Badria Rashid Al-Hai** [signature] *30/09/2018*

Fourth: Number of Documents Ratified With One Party being a Qatari National
In the Period from 05/06/2017 to 25/09/2018

Total	Notary Public Documents	Certification Documents
9	4	5

Comment:
Attached are -2- document statement.

List of Documents Rarified and Certified by the Notary Public With One Party being a Qatari National In the Period From 05/06/2017 to 30/09/2018

S	Type of Documents	Client Name	Nationality	Representative Name	Nationality	Certification No.	Certification Date
1	General power of attorney for lawsuits	[redacted]	Qatar	[redacted]	Egypt	11676/2018	30/04/2017
2	Dismissal of agent	[redacted]	Qatar	[redacted]	Egypt	12344/2017	04/05/2017
3	Comprehensive general power of attorney	[redacted]	UAE	[redacted]	Qatar	16969/2018	21/06/2018
4	Power of attorney for inheritance	[redacted]	Qatar	[redacted]	UAE	22374/2018	18/08/2018

[seal: Government of Ras Al-Khaimah, Courts Department, Notary Public, Solaiman bin Hajar]

Head of Certification Division
Solaiman bin Hajar
[signature]

Transactions Submitted by Qatari Nationals
From 05/06/2017 to 25/09/2018

Application No.	Transaction No.	Transaction Year	Transaction	State	Date of Issue	Issued by	Client No.	Client Name
2018106040	210	2018	Divorce document	Certified	26/06/2018	PORTAL1		
2018104563	3168	2018	Status certificate	Certified	23/04/2018	PORTAL1		
2018104448	3089	2018	Status certificate	Certified	18/04/2018	PORTAL1		
2018101527	1115	2018	Status certificate	Certified	05/02/2018	PORTAL1		
2017108485	6252	2017	Widow certificate	Certified	24/09/2017	PORTAL1		

[seal: Government of Ras Al-Khaimah, Courts Department, Certification Division]

For/ **Mariam Mohamed Asnidi**
Certification Division
[signature]

Fifth: There are No Marriage Contracts Concluded
After 05/06/2017 to 25/09/2018
With One Party being a Qatari National

Comment:
Attached are -3- statements.

إحصائية المحاكم الاتحادية...

دائرة التفتيش القضائي
قسم الاحصاء

احصاء بعدد الدعاوى المرفوعة من او ضد الجنسية القطرية
خلال الفترة من 2017/6/6 الى 2018/9/25

الموضوع	درجة التقاضي	العدد
عدد الدعاوى المنظورة وما زالت متداولة حتى تاريخه	الابتدائي	2
	الاستئناف	7
عدد الدعاوى التي صدرت بها احكام قضائية بالفصل	الابتدائي	12
	الاستئناف	13
	المحكمة العليا	4
عدد الدعاوى المرفوعة من الجنسية القطرية	لجان التوجيه الاسري	3
	مراكز التوفيق والمصالحة	3
	الابتدائي	1
	الاستئناف	9
	المحكمة العليا	2
احصائية كاتب العدل (الوكالات)		146
عدد عقود الزواج		1

إحصائية محاكم إمارة أبوظبي ...

جميع دعاوى القطريين المقيدة من بداية العام 2016 وحتى سبتمبر 2018

المرحلة	ابتدائي	استئناف	نقض	تنفيذ	الاجمالي
حكم قطعي	176	35	10	15	236
متداولة	30	8	7	47	92
وقف		1			1
الإجمالي	206	44	17	62	329

دعاوى 2016

المرحلة	ابتدائي	استئناف	نقض	تنفيذ	الاجمالي
حكم قطعي	54	13	2	8	77
متداولة	4	2		13	19
الإجمالي	58	15	2	21	96

دعاوى 2017

المرحلة	ابتدائي	استئناف	نقض	تنفيذ	الاجمالي
حكم قطعي	75	19	5	5	104
متداولة	12	3	3	15	33
الإجمالي	87	22	8	20	137

2018

المرحلة	ابتدائي	استئناف	نقض	تنفيذ	الاجمالي
حكم قطعي	47	3	3	2	55
متداولة	14	3	4	19	40
وقف		1			1
الإجمالي	61	7	7	21	96

ما قيد بعد 5 يونيو 2018 والمدعي قطري

المرحلة	ابتدائي	استئناف	نقض	تنفيذ	الاجمالي
حكم قطعي	2				2
متداولة	5		1	3	9
وقف		1			1
الإجمالي	7	1	1	3	12

الإحصائية الخاصة بعدد المعاملات التي تم تصديقها في افرع ادارة كاتب العدل والتوثيق للمناطق(ابوظبي –العين- الغربية) للأقسام (كاتب العدل- التوثيقات- وعقود الزواج) والتي احد اطرافها من يحملون الجنسية القطرية خلال الفترة من 2016/03/01 حتى تاريخه

قسم الكاتب العدل

الفرع	عدد المعاملات المصدقة
محكمة أبوظبي	144
غرفة التجارة والصناعة	51
الكاتب العدل – ضمان	4
فرع الجزيرة	9
محكمة بني ياس	45
معسكر آل نهيان	8
دائرة التنمية الاقتصادية	30
المصفح	8
بوابة الشرق مول	22
محكمة الرحبة	15
محكمة العين	31
وحدة الخدمات العدلية	10
المحكمة التجارية العين	2
محكمه البحر	6
محكمة الرويس	9
محكمة الظفرة	3
محكمه المرفأ	2
مركز تم – غياثي	5
بعيا السلع	5
المجموع	409

قسم التوثيقات

الفرع	عدد المعاملات المصدقة
محكمة ابوظبي الإبتدائية	198
محكمة بني ياس الإبتدائية	49
محكمة أبوظبي - تنمية المجتمع	2
فرع مصفح	1
محكمة الرحبة الإبتدائية	25
التوثيقات - ضمان	9
تنمية المجتمع - بني ياس	2
محكمة العين الإبتدائية	31
وحدة الخدمات العدلية-التوثيقات	34
محكمة العين - تنمية المجتمع	2
محكمة البحر الإبتدائية	5
محكمة الرويس الإبتدائية	2
محكمة الظفرة الإبتدائية	12
محكمة المرفأ الإبتدائية	1
محكمة بعيه - السلع الإبتدائية	8
محكمة الظفرة الإبتدائية - تم	2
المجموع	383

قسم عقود الزواج

الفرع	عدد المعاملات المصدقة
محكمة ابوظبي الإبتدائية	52
محكمة بني ياس الإبتدائية	1
وحدة الخدمات العدلية	10
محكمة الرويس الإبتدائية	1
محكمة بعيه - السلع الإبتدائية	2
محكمة الظفرة الإبتدائية	1
المجموع	67

الأحكام القضائية التي يكون أحد أطرافها من الجنسية القطرية

رقم المرجع	منطقة المحكمة	داخل المحكمة	إسم المحكمة	الإسم بالكامل	تاريخ الميلاد	العمر	صفة الطرف	رقم العقد	رقم اليوم التاريخ عقد الزواج	رقم الشهر التاريخ عقد الزواج	السنة التاريخ عقد الزواج	المهر	صفة الولي	الفئة العمرية	الجنسية	الديانة	المدينة	نوع اثبات الشخصية	رقم اثبات الشخصية	وصف المهنة	المهنة
1-2829158576	ابوظبي	لا	محكمة أبوظبي الإبتدائية		01-01-1959	59	ولي الزوجة	852	01	01	2018	درهم 50,000	الأب	45+	قطر	الاسلام	أبو ظبي	بطاقة سجل لا يحمل أوراق	'1011959100410'	لا يعمل	
1-2853843924	ابوظبي	لا	محكمة أبوظبي الإبتدائية		25-11-1987	31	الزوجة	2,904	03	06	2018	درهم 50,000		30-34.99	قطر	الاسلام	أبو ظبي	بطاقة هوية	'784198759768371'	بدون	
1-2853843924	ابوظبي	لا	محكمة أبوظبي الإبتدائية		01-01-1952	66	ولي الزوجة	2,904	03	06	2018	درهم 50,000	الأب	45+	قطر	الاسلام	الإمارات العربية المتحدة	بطاقة هوية	'784195291373256'		
1-2877698614	ابوظبي	لا	محكمة أبوظبي الإبتدائية		30-11-2000	18	الزوجة	2,914	27	06	2018	درهم 40,000		15-19.99	قطر	الاسلام	أبو ظبي	بطاقة هوية	'784200025297597'	طالب	
1-2877698614	ابوظبي	لا	محكمة أبوظبي الإبتدائية		29-12-1974	43	ولي الزوجة	2,914	27	06	2018	درهم 40,000	الأب	40-44.99	قطر	الاسلام	الإمارات العربية المتحدة	جواز سفر	'01146308'		

إحصائية محاكم إمارة دبي ...

من تاريخ 2017-06-05 إلى تاريخ 2018-09-30

1	عدد القضايا المنظورة أمام القضاء وأحد أطرافه من الجنسية القطرية (ابتدائي- استئناف - تمييز)	52
2	عدد القضايا التي صدرت بها أحكام قضائية وأحد أطراف القضية من الجنسية القطرية (ابتدائي- استئناف - تمييز)	80
3	عدد القضايا التي رفعت من قبل أشخاص قطريين (قضايا منظورة، قضايا مفصولة) (ابتدائي- استئناف - تمييز)	72
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وأحد أطراف القضية من الجنسية القطرية

خلال الفترة من 2017/6/5 **حتى** 2018/9/25

النوع	ابتدائي		استئناف		تمييز		امر على عريضة
الدائرة	احوال شخصية	تجارى كلى	استئناف احوال	استئناف تجارى	تمييز احوال	تمييز تجارى	6
العدد	3	1	1	1	1	1	
الاجمالي	4		2		2		6

ملحوظة:-

مرفق عدد -2- كشف ببيان القضايا والأوامر.

حكومة رأس الخيمة
Government of Ras Al Khaimah

دائرة المحاكم
Courts Department

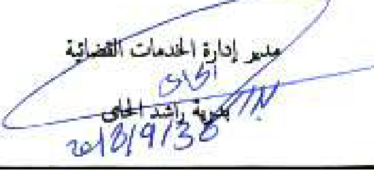
سعادة مستشاري مكتب التفتيش القضائي الموقرين

السلام عليكم ورحمة الله وبركاته.....

بناء على التكليف الوارد الينا من قبلكم والمتضمنة حصر للأحكام القضائية يكون فيها أحد أطراف الدعوى من الجنسية القطرية والتي تم رفع الدعوى فيها من تاريخ 2017/6/5 وحتى تاريخه 2018/9/25

م	رقم القضية	تاريخ التسجيل	اسم المدعي	الجنسية	اسم المدعي علية	الجنسية	تاريخ الحكم
1	2017/187 أحوال شخصية	24.7.2017		قطر		الامارات	19.4.2018
2	2018/100استئناف احوال	13.5.2018		قطر		الامارات	13.6.2018
3	2017-161 استئناف تجاري	12.12.2017		الامارات		قطر	26.6.2018
4	2017-150احوال شخصية	19.6.2017		الامارات		قطر	19.4.2017
5	2018-86احوال شخصية	15.3.2018		الامارات		قطر	9.5.2018
6	2018-30تمييز تجاري	18.7.2018		قطر		الامارات	24.9.2018
7	2018-44تمييز أحوال شخصية	12.7.2018		قطر		الامارات	24.9.2018
8	2017 134تجاري كلي	11.5.2017		قطر		الامارات	14.11.2017

مدير إدارة الخدمات القضائية
بدرية راشد الحاى
2018/9/30



دائـرة الـمـحـاكـم
Courts Department

سعادة مستشاري مكتب التفتيش القضائي   الموقرين

السلام عليكم ورحمة الله وبركاته.

بناء علي التكليف الوارد الينا من قبلكم والمتضمنة حصر للأحكام القضائية يكون فيها أحد أطراف الدعوى من الجنسية القطرية والتي تم رفع الدعوى فيها من تاريخ 2017/6/5 وحتى تاريخه 2018/9/25

م	رقم القضية	تاريخ التسجيل	اسم المدعي	نوع الحجز	اسم المدعي علية	الجنسية	تاريخ صدور الامر
1	2017-10460 امر علي عريضة	12.6.2017	[redacted]	حجز تحفظي	[redacted]	قطر	13.3.2018
2	2018-12838امر علي عريضة	8.5.2018	[redacted]	حجز تحفظي	[redacted]	قطر	9.5.2018
3	2018-3732امر علي عريضة	14.2.2018	[redacted]	حجز تحفظي	[redacted]	قطر	14.2.2018
4	2018-1598امر علي عريضة	24.1.2018	[redacted]	حجز تحفظي	[redacted]	قطر	25.1.2018
5	2018-3729 امر علي عريضة	14.2.2018	[redacted]	حجز تحفظي	[redacted]	قطر	14.2.2018
6	2018-1883امر علي عريضة	29.1.2018	[redacted]	اذن مال المرهون	[redacted]	قطر	15.3.2018

مدير إدارة الخدمات القضائية
بخيتة راشد الحالي
2018/9/30

ثانيا: عدد القضايا التي صدرت بها أحكام قضائية

وأحد أطراف القضية من الجنسية القطرية

خلال الفترة من 2017/6/5 **حتى** 2018/9/25

الإجمالي	ابتدائي	استئناف	تمييز
8	4	2	2

ملحوظة:-

مرفق صورة كشف بالقضايا و عدد -2- صورة حكم .

حكومة رأس الخيمة
Government of Ras Al Khaimah

دائرة محاكم
Courts Department

سعادة مستشاري مكتب التفتيش القضائي الموقرين

السلام عليكم ورحمة الله وبركاته.....

بناء على التكليف الوارد الينا من قبلكم والمتضمنة حصر للأحكام القضائية يكون فيها أحد أطراف الدعوى من الجنسية القطرية والتي تم رفع الدعوى فيها من تاريخ 2017/6/5 وحتى تاريخه 2018/9/25

م	[illegible]	تاريخ التسجيل	[illegible]	الجنسية	[illegible]	الجنسية	[illegible]
1	2017/187 أحوال شخصية	24.7.2017		قطر		الامارات	19.4.2018
2	2018/100استئناف احوال	13.5.2018		قطر		الامارات	13.6.2018
3	2017-161 استئناف تجاري	12.12.2017		الامارات		قطر	26.6.2018
4	2017-150احوال شخصية	19.6.2017		الامارات		قطر	19.4.2017
5	2018-86احوال شخصية	15.3.2018		الامارات		قطر	9.5.2018
6	2018-30تمييز تجاري	18.7.2018		قطر		الامارات	24.9.2018
7	2018-44تمييز احوال شخصية	12.7.2018		قطر		الامارات	24.9.2018
8	2017-134تجاري كلي	11.5.2017		قطر		الامارات	14.11.2017

مدير إدارة الخدمات القضائية
بدرية راشد الحاي
[illegible]/9/30

ثالثا: عدد القضايا التي رفعت من قبل اشخاص قطريين

بعد تاريخ 2017/6/5 **حتى** 2018/9/25

الإجمالي	احوال شخصية	استئناف احوال	تمييز
4	1	1	2

ملحوظة:-

مرفق صورة من كشف القضايا .

دائرة المحاكم
Courts Department

حكومة رأس الخيمة
Government of Ras Al Khaimah

سعادة مستشاري مكتب التفتيش القضائي الموقرين

السلام عليكم ورحمة الله وبركاته.....

بناء على التكليف الوارد الينا من قبلكم والمتضمنة حصر للاحكام القضائية يكون فيها أحد أطراف الدعوى من الجنسية القطرية والتي تم رفع الدعوى فيها من تاريخ 2017/6/5 وحتى تاريخه 2018/9/25

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1	2017/187 أحوال شخصية	24.7.2017	[redacted]	قطر	[redacted]	الامارات	19.4.2018
2	2018/100استئناف احوال	13.5.2018	[redacted]	قطر	[redacted]	الامارات	13.6.2018
3	2017-161 استئناف تجاري	12.12.2017	[redacted]	الامارات	[redacted]	قطر	26.6.2018
4	2017 150احوال شخصية	19.6.2017	[redacted]	الامارات	[redacted]	قطر	19.4.2017
5	2018-86احوال شخصية	15.3.2018	[redacted]	الامارات	[redacted]	قطر	9.5.2018
6	2018-30تمييز تجاري	18.7.2018	[redacted]	قطر	[redacted]	الامارات	24.9.2018
7	2018-44تمييز أحوال شخصية	12.7.2018	[redacted]	قطر	[redacted]	الامارات	24.9.2018
8	2017-134تجاري كلي	11.5.2017	[redacted]	قطر	[redacted]	الامارات	14.11.2017

مدير إدارة الخدمات القضائية
بالإنابة
مدية راشد الخاني

رابعا: عدد الوثائق التي تم التصديق عليها وأحد أطرافها من الجنسية القطرية

خلال الفترة من 2017/6/5 **حتى** 2018/9/25

الإجمالي	وثائق الكاتب العدل	وثائق الإشهادات
9	4	5

ملحوظة:-

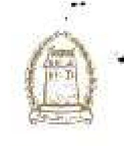
مرفق عدد -2- كشف ببيان الوثائق .

كشف بالوثائق التي تم توثيقها والتصديق عليها من قبل الكاتب العدل والتي أحد أطرافها من الجنسية القطرية خلال الفترة من 2017/6/5 وحتى 2018/9/30

تسلسل	نوع الوثيقة	أسم الموكل	الجنسية	اسم الوكيل	الجنسية	رقم التصديق	تاريخ التصديق
1	وكالة عامة بالقضايا		قطر		مصر	2018/11676	2017/4/30
2	عزل وكيل		قطر		مصر	2017/12344	2017/5/4
3	وكالة عامة شاملة		الامارات		قطر	2018/16969	2018/6/21
4	وكالة بالميراث		قطر		الامارات	2018/22374	2018/8/18

مدير قسم التصديق

سليمان بن حجر



المعاملات المقدمة من قبل الجنسية (القطرية)
من تاريخ 2017.06.05 إلى تاريخ 2018.09.25

اسم العميل	رقم العميل	منشأ بواسطة	تاريخ الإصدار	الحالة	المعاملة	سنة المعاملة	رقم المعاملة	رقم الطلب
[redacted]	1000085760	PORTAL1	26.06.2018	معتمدة	وثيقة طلاق	2018	210	2018106040
[redacted]	3000125905	PORTAL1	23.04.2018	معتمدة	إشهاد حالة	2018	3168	2018104563
[redacted]	3000125905	PORTAL1	18.04.2018	معتمدة	إشهاد حالة	2018	3089	2018104448
[redacted]	3000125905	PORTAL1	05.02.2018	معتمدة	إشهاد حالة	2018	1115	2018101527
[redacted]	3000125905	PORTAL1	24.09.2017	معتمدة	إشهاد ترمل	2017	6252	2017108485

مريم محمد اسنيدي

قسم الإشهادات

خامسا: لا توجد عقود زواج تمت بعد تاريخ 2017/6/5 **حتى** 2018/9/25 **وأحد أطرافها من الجنسية القطرية.**

ملحوظة:-

مرفق عدد -3- افادات.

United Arab Emirates
Ministry of Education
Office of the Ministry

Date: 2019/01/03 Ref: 1/1م و

Department of Legal Affairs
Ministry of Foreign Affairs and International Cooperation

Peace, mercy and blessings of God,

The Ministry of Education presents you with the best regards and wishing you all the best.

Referring to your letter No. ق د/ ق ح و م 1/2/15/4989 dated 16/9/2018, regarding the request for information about Qatari students in the state.

Attached below you will find statistics on the number of Qatari students who continue to study in all Emirates and at all levels of study, also the number of new students enrolled in the academic year 2018/2019.

Higher education	Government education	Private education	Academic year
207	170	100	2017/2018
36	173	101	2018/2019

The statistics do not include students' in the Dubai Free Zone, and we will inform you later about the numbers of enrolled students.

With respect and appreciation,,,,,

Mariam Ibrahim Al- Ali
Director of the Minister of Education office

UNITED ARAB EMIRATES
MINISTRY OF EDUCATION
OFFICE OF THE MINISTER

الإمارات العربية المتحدة
وزارة التربية والتعليم
مكتب الوزير

التاريخ: 2019/01/03م

الرقم: م و1/1

إدارة الشؤون القانونية **المحترمين**

وزارة الخارجية والتعاون الدولي

السلام عليكم ورحمة الله وبركاته،،

تهديكم وزارة التربية والتعليم أطيب التحيات متمنين لكم دوام التوفيق والسداد، وبالإشارة الى كتابكم رقم م وح ق /ق د/4989/15/2/1 بتاريخ 2018/9/16م، بشأن طلب معلومات عن الطلبة القطريين في الدولة.

مرفق لكم أدناه إحصائية بعدد الطلبة القطريين المستمرين بالدراسة في كافة إمارات الدولة وفي كافة المراحل الدراسية، وعدد الطلبة الجدد الملتحقين بالعام الدراسي 2019/2018:

تعليم عالي	تعليم حكومي	تعليم خاص	السنة الدراسية
207	170	100	2017/2018
36	173	101	2018/2019

مع العلم بأن الإحصائية لا تتضمن بيانات الطلبة بالمنطقة الحرة بدبي، وسوف نوافيكم لاحقاً فور موافاتنا بعدد الطلبة المسجلين لديهم.

مثمنين جهودكم وحسن تعاونكم.

وتقبلوا بقبول فائق التحية والتقدير،،،

مريم إبراهيم آل علي

مدير مكتب معالي وزير التربية والتعليم

ص.ب. 295 ♦ أبوظبي، الإمارات العربية المتحدة Abu Dhabi, UNITED ARAB EMIRATES ♦ P.O. Box 295 ♦ فاكس FAX +971 2 650 6280 ♦ هاتف TEL +971 2 408 9888
ص.ب. 3962 ♦ دبي، الإمارات العربية المتحدة Dubai, UNITED ARAB EMIRATES ♦ P.O. Box 3962 ♦ فاكس FAX +971 4 217 6800 ♦ هاتف TEL +971 4 217 6107

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Annex 18

The Committee on the Elimination of Racial Discrimination (*State of Qatar v. United Arab Emirates*), Response of the State of Qatar, 14 February 2019

THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

State of Qatar,

Complainant

v.

United Arab Emirates,

Respondent.

ICERD-ISC-2018/2

RESPONSE OF THE STATE OF QATAR

---

14 February 2019

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1. The Permanent Mission of the State of Qatar to the United Nations Office and other international organizations in Geneva presents its compliments to the Committee on the Elimination of Racial Discrimination ("***Committee***") and refers to its Communication submitted pursuant to Article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination (the "***CERD***") against the United Arab Emirates ("***UAE***") (ICERD-ISC-2018/2) ("***Qatar's Communication***"), as well as its letter of 29 October 2018 referring the matter again to the Committee pursuant to Article 11(2) of the CERD.

2. Pursuant to the Note Verbale transmitted to the Permanent Mission of the State of Qatar by the Secretariat of the United Nations (Office of the High Commissioner for Human Rights) on 14 December 2018 ("***Note Verbale***"), Qatar submits this response to the Supplemental Response by the UAE dated 14 January 2019 and transmitted to the State of Qatar on 15 January 2019 ("***15 January Submission***"), and the Supplemental Response by the UAE dated 29 November 2018 and transmitted to the State of Qatar on 4 December 2018 ("***4 December Submission***"). Qatar also refers to the Response of the UAE received by the Secretariat on 7 August 2018 and transmitted to the State of Qatar on 8 August 2018 ("***8 August Submission***") and the submission by the UAE dated 7 November 2018 and transmitted to the State of Qatar on 9 November 2018 ("***9 November Submission***"). In this response, Qatar will limit its observations to issues raised in the UAE's 4 December and 15 January Submissions, focused on questions of jurisdiction and admissibility, as contemplated by the Note Verbale.

I. INTRODUCTION

3. The negative impacts of the UAE's Coercive Measures[1], which include its collective expulsion of Qataris and purposeful incitement of hatred towards Qatar and Qataris, are extensive, ongoing, and well-documented, including by independent international human rights groups[2]. The UAE has sought to coerce the Qatari Government through the

[1] Qatar's Communication, p. 1, para. 3. *See also* United Arab Emirates Ministry of Foreign Affairs & International Cooperation, *UAE supports statements of Kingdom of Bahrain and Kingdom of Saudi Arabia on Qatar* (5 June 2017), https://www.mofa.gov.ae/en/mediacenter/news/pages/05-06-2017-uae-qatar.aspx.

[2] Qatar's Communication, pp. 20, 23-24, paras. 44, 52-53. These measures are detailed in Qatar's prior submissions to the Committee. *See* Qatar's Communication, pp. 12-18, paras. 26-40.

collective punishment of the Qatari people, and its actions stand contrary to the entire foundation of human rights. As a result of the UAE's Coercive Measures, Qataris in the UAE awoke on 5 June 2017 to find that they had only 14 days to flee the country, leaving behind family, loved ones, jobs, property, and educational opportunities—all while under the ominous threat from the UAE citing "precautionary security measures" as the ostensible reason for the collective expulsion. Qatari residents of the UAE who had returned to Qatar for Ramadan or were otherwise outside the UAE on 5 June 2017 awoke to find that they were now cut off from their homes, families, and their very lives—with no certainty as to when, if ever, they could return.

4. Overnight, the lives of Qataris living in or having any connection with the UAE were radically altered. Prior to the UAE's imposition of the Coercive Measures, many Qataris lived, worked, studied, and owned property in the UAE. As Gulf Cooperation Council ("***GCC***") nationals, Qataris enjoyed special status in the UAE, moving freely between the two countries and entitling them to many of the same rights and benefits as Emiratis. In this particular context of openness and close connections, mixed families of Qatari and Emirati origin were commonplace, with family members, lives, education and work spanning the two countries. Almost overnight, the Coercive Measures upended this reality—solely because these individuals were Qatari. By its conduct, the UAE has violated a host of fundamental rights protected by the CERD, including the rights of Qataris to: marriage, choice of spouse, and family life; education and training; access to public health and medical care; property; work; freedom of opinion and expression; equal treatment before tribunals; and benefit from measures that protect against incitement on racially discriminatory grounds, as well as the right to a remedy for these violations. Over a year and a half later, the UAE's violations have persisted. And since the UAE has continued in its campaign of discrimination against Qataris, the incitement of racial hatred against Qataris has only entrenched, and as the Coercive Measures move toward their second full year, the UAE's divisive and discriminatory treatment against Qataris threatens to become a permanent fixture. Tragically, incidences of racially-motivated abuse and hate speech against Qataris are now commonplace in the UAE.

5. Tellingly, the UAE—in its submissions before the Committee and indeed, in all legal and political fora relating to the crisis—both ignores and attempts to minimize these impacts, largely by misrepresenting the facts. It insists that Qataris "left the UAE voluntarily at the start of the crisis"[3]—despite the plain language of its directive of 5 June 2017 (the "***5 June Directive***") ordering them to do so within 14 days. It says nothing at all about its clear campaign of incitement against Qataris. And it makes no attempt to argue that the Coercive Measures are intended for any other purpose than to coerce and punish the State of Qatar by targeting individual Qataris. Indeed, the UAE's current characterization of the Coercive Measures as "minimal" entry requirements[4] must be seen for what it is: an ex post justification for the UAE's egregious, arbitrary, and punitive misuse of sovereign power, enacted without warning, without exception for individual circumstances, and without regard for the impacts on individual rights.

6. At the same time that the UAE attempts to dismiss the reach and impacts of the Coercive Measures, the UAE also attempts to sharply curtail the reach and focus of the CERD itself. As this Committee is well aware, the CERD is a forward-looking instrument, which obliges State Parties not only to condemn racial discrimination but also to actively pursue means of "eliminating racial discrimination in *all its forms*"[5]. Article 1(1)'s definition of "racial discrimination" seeks to further this goal not only by its list of multiple prohibited grounds, but also by explicitly covering discrimination "which has the purpose *or effect*" of impairing the enjoyment of human rights[6]. In other words, as this Committee has previously made clear, in addition to explicit and purposive discrimination, the CERD's scope encompasses actions that have "an unjustifiable

[3] 4 December Submission, p. 12, para. 22.

[4] 15 January Submission, p. 3, para. 7.

[5] CERD, Preamble (emphasis added).

[6] CERD, Art. 1(1) ("In this Convention, the term 'racial discrimination' shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose *or effect* of nullifying or impairing…human rights…") (emphasis added).

disparate impact upon a group distinguished by race, colour, descent, or national or ethnic origin"[7].

7. In its submissions, the UAE ignores this basic fact about the ambit of the CERD, instead urging the Committee to look only to whether the Coercive Measures, as measured by the UAE's explicit purpose of targeting Qatari "nationals", fall within the CERD. So, the UAE's central jurisdictional objection before the Committee—mirroring its objection before the International Court of Justice ("***ICJ***")—remains on the basis that "nationality" does not constitute a protected ground for discrimination based on Article 1(1)'s use of the term "national origin"[8]. In making this argument, the UAE asserts that "present nationals" as a group are categorically excluded from the definition of "national origin", a term which it refers to instead as being associated with a person's "heritage" or ability to "trace" their origin to a particular country[9]. But the UAE's attempt to frame the question in this manner exposes the fundamental flaw in its reasoning: the UAE overlooks the fact that the discriminatory *effects* of the Coercive Measures—separate and apart from the purpose of those Measures—bring the UAE's conduct unequivocally within the ambit of the CERD.

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[7] CERD Committee, General Recommendation No. 14 on Article 1, Paragraph 1, of the Convention, U.N. Doc. A/48/18 (1993), para. 2. *See also Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation), Provisional Measures, Declaration of Crawford* (19 April 2017), para. 7 ("[T]he definition of 'racial discrimination' in Article 1 of CERD does not require that the restriction in question be based expressly on racial or other grounds enumerated in the definition; it is enough that it directly implicates such a group on one or more of these grounds. Moreover, whatever the stated purpose of the restriction, it may constitute racial discrimination if it has the 'effect' of impairing the enjoyment or exercise, on an equal footing, of the rights articulated in CERD.").

[8] 4 December Submission, p. 14, para. 29 ("[T]he Committee lacks any jurisdiction because Qatar's Article 11 Communication goes only to differentiated treatment on the basis of nationality, a matter falling wholly outwith the scope of the CERD."); 15 January Submission, p. 9, para. 17 ("Qatar's Article 11 Communication goes only to differentiated treatment on the basis of nationality, a matter falling wholly outside the scope of the CERD.").

[9] *E.g.*, 4 December Submission, p. 17, para. 35 (relying on the dissenting opinion of Judge Salam, in which he noted that "'national origin' targets individuals who—'regardless of their nationality at that time'—traced their origin to a particular country and suffered discrimination as a result of that heritage"). *See also Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, CR 2018/13, p. 38, para. 19 (Olleson) (arguing that the Coercive Measures fall outside the scope of the CERD, the UAE noted that "Qatar does not suggest that the relevant measures are of any application to UAE or foreign nationals of Qatari heritage (for instance where one of their parents was Qatari)").

8. That is because it is indisputable that whatever the UAE's stated purpose in discriminating solely on the basis of present "nationality," the effects of the UAE's Coercive Measures are felt by persons of Qatari national origin in the sense uncontested by the UAE—namely, in the historical-cultural sense of shared "heritage" or descent or an ability to "trace" one's origin to a particular country. The UAE was well aware of the disparate impact of its measures on those of Qatari national origin: in Qatar, as in other Gulf States, nationality is inextricably intertwined with, and largely restricted to, this historical-cultural community of Qataris. As a result, the UAE's Coercive Measures targeting "Qatari nationals" unquestionably have a disparate effect on persons of Qatari national origin. Thus, the UAE's conduct indisputably falls within the scope of the Article 1(1) definition of the CERD irrespective of whether "national origin" in Article 1(1) encompasses nationality, and accordingly, the Committee has jurisdiction.

9. But the UAE's primary argument that Article 1(1) excludes discrimination on the basis of nationality is also wrong. To the contrary, that present nationality is encompassed by "national origin" in Article 1(1) of the CERD becomes clear when the ordinary meaning of the term is read in its context and in light of the CERD's object and purpose, in accordance with Article 31(1) of the Vienna Convention on the Law of Treaties ("***VCLT***")[10], as well as through an examination of the *travaux préparatoires* of the CERD. Indeed, the UAE's heavy reliance on the *dissenting* opinions of several ICJ judges conveniently overlooks that a *majority* of the ICJ, when called upon to determine whether the acts complained of by Qatar are *prima facie* capable of falling within the provisions of the CERD, concluded in the affirmative[11]. As explained in the ICJ's Order on Provisional Measures of 23 July 2018 ("***Provisional Measures Order***"):

> "In the Court's view, the acts referred to by Qatar, in particular the statement of 5 June 2017…whereby the UAE announced that Qataris were to leave its territory within 14 days and that they would be prevented from entry, and the alleged restrictions that ensued, including upon their right to marriage and choice of spouse, to education as well as to medical care and to equal

[10] VCLT, Article 31(1) ("A treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose.").

[11] 4 December Submission, p. 19, paras. 38-43; *see also* 15 January Submission, pp. 10-11, para. 20.

> treatment before tribunals, are capable of falling within the scope of CERD *ratione materiae*."[12]

The UAE's attempts to elevate the Court's dissenting opinions cannot elide this basic fact, which alone is sufficient to conclude that the Committee has jurisdiction to appoint an *ad hoc* Conciliation Commission to hear Qatar's claims[13].

10. The UAE's remaining objections—most of which largely mirror those raised before and dismissed by the ICJ in its hearing on provisional measures—equally have no merit, and equally attempt to restrict both the scope of the CERD's coverage and this Committee's ability to ensure its proper implementation.

11. Qatar's response is thus organized as follows:

12. *First*, Qatar will demonstrate that, as discussed above, according to both their purpose and effect, the Coercive Measures imposed by the UAE against Qatar and Qataris unequivocally fall within the scope *ratione materiae* of the CERD by discriminating against Qataris on the basis of national origin (Section II)[14]. With respect to the UAE's conceded purpose of targeting Qataris on the basis of "present nationality", the Coercive Measures fall within the CERD's scope because the text of Article 1(1) read in its context and in light of the CERD's object and purpose, make clear that "national origin" encompasses present nationality (Section II.A). This alone is sufficient for the Committee to uphold its jurisdiction. So too is the fact that the discriminatory effects of the measures are suffered by persons of Qatari national origin in the historical-cultural

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[12] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures, Order (23 July 2018)* (hereinafter "Provisional Measures Order"), p. 11, para. 27.

[13] For example, this approach is reflected in the Committee's analogous practice under Article 14 of the CERD, in which the Committee "consider[ed] that the petitioner has sufficiently substantiated, for purposes of admissibility, that his individual claim *may* fall within the scope of application of the provisions of the Convention" and "deem[ed] it more appropriate to determine the precise scope of the relevant provisions of the Convention at the merits stage of the petition." *Stephen Hagan v. Australia*, Communication No. 26/2002, U.N. Doc. CERD/C/62/D/26/2002 (2003), p. 10, para. 6.2 (emphasis added).

[14] Article 1(1) of the CERD provides: "the term 'racial discrimination' shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, social, cultural or any other field of public life."

sense uncontested by the UAE (Section II.B). For both of these reasons, the Committee's jurisdiction must be upheld.

13. *Second*, Qatar will show that the UAE's argument that the Committee lacks jurisdiction over Qatar's Communication because there is "no evidence" of an "ongoing situation of prejudice"[15] to Qataris both misconceives the legal basis for the Committee's (and subsequent Conciliation Commission's) jurisdiction and is wrong as a matter of fact (Section III). The jurisdictional requirements set by Article 11 in this regard are minimal, and indeed, the ICJ has found that the UAE's Coercive Measures have plausibly endangered rights protected under the CERD. Further, the UAE's persistent and self-serving denials of any CERD violations are at odds with the observations of the ICJ and the reports of independent international human rights observers that have recorded the continuing and severe impacts of the Coercive Measures on individual Qataris. Accordingly, the Committee should easily be able to conclude that Qatar has satisfied the standard established by Article 11 for a complaint to move forward to the conciliation process contemplated by the CERD.

14. *Third*, Qatar will demonstrate that consideration of Qatar's Communication is not barred by the CERD's Article 11(3) requirement that the Committee deal with matters referred to it "after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law". The exhaustion of domestic remedies requirement does not apply in cases such as this, where the measures at issue constitute a systemic, generalized policy and practice that impacts the rights of thousands of individuals. Further, the requirement that domestic remedies be exhausted does not apply because Qatar also asserts claims of direct injury to its own interests under the CERD. Finally, even if the domestic remedies rule did apply in this case, the UAE has failed to prove the existence of effective, available remedies that have not been exhausted. As such, the UAE's argument that

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15 Supplemental Response of the United Arab Emirates to the request made by the State of Qatar pursuant to Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination (29 November 2018) (hereinafter "4 December Submission"), p. 3. para. 6.

Article 11(3) of the CERD acts as a bar to consideration of Qatar's Article 11 Communication must be rejected.

15. *Fourth*, the UAE argues that Qatar has "abandoned" the Article 11 process before the Committee by commencing proceedings before the ICJ. This argument, too, must fail. As Qatar will demonstrate, the plain text of the CERD and its *travaux préparatoires* make clear that the two preconditions in Article 22 (negotiation and the CERD procedures) are alternative, not cumulative; a State party may refer a dispute to the Court without first pursuing conciliation before the CERD Committee. Nor do the *lis pendens* or *electa una via* principles have any application here. Thus, procedures before the Committee and the ICJ may be independently engaged.

16. Qatar finally notes that, as has been its practice throughout this dispute, the UAE in its 4 December and 15 January Submissions again resorts to a medley of wild and incorrect allegations against Qatar, attempting to connect Qatar to support for terrorism[16]. These allegations are not only unfounded, they are clearly pretextual, in a transparent attempt to cloak the UAE's true motivation for imposing the Coercive Measures in order to coerce Qatar into relinquishing sovereign control of its internal and external affairs. Significantly, while the UAE desperately tries to characterize its terrorism pretext as broadly supported by other countries[17], in fact, the opposite is true. Despite strong pressure by the four States that imposed the Coercive Measures[18], only ten governments ultimately cut or downgraded diplomatic ties with Qatar[19], and independent reports note

[16] 4 December Submission, pp. 7-10, paras. 11-16; 15 January Submission, pp. 7-8, paras. 14-16.

[17] *See, e,g.*, 4 December Submission, p. 6, para. 10.

[18] *See* Qatar's Communication, p. 1, para. 3 ("On 5 June 2017, the government of UAE, in coordination with the Kingdom of Saudi Arabia, the Kingdom of Bahrain, and the Arab Republic of Egypt announced a campaign on unlawful political isolation and economic coercion…").

[19] The governments of Yemen, Eastern government of Libya (Beida), Maldives, Mauritania, Comoros, and Senegal cut diplomatic ties (although the Beida government had never maintained diplomatic ties with Qatar). *See* "Qatar-Gulf crisis: Your questions answered," *Al Jazeera* (5 December 2017), https://www.aljazeera.com/indepth/features/2017/06/qatar-gulf-crisis-questions-answered-170606103033599.html; Jamie Prentis, "Beida government cuts off diplomatic relations with Qatar," *Libya Herald* (5 July 2017), https://www.libyaherald.com/2017/06/05/beida-government-cuts-off-diplomatic-relations-with-qatar/ (describing the break in relations as "entirely symbolic: there have been no relations between the Beida government and Qatar."). The governments of Jordan, Djibouti, Chad, and Niger downgraded diplomatic ties. *See* "Qatar-Gulf crisis: Your questions answered," *Al Jazeera* (5 December 2017),

that a number of these States only supported the UAE- and Saudi-led actions in order to avoid losing financial aid from Saudi Arabia[20]. Unsurprisingly, three of these governments have since restored ties with Qatar[21]. Further, the international community has recognized Qatar's counterterrorism efforts and even expressly questioned the UAE's motivation for making its accusations in the context of this dispute. For example, very soon after the imposition of the Coercive Measures, on 20 June 2017, the U.S. State Department questioned the UAE's allegations of terrorism, asking whether the UAE's measures were "really about their concerns regarding Qatar's alleged support for terrorism, or were they about the long simmering grievances among countries in the Gulf Cooperation Council"[22]. Indeed, contrary to the UAE's claims, Qatar has in fact been an active participant in the global fight against terrorism. Qatar's Al Udeid air base has for years served as a critical staging ground for U.S. and coalition forces conducting counterterrorism operations in Afghanistan, Iraq, and Syria, and currently serves as the

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https://www.aljazeera.com/indepth/features/2017/06/qatar-gulf-crisis-questions-answered-170606103033599.html.

20 Press reports suggest, for example, that Saudi Arabia attempted to induce a number of African countries with predominantly Muslim populations to terminate relations with Qatar by threatening to cut financial aid and reduce these States' quotas for Hajj pilgrims, and further tried to entice some States to join the Blockade with the promise of additional aid and loans. *See* James M. Dorsey, "Stepping Up The Pressure: Saudi Strong Arms Muslim Nations To Take Sides In Gulf Crisis," *Huffington Post* (13 June 2017), https://www.huffingtonpost.com/entry/stepping-up-the-pressure-Saudi-strong-arms-muslim_us_593fca4fe4b094fa859f1b8f; "Gulf crisis: Saudi Arabia seeks African pressure against Qatar," *Al Jazeera* (14 June 2017), http://www.aljazeera.com/video/news/2017/06/gulf-crisis-Saudi-arabia-seeks-african-pressure-qatar-170614075802810.html.

21 *See* Ali Mustafayev, "Senegal restores its ambassador to Doha," *AzerNews* (22 August 2017), https://www.azernews.az/region/117977.html; "Chad and Qatar restore ties cut in wake of Arab states rift," *Reuters* (21 February 2018), https://www.reuters.com/article/us-gulf-qatar-chad/chad-and-qatar-restore-ties-cut-in-wake-of-arab-states-rift-idUSKCN1G515I; "Maldives to restore ties with Qatar and Iran," *Maldives Independent* (22 November 2018), https://maldivesindependent.com/politics/maldives-to-restore-ties-with-qatar-and-iran-142905.

22 *See, e.g.*, Gardiner Harris, "State Dept. Lashes Out at Gulf Countries Over Qatar Embargo," *The New York Times* (20 June 2017) (quoting U.S. State Department spokeswoman); Patrick Wintour, "Rex Tillerson applauds Qatar plan but Gulf rivals refuse to lift sanctions," *The Guardian* (11 July 2017). Most recently, and contrary to the UAE's extremely misleading reference to the U.S. President's June 2017 remarks, 4 December Submission, para. 16, on 15 January 2018, U.S. President Trump personally called H.H. the Emir of Qatar to thank him for "action to counter terrorism and extremism in all forms." "Trump thanks Qatar for efforts to combat terrorism," *Reuters* (15 January 2018), https://www.reuters.com/article/us-gulf-qatar-usa/trump-thanks-qatar-for-efforts-to-combat-terrorism-idUSKBN1F42HT. After a meeting in the Oval Office on 10 April 2018, President Trump acknowledged Qatar's efforts towards "stopping the funding of terrorism", regarding which the Emir was a "very big advocate." Peter Baker, "Trump Now Sees Qatar as an Ally Against Terrorism," *The New York Times* (10 April 2018), https://www.nytimes.com/2018/04/10/world/middleeast/trump-qatar-terrorism.html.

primary staging area for operations against the Islamic State. Further, the Al Jazeera network, far from being a "spokespiece" for extremists as the UAE alleges[23], is hailed as a bastion of free expression and independent content in a region where press freedom is otherwise scarce, if not non-existent[24]. International and non-governmental organizations have affirmed Al Jazeera's importance as a beacon of rigorous independent reporting in the Middle East, and have roundly condemned the UAE's attempts to silence it[25].

17. These are but a few examples of the UAE's mischaracterization of the underlying facts related to its so-called "terrorism" allegations. But the UAE's unfounded allegations are an obvious attempt at distraction, as they are entirely irrelevant to the dispute before the Committee. Such allegations could never legally justify the UAE's non-compliance with its CERD obligations: the fundamental protection against discrimination is a *jus cogens* norm and an obligation *erga omnes* from which there can be no derogation[26], as is also reflected in the text of the CERD, which provides for no derogation. In addition, it is well established that lawful countermeasures cannot violate human rights[27].

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23 4 December Submission, p. 7, para. 12.

24 Zachary Laub, "How Al Jazeera Amplifies Qatar's Clout," *Council on Foreign Relations* (12 July 2017), https://www.cfr.org/backgrounder/how-al-jazeera-amplifies-qatars-clout; *see also* Matthew Gray, *Qatar: Politics and the Challenges of Development*, (Lynne Rienner Publishers, 2013), p. 12 ("The channel provides enormous reach into the Arab world. It is a popular channel, and its reports and opinions often set the tone for debates on certain issues around the region.").

25 "Al Jazeera - collateral victim of diplomatic offensive against Qatar," *Reporters Without Borders* (7 June 2017), https://rsf.org/en/news/al-jazeera-collateral-victim-diplomatic-offensive-against-qatar; "Qatar: Demands to close Al Jazeera endanger press freedom and access to information," Article 19 (30 June 2017), https://www.article19.org/resources/qatar-demands-to-close-al-jazeera-endanger-press-freedom-and-access-to-information/; "UNESCO and Al Jazeera to promote freedom of expression in the Arab World," UNESCO (12 September 2010), http://www.unesco.org/new/en/media-services/single-view/news/unesco_and_al_jazeera_to_promote_freedom_of_expression_in_th/ (noting that UNESCO and Al Jazeera signed a memorandum of understanding to formalize the partnership).

26 *See*, *e.g.*, Inter-American Court of Human Rights, Advisory Opinion no. 18, Juridical Condition and Rights of Undocumented Migrants (17 September 2003), para. 101 ("[T]he principle of equality before the law, equal protection before the law and non-discrimination belongs to *jus cogens*, because the whole legal structure of national and international public order rests on it and it is a fundamental principle that permeates all laws. . . . [D]iscriminatory treatment of any person, owing to gender, race, color, language, religion or belief, political or other opinion, national, ethnic or social origin, nationality, age, economic situation, property, civil status, birth or any other status is unacceptable.").

27 Draft Articles on Responsibility of States for Internationally Wrongful Acts, *Yearbook of the International Law Commission, 2001*, vol. II, Part Two, Art. 50(1)(b) ("Countermeasures shall not affect: ... (b) obligations for the protection of fundamental human rights.").

II. THE UAE'S IMPLEMENTATION OF THE COERCIVE MEASURES FALLS WITHIN THE SCOPE *RATIONE MATERIAE* OF THE CERD

18. The UAE's Coercive Measures have been described by the UAE itself as punitive in nature. By design, they are limited neither in scope nor effect and have resulted in differential treatment of Qataris in a manner that undeniably violates their most basic human rights as set forth in the CERD. While the UAE argues that the Committee has no jurisdiction *ratione materiae* to consider the matter, its argument is fundamentally flawed because the UAE attempts to restrict CERD's coverage only to purposive discrimination, while ignoring the effect on individuals of Qatari national origin in the sense uncontested by the UAE. In other words, the UAE argues that its framing of the nature of its illegal acts as being premised solely on present nationality should determine whether the Committee has jurisdiction; this premise is indisputably wrong. In fact, the Coercive Measures discriminate against individuals of Qatari national origin in both purpose and effect, either of which is sufficient for the Committee to uphold its jurisdiction.

19. Accordingly, the UAE's Coercive Measures fall within the jurisdiction *ratione materiae* of the Committee for two reasons.

20. *First*, the Coercive Measures explicitly and intentionally discriminate against Qataris on the basis of their nationality, in violation of the CERD's prohibition on national origin-based discrimination (Section A). The conclusion that the term "national origin" in Article 1(1) of the CERD includes "nationality"-based discrimination is fully consistent with interpretation of Article 1 of the CERD in line with Article 31 of the VCLT[28]. It is also confirmed by an examination of the *travaux préparatoires* of the CERD, in accordance with Article 32 of the VCLT[29], as well as the previous recommendations and practice of the Committee.

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[28] VCLT, Article 31 ("(1) A treaty shall be interpreted in good faith accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and propose. (2) The context for the purpose of the interpretation of a treaty shall comprise. . . the text, including its preamble and annexes…(3) There shall be taken into account, together with the context. . . Any subsequent practice in the application of the treaty which establishes the agreement of the parties regarding its interpretation; Any relevant rules of international law applicable in the relations between the parties.").

[29] VCLT, Article 32 ("Recourse may be had to supplementary means of interpretation, including the preparatory work of the treaty and the circumstances of its conclusion, in order to confirm the meaning

21. *Second*, the Coercive Measures have the effect of discriminating against individuals of Qatari national origin as defined by their descent or ancestry, heritage, and cultural traditions (Section B). As described above, and as the UAE is well aware, the significant majority of Qatari nationals are also of Qatari national origin in the historical-cultural sense, meaning that the UAE's self-described "differentiated treatment on the basis of nationality"[30] serves as a convenient means to target individuals of Qatari origin. And since the CERD prohibits discrimination both in "purpose" and "effect", the fact that the Coercive Measures have the *effect* of adversely impacting individuals of Qatari national origin is alone sufficient to form the basis of a CERD violation and confer jurisdiction on the Committee.

A. The CERD Prohibits the Coercive Measures Based Upon the UAE's Discriminatory Purpose of Targeting Qataris on the Basis of Nationality

22. In its 4 December Submission, the UAE claims that "[a]ny finding that nationality falls within the scope of the CERD" would distort its "clear terms"[31]. However, the "clear terms" of the CERD do not exclude nationality from the scope of racial discrimination proscribed under the CERD. Instead, when the ordinary meaning of "national origin" is read in its context and in light of the CERD's object and purpose, in accordance with Article 31(1) of the VCLT, it is clear that it encompasses nationality-based discrimination. This conclusion is further supported by the *travaux préparatoires* of the CERD.

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resulting from the application of article 31, or to determine the meaning when the interpretation according to article 31: Leaves the meaning ambiguous or obscure; or Leads to a result which is manifestly absurd or unreasonable.").

[30] 4 December Submission, p. 15, para. 30.

[31] 4 December Submission, pp. 17-18, paras. 36-37.

1. The Ordinary Meaning of the Term "National Origin" in its Context and in Light of the CERD's Object and Purpose Demonstrates that the CERD Encompasses Discrimination on the Basis of Nationality

a. Ordinary Meaning of the Term "National Origin"

23. Article 1(1) of the CERD defines "racial discrimination" as follows:

> "[A]ny distinction, exclusion, restriction or preference based on race, colour, descent, or *national* or ethnic *origin* which has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life".

24. As is the case for the other grounds of racial discrimination covered by the CERD in Article 1(1), the CERD does not define the term "national origin". Neither is it usually defined in dictionaries or understood to have a special meaning in a particular discipline, such as sociology or ethnography. As such, the ordinary meaning of "national origin" must be gleaned in part through analysis of the separate terms "national" and "origin", though in practice the terms are usually treated together. Leading dictionaries such as the Oxford and Cambridge dictionaries define the term "national" as "relating to or characteristic of a nation" or "relating to or typical of a whole country and its people"[32], and define "nation", respectively, as "a large body of people united by common descent, history, culture, or language, inhabiting a particular state or territory"[33], and a "country, especially when thought of as a large group of people living in one area with their own government, language, traditions, etc"[34]. The term "origin", on the other hand, commonly refers to "the country from which [a] person comes"[35] or a "person's social background or ancestry"[36].

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[32] "National", *Oxford Dictionaries*, https://en.oxforddictionaries.com/definition/national; "National", *Cambridge Dictionary*, https://dictionary.cambridge.org/dictionary/english/.

[33] "Nation," *Oxford Dictionaries*, https://en.oxforddictionaries.com/definition/nation.

[34] "Nation," *Cambridge Dictionary*, https://dictionary.cambridge.org/dictionary/english/nation.

[35] "Origin," *Cambridge Dictionary*, https://dictionary.cambridge.org/us/dictionary/english/origin.

[36] "Origin," *Oxford Dictionaries*, https://en.oxforddictionaries.com/definition/origin.

25. Taken together, these two terms suggest that "national origin" relates to the country or nation where a person is from, or where a person's ancestors were from, extending to an individual's association with a particular country or nation in both a historical-cultural sense, for example by virtue of an individual's descent or heritage, as well as a legal or political sense, for example by virtue of an individual's membership in a community defined by, and subject to, a common government. The term "national origin" therefore may be understood as encompassing a person's membership in such a community on the basis of their past *or present* nationality. The official French, Spanish, Russian, and Chinese versions of Article 1(1) of the CERD are consistent with this interpretation[37].

b. "National Origin" in Its Context

26. As is evident from the plain text of Article 1(1), the CERD's definition of "racial discrimination" is a comprehensive one, and the CERD is designed to eliminate "all forms" of racial discrimination. Read in conjunction with Article 1(1), the subsequent sections of Article 1—namely, Articles 1(2) and 1(3)—confirm that present nationality falls within the ordinary meaning of "national origin" as the term is used in the CERD.

27. Article 1(2) creates a narrow exception to the prohibition on racial discrimination contained in Article 1(1), providing that:

> "[t]his Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a State Party to this Convention between citizens and non-citizens".

28. Article 1(3) then further clarifies that Article 1(1) does not affect a State's ability to confer nationality, citizenship, or naturalization, provided that, in doing so, States do not discriminate on the basis of nationality:

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[37] *See Convention internationale sur l'élimination de toutes les formes de discrimination raciale*, https://www.ohchr.org/FR/ProfessionalInterest/Pages/CERD.aspx (using the term "*l'origine nationale*"); *Convención Internacional sobre la Eliminación de todas las Formas de Discriminación Racia*l, https://www.ohchr.org/SP/ProfessionalInterest/Pages/CERD.aspx (using the term "*origen nacional*"); Международная конвенция о ликвидации всех форм расовой дискриминации, https://www.ohchr.org /RU/ProfessionalInterest/Pages/CERD.aspx (using the term "национального происхождения"); and 消除一切形式种族歧视公约, https://www.ohchr.org/CH/ProfessionalInterest/Pages/CERD.aspx (using the term "民族").

> "Nothing in this Convention may be interpreted as affecting in any way the legal provisions of States Parties concerning nationality, citizenship, or naturalization, provided that such provisions do not discriminate against any particular nationality."

29. In its 4 December Submission, the UAE argues that Article 1(1) excludes present nationality because Articles 1(2) and 1(3) enshrine an "incontrovertible norm of customary international law" that it is "within the unilateral sovereign jurisdiction of individual States to decide which rights and benefits to confer upon foreign nationals depending on what nationality they hold"[38]. In addition to the fact that any such sovereign prerogative is not untrammeled under general international law, the text of the CERD itself makes clear that interpreting "national origin" as inclusive of present nationality does not threaten the sovereign rights of States Parties to make *legitimate* distinctions between citizens and non-citizens—for example, in the context of granting voting rights—or to make *legitimate* distinctions between different groups of non-nationals with respect to "nationality, citizenship, or naturalization". Rather, Articles 1(2) and 1(3) expressly allow States to make such distinctions, so long as States do not do so in a way that falls afoul of Article 1(1). Indeed, as the Committee has explained,

> "Article 1, paragraph 2 must be construed so as to avoid undermining the basic prohibition of discrimination; hence, it should not be interpreted to detract in any way from the rights and freedoms recognized and enunciated in particular in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights"[39].

30. If racial discrimination based on "national origin" did not include nationality-based discrimination, the specific exception and preservation clauses comprising Articles 1(2) and 1(3), respectively, would be unnecessary, since the other protected grounds do not encompass non-nationals as a category directly. Further, the CERD's text makes clear that Article 1(2) is an exception to Article 1(1), rather than an explicatory provision intended to clarify that distinctions based on nationality are excluded from the scope of

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38 4 December Submission, p. 18, para. 37; *see also* 15 January Submission, p. 11, para. 20(b).

39 CERD Committee, *General Recommendation No. 30 on Discrimination Against Non-Citizens*, UN Doc. CERD/C/64/Misc.11/rev.3 (2004), para. 2 (emphasis added).

the CERD. The opening provision of Article 1(3)—"*[n]othing in this Convention* may be interpreted as affecting in any way the legal provisions of States Parties concerning nationality, citizenship, or naturalization"—also leaves little doubt on this point, as it is clearly a preservation clause rather than a clause creating additional rights and obligations[40]. To the contrary, this language demonstrates that for the prohibition on nationality-based discrimination to be preserved in Article 1(3), such prohibition must already exist in Article 1(1).

31. This interpretation of the interplay between Articles 1(1), 1(2), and 1(3) has been confirmed in past general recommendations of the Committee, which contradict the UAE's position. For example, in General Recommendation No. 11, the Committee stated that:

> "Article 1, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination defines racial discrimination. Article 1, paragraph 2, excepts from this definition actions by a State party which differentiate between citizens and non-citizens. Article 1, paragraph 3, qualifies article 1, paragraph 2, by declaring that, among non-citizens, States parties may not discriminate against any particular nationality."[41]

32. The Committee has also explained that differences of treatment between citizens and non-citizens, while permissible under the CERD, are subject to clear limitations. Indeed, the Committee has reiterated that States Parties to the CERD are "under an obligation to guarantee equality between citizens and non-citizens in the enjoyment of" fundamental rights, and that discrimination against non-citizens is a contemporary form of discrimination of serious concern[42]. Further, contrary to the UAE's framing, Article 1(2)'s exception does not grant license to discriminate against specific groups of non-

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[40] Emphasis added.

[41] CERD Committee, *General Recommendation No. 11 on Non-Citizens*, Doc. A/48/18 (1993), para. 1; *see also id*. para. 3; Office of the United Nations High Commissioner for Human Rights, *The Rights of Non-citizens* (2006), p. 8 (The CERD "requires all non-citizens to be treated similarly."), https://www.ohchr.org/documents/publications/noncitizensen.pdf.

[42] CERD Committee, *General Recommendation No. 30 on Discrimination Against Non-Citizens*, UN Doc. CERD/C/64/Misc.11/rev.3 (2004), para. 3 ("Although some of these rights, such as the right to participate in elections, to vote and to stand for election, may be confined to citizens, human rights are, in principle, to be enjoyed by all persons.").

nationals on the basis of their nationality. To that end, the Committee has repeatedly called on States parties to address instances of discrimination against non-citizens on the basis of their nationality, including in contexts similar to those at issue in the present case, such as collective expulsion and restrictions on entry. For example, in its 1998 concluding observations on Switzerland, the Committee "express[ed] disquiet" at Switzerland's "three-circle-model" immigration policy of the time, which assigned different immigration rights to individuals coming from "three categories of source countries"[43]. The Committee explained that its concerns over the three-circle-model stemmed from the fact that it "classifies foreigners on the basis of their national origin" and that "the conception and effect of this policy [was] stigmatizing and discriminatory, and therefore contrary to the principles and provisions of the Convention"[44]. In concluding observations to the Dominican Republic a decade later, the Committee similarly expressed concerns about "information received whereby migrants of Haitian origin" were subjected to collective deportations back to Haiti, and recommending that the Dominican Republic "ensure that laws concerning deportation or other forms of removal of non-citizens from the jurisdiction of the State party do not discriminate in purpose or effect among non-citizens on the basis of race, colour or ethnic or *national origin*"[45]. More recently, the Committee issued concluding observations to Japan highlighting their concerns over the fact "that Koreans who have lived for multiple generations in Japan remain foreign nationals" and that "many Korean women suffer

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[43] CERD Committee, *Concluding Observations of the Committee on the Elimination of Racial Discrimination, Switzerland*, U.N. Doc. CERD/C/304/Add.44 (1998), para. 6; D.M. Gross, *Immigration Policy and Foreign Population in Switzerland, World Bank Policy Research Working Paper 3853* (2006), p. 21. Under Switzerland's policy, "[t]he first circle, or inner circle, is made of EU and EFTA member countries with which the aim is to reach free mobility and abolish the status of the seasonal worker in the medium term. The second circle, or median circle, is made of countries economically and culturally close to Switzerland such as North America, Oceania, and Eastern Europe. . . . Finally, the third circle, or outer circle, is made of all other countries from which new immigrants can be accepted only under exceptional circumstances." *Id. See also* CERD Committee, *Initial reports of States parties due in 1995, Switzerland*, U.N. Doc. CERD/C/270/Add.1. (1997), para. 56 (In its report, Switzerland describes the "three-circle" model as a "restrictive policy towards the admission of foreigners to the increasingly specialized Swiss labour market.").

[44] CERD Committee, *Concluding Observations of the Committee on the Elimination of Racial Discrimination, Switzerland*, U.N. Doc. CERD/C/304/Add.44 (1998), para. 6.

[45] CERD Committee, *Concluding observations of the Committee on the Elimination of Racial Discrimination, Dominican Republic*, U.N. Doc. CERD/C/DOM/CO/12 (2008), para. 13 (emphasis added).

multiple and intersecting forms of discrimination based on nationality and gender", and recommending that Japan take steps to prevent discrimination against Koreans[46].

33. Further, the Committee has previously stated that "differential treatment based on citizenship or immigration status will constitute discrimination" if the criteria for such differentiation "are not applied pursuant to a legitimate aim, and are not proportional to the achievement of this aim"[47]. Thus, even to the extent that States *may* differentiate between particular nationalities in implementing visa or immigration policies, the CERD does not allow for differential treatment that disproportionately negatively impacts the individual concerned, for example where it results in the denial of *fundamental human rights* to non-citizens.

34. In its 15 January Submission, the UAE cites *D.F. v. Australia* in an attempt to support its argument that the Coercive Measures are permissible under the CERD because they "merely eliminate[e] an advantage [the UAE] previously extended to one particular nationality"[48]. Yet in fact, that case—in which the Committee found that Australia's legislative changes phasing out preferential access to certain benefits for New Zealand citizens residing in Australia did not fall afoul of its CERD obligations—demonstrates

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[46] CERD Committee, *Concluding observations of the Committee on the Elimination of Racial Discrimination, Japan*, UN Doc. CERD/C/JPN/CO/10-11 (2018), paras. 21, 22. The CERD Committee has also noted its concern with respect to national-origin-based discrimination in Canada. *See* United Nations, *Official Records of the General Assembly, Fifty-seventh Session, Report of the Committee on the Elimination of Racial Discrimination, Supplement No. 18*, UN Doc. A/57/18 (2002), para. 336 (noting "with concern that [Canada's] current immigration policies, in particular the present level of the 'right of landing fee', may have discriminatory effects on persons coming from poorer countries"); CERD Committee, *Concluding observations of the Committee on the Elimination of Racial Discrimination, Canada*, UN Doc. CERD/C/CAN/CO/19-20 (2012), para. 15 (expressing concern about Canada's Bill C-11, The Balanced Refugee Act, which proposed to expedite asylum requests for individuals arriving from "safe countries", and recommending that Canada "take appropriate measures to ensure that procedural safeguards will be guaranteed when addressing asylum requests… without any discrimination based on their national origin").

[47] CERD Committee, *General Recommendation No. 30 on Discrimination Against Non-Citizens*, U.N. Doc. CERD/C/64/Misc.11/rev.3 (2004), para. 4. *See also Ziad Ben Ahmed Habassi v. Denmark*, Communication No. 10/1997, Opinion, U.N. Doc. CERD/C/54/D/10/1997 (1999) (finding that a Tunisian national with permanent residence in Denmark had suffered discrimination where he was denied a loan by a Danish bank because he was not a Danish citizen). The Committee noted that the Tunisian author of the Communication was denied the loan "on the sole ground of his non-Danish nationality and was told that the nationality requirement was motivated by the need to ensure that the loan was repaid. In the opinion of the Committee, however, nationality is not the most appropriate requisite when investigating a person's will or capacity to reimburse a loan." *Id.* para. 9.3.

[48] UAE 15 January Submission, p. 4, para. 7.

the opposite. The limitations in that case—which related to New Zealanders' access to certain benefits in Australia—were not enacted suddenly or in a punitive manner, but rather in a considered, individualized process that guaranteed protection of basic rights. In particular, New Zealanders who were in Australia on the date the changes were enacted, as well as those who fulfilled certain "transitional arrangements", continued to be treated as Australian residents for purposes of the Act (thus retaining the benefits at issue)[49].

35. In stark contrast, the UAE's Coercive Measures were not devised and implemented as a matter of ordinary-course consideration of visa or other entry restrictions for foreign nationals, and cannot be divorced from the effects that they have had on fundamental human rights of Qataris. To the contrary, as described above, the Coercive Measures were implemented in order to punish the State of Qatar by broadly targeting the Qatari people, and indeed, the UAE's actions were not limited to travel and entry restrictions, but specifically included both collective expulsion and the incitement of racial hatred against Qataris.

36. The result of the UAE's actions has been the nullification and impairment of the recognition, enjoyment and exercise of human rights and fundamental freedoms of Qataris, and the UAE's attempt at a post-hoc distortion of the facts should not be countenanced by the Committee. The UAE's actions cannot be divorced from the context in which they were enacted[50]. Prior to the imposition of the Coercive Measures, the GCC's longstanding free-mobility and common-market policies allowed Qataris, due to their status as GCC nationals and the particular historical context, to enjoy many of the same rights and benefits within the UAE as UAE nationals, and to move freely between

[49] *D.F. v. Australia*, CERD Committee, Communication No. 39/2006, Opinion, U.N. Doc. CERD/C/72/D/39/2006 (2008), para. 4.1*; see also D.R. v. Australia*, Communication No. 42/2008, Opinion, U.N. Doc. CERD/C/75/D/42/2008 (2009).

[50] *See* CERD Committee, General Recommendation No. 32 on the Meaning and Scope of Special Measures in the International Convention on the Elimination of All Forms of Racial Discrimination, U.N. Doc. CERD/C/GC/32 (2009), para. 5 ("The Convention . . . is a living instrument that must be interpreted and applied taking into account the circumstances of contemporary society. This approach makes it imperative to read its text in a context-sensitive manner. . . . Context-sensitive interpretation also includes taking into account the particular circumstances of the States parties without prejudice to the universal quality of the norms of the Convention.").

the two countries[51]. Indeed, prior to the Measures, thousands of Qataris resided full time in the UAE, worked and attended school in the UAE[52], owned properties in the UAE, and established and ran businesses in the UAE for many years[53]. It was extremely common for families made up of both Qataris and Emiratis to live across State lines, and to travel regularly to see one another[54]. Indeed, Qataris traveled frequently and in large numbers to the UAE under the special status afforded pursuant to the GCC framework, and prior to the imposition of the Coercive Measures had little to no difficulties doing so[55]. Thousands of Qataris built their lives around this openness. Indeed, the rights enjoyed by Qataris historically and over time within the territory of the UAE—in which, as described

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[51] *See, e.g.*, **DCL-048**, para. 11 ("Emiratis were very friendly in general. Whether I went by car or by plane, I never faced any issues with immigration. The immigration process was very simple: they would look at my passport and let me enter the country."); **DCL-079**, para. 9 ("While we were in the UAE, we did not feel like it was any different from being in Qatar. We felt like it was an extension of our country, like we were at home…In general, we were welcomed and treated as if we were Emiratis. In my experience, this is what it was like to be a national of the Gulf Cooperation Council[.]"); *Id.*, para. 10 ("Traveling to the UAE was very easy: the process was very fast, we used to travel without delay and it was not expensive to travel…We used to travel with only our ID cards and did not need our passports. At the Dubai and Sharjah airports, there was a line for 'GCC nationals' and a line for others.").

[52] **DCL-073**, paras. 9, 12 ("My program [at Emirates Aviation University] began in November 2016. It was part-time, with most coursework offered on the weekends…Between November 2016 and June 2017, I traveled to the UAE on a regular basis to attend classes."); **DCL-108**, paras. 5, 6, 8 ("Although I was born and grew up in Doha, I moved to…the UAE…in the mid-1980s…My daughters are Qatari because I am Qatari, but they feel a strong connection to the UAE because it is where they had spent their entire lives…Life in the UAE was good. My family was happy, we lived in a nice apartment, and my business was doing very well.").

[53] **DCL-048**, paras. 5, 9-10 ("I purchased an apartment in the UAE…I also purchased land [ ] for investment purposes. I was planning to build two villas to either sell or rent…In addition…I owned another piece of land that was used for industrial projects[.]"); **DCL-108**, para. 7 ("I opened a small business [ ] in Dubai. [It] was a retail shop…The store was very successful, especially for the first few years...[T]he business paid my salary [and] paid for my family's home in [the UAE].").

[54] **DCL-079**, paras. 7-8 ("[M]y family…often stayed with my mother's family in the UAE—on average four, sometimes five, times a year. We would go to the UAE for religious holidays, including the two *Eids*, and we would stay there for a month. We would also make shorter trips…We were very close with our Emirati family. I had my own room at my grandmother's house, and I did not take bags with me when I visited her because I had my own clothes there. My mother did not even take her medicine with her for the same reason.").

[55] **DCL-048**, para. 10 ("It was easy to travel to the UAE prior to June 5, 2017. The flight tickets were cheap…and I would stay at a hotel in Dubai. I also sometimes drove there. I would travel alone for business or with my family for weekends and vacation."); **DCL-073**, para. 13 ("Travelling to the UAE was relatively uneventful…[Prior to 5 June 2017,] I felt no hostility against me as a Qatari."); **DCL-079**, para. 10 ("Traveling to the UAE was very easy: the process was very fast, we used to travel without delay and it was not expensive to travel…We used to travel with only our ID cards and did not need our passports. At the Dubai and Sharjah airports, there was a line for 'GCC nationals' and a line for others."); **DCL-108**, para. 8 ("I traveled to Qatar often to see my family and for business…These trips were easy to make because I did not even need to book a flight; I would usually drive to Doha through Saudi Arabia.").

above, they are entitled to many of the same rights and benefits as UAE citizens—on its own makes clear that the Coercive Measures instituted against them since 5 June 2017 constitute discrimination prohibited on the ground of "national origin" under Article 1(1), and cannot be treated as "distinctions" or "restrictions" permitted against non-citizens under Article 1(2).

37. As a result, the UAE's sudden collective expulsion of Qataris—done arbitrarily and without any consideration of individual characteristics or the provision of even basic due process—and simultaneous imposition of discriminatory travel and entry restrictions on Qataris to prevent their return and entry—again without affording even basic due process—just cannot be reconciled with the UAE's current, self-serving characterization that the measures "merely eliminate[d] an advantage it previously extended to one particular nationality"[56]. To the contrary, the UAE's actions have targeted the Qatari people as a group and damaged the exercise of Qataris' fundamental human rights, including rights enumerated in article 5 of the CERD.

38. The Coercive Measures' adverse impact on the exercise of fundamental human rights by Qataris makes clear that they go well beyond the "legitimate" and "proportional" distinctions that the Committee has previously indicated are permissible under the CERD. As explained above, the CERD Committee has criticized State immigration policies that classified foreigners along nationality-based lines or had a disproportionate impact on individuals from certain countries[57]. Similarly, the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance has expressed concern about similar attempts by States to enact entry bans that disproportionately affect certain groups, stating that "[u]nder the . . . International Convention on the Elimination of all Forms of Racial Discrimination, blanket bans on specific nationalities and other immigration measures that exclude on the basis of . . . national origin are unlawful"[58].

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[56] 15 January Submission, p. 4, para. 7.

[57] *See supra*, para. 32.

[58] Human Rights Council, *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance*, U.N. Doc. A/HRC/38/52 (2018), para. 67. *See also*

39. And contrary to the UAE's attempt to justify its Coercive Measures under general international law allowing States to "decide which rights and benefits to confer upon foreign nationals depending on what nationality they hold"[59], the Coercive Measures also fall well beyond the bounds of permissible action under general international law[60]. It is without question that the expulsion of non-nationals from a State's territory, absent "an assessment of the particular case of each individual member of the group"—of which collective expulsion based on nationality, such as that effectuated against Qataris by the 5 June Directive, is the archetypical example—is prohibited under international law[61]. Further, even if the Coercive Measures *were* solely restrictions on entry rather than a

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Donald J. Trump v. Hawaii, Case No. 17-965 (2018), *Amici Curiae* Brief of International Law Scholars and Nongovernmental Organizations in Support of Respondents, p. 3, https://www.supremecourt.gov/DocketPDF/17/17-965/41737/20180330125852277_2018-03-30%20Amici%20Curiae%20Brief%20of%20International%20Law%20Scholars.pdf (the amici brief was filed by eighty-one international law scholars and a dozen non-governmental organizations with expertise in civil rights law, immigration law or international human rights law; it describes a proposed ban on entry to the United States by individuals coming from particular countries as "a prohibited distinction in immigration policy based on national origin [that] violates the human right to freedom from discrimination based on national origin under the . . . International Convention on the Elimination of All Forms of Racial Discrimination, and customary international law."). The former UN High Commissioner for Human Rights, Mr. Zeid Ra'ad al-Hussein, took the same stance on the ban at issue in *Donald J. Trump v. Hawaii*, tweeting that "[d]iscrimination on nationality alone is forbidden under #humanrightslaw." UN Office of Human Rights, TWITTER.COM (30 January 2017), https://twitter.com/UNHumanRights/status/826034077056823296.

59 4 December Submission, p. 18, para. 37.

60 *See*, *e.g.*, OECD, *Fair and Equitable Treatment Standard in International Investment Law, OECD Working Papers on International Investment, 2004/3* (September 2004), pp. 8-9, n. 32, 34, http://www.oecd.org/daf/inv/investment-policy/WP-2004_3.pdf ("The international minimum standard is a norm of customary international law which governs the treatment of aliens…[it applies across] a number of areas [that] include: the administration of justice in cases involving foreign nationals…full protection and security, which is usually understood as the obligation for the host State to adopt all reasonable measures to physically protect assets and property from threats or attacks which may target…certain groups of foreigners…[A]lthough the general right *of expulsion* by the host State has never been questioned, minimum standards have been invoked concerning the way in which it is carried out, which should be the least injurious to the person affected.") (internal citations omitted).

61 Draft Articles on the Expulsion of Aliens, with commentaries, *Yearbook of the International Law Commission, 2011*, vol. II, Part Two, Arts. 9(1)-(3) (prohibiting collective expulsion, defined as the "expulsion of aliens, as a group," without "an assessment of the particular case of each individual member of the group"); European Convention on Human Rights, Protocol No. 4, Art. 4 ("Collective expulsion of aliens is prohibited."); International Convention on the Protection of the Rights of All Migrant Workers and Their Families, Art. 22(1) ("Migrant workers and members of their families shall not be subject to measures of collective expulsion. Each case of expulsion shall be examined and decided individually."); American Convention on Human Rights, Art. 22(9) ("The collective expulsion of aliens is prohibited."); African Charter on Human and Peoples' Rights, Art. 12(5) ("The mass expulsion of non-nationals shall be prohibited. Mass expulsion shall be that which is aimed at national, racial, ethnic or religious groups."); Arab Charter on Human Rights, Art. 26(2) ("Collective expulsion is prohibited under all circumstances.").

clear expulsion order, they still violate international law because they discriminate against one particular nationality, are not proportional to the achievement of any legitimate aim, and fall below the international minimum standard of justice[62].

40. Accordingly, in light of the indiscriminate, arbitrary and punitive nature of the UAE's Coercive Measures, the UAE has no basis on which to argue that the Coercive Measures are proportional to the achievement of a legitimate aim.

c. "National Origin" in Light of Object and Purpose

41. Any interpretation of the CERD that would allow States parties to discriminate on the basis of an individual's present nationality would contradict the CERD's explicit object and purpose of eliminating racial discrimination "in all its forms and manifestations", in that it would limit the CERD's ability to effectively protect against contemporary forms of racial discrimination. As the Committee has previously explained, discrimination against non-citizens is a concerning source of racial discrimination today[63]. Indeed, as Professor Thornberry has explained:

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[62] *See* A. Xavier Fellmeth, "Nondiscrimination as a Claiming Paradigm," *in Paradigms of International Human Rights Law* (Oxford University Press, 2016), pp. 119-120 (noting that "[g]enerally, only the least discriminatory means available will be proportionate to the aim; superfluous discrimination is always disproportionate"; also noting that the U.N. Human Rights Committee; Committee on Economic, Social and Cultural Rights; Strasbourg Court; and Inter-American Court of Human Rights have all adopted similar proportionality tests that suggest "laws limiting rights [must be] narrowly tailored to impinge minimally on the right"). *See also* J. Crawford, Brownlie's Principles of Public International Law, Oxford, OUP, 8th ed. (2012), p. 613 ("Since the beginning of the twentieth century the preponderant doctrine has supported an 'international minimum standard.'"); U.N. General Assembly, Declaration on the Human Rights of Individuals who are not Nationals of the Country in which they Live, U.N. Doc. A/RES/40/144 (1985), Art. 2(1); *Neer v. United Mexican States*, Doc. No. 136, Opinion (Oct. 15, 1926), R.I.A.A. Vol. IV, pp. 601-661 (setting a standard of treatment of aliens concerning denial of justice, fair and equitable treatment and the minimum standard of treatment to be accorded to aliens under international investment law); World Trade Organization, General Agreement on Tariffs and Trade, Arts. I, III (incorporating the principle of non-discrimination in international trade law).

[63] CERD Committee, *General Recommendation No. 30 on Discrimination Against Non-Citizens*, U.N. Doc. CERD/C/64/Misc.11/rev.3 (2004), Preamble. While part of the objective of the CERD was to bring an end "in the decolonization period" to racial superiority and hatred, as noted by Judge Salam (*Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Dissenting Opinion of Judge Salam, para. 3), the CERD was directed far more broadly to address and eliminate "all forms" of racism, including as the manifestation of racism evolves over time. This is reflected in the CERD's explicit language, as well as in its object and purpose. *See infra* paras. 50–51 (citing United Nations, *Official Records of the General Assembly, Twentieth Session, Third Committee, 1313th Meeting*, U.N. Doc. A/C.3/SR.1313 (1965), p. 121, para. 6).

> "A reading of 1(2) that rules out from the Convention any concern with non-citizens could be classified in [VCLT] terms as a 'manifestly absurd or unreasonable' reading of ICERD, and as not corresponding to its object and purpose. In light of the ambition expressed in the Convention to eliminate racial discrimination, and a human rights approach *pro homine* and *pro femina*, it is reasonable to prefer effective interpretations that protect the widest span of potential victims"[64].

42. Under the UAE's self-serving interpretation of "national origin", States Parties to the CERD would be free to engage in widespread discrimination against non-citizens as part of a campaign of hatred and mistreatment implemented in an entirely arbitrary and capricious manner, so long as a State framed this discrimination as based on present "nationality" alone. The UAE's approach eviscerates the protections contained in the CERD and cannot be reconciled with either its language or object and purpose. Indeed, such an interpretation, followed to its logical conclusion, would lead to absurd results. For example, it would suggest that, prior to the break-up of the Soviet Union, discrimination in any given country against persons of Ukrainian origin was impermissible, but not against those exact same persons once Ukraine secured Statehood. The UAE's interpretation therefore assigns the term "national origin" an arbitrary meaning—one that protects groups of persons, unless the discrimination against them is framed in terms of present nationality. Further, as the Committee has previously acknowledged, "[t]he Convention . . . is a living instrument that must be interpreted and applied taking into account the circumstances of contemporary society"[65]. That human rights treaties must be interpreted in accordance with their general protective purpose is

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64 P. Thornberry, *The International Convention on the Elimination of all Forms of Racial Discrimination: A Commentary* (Oxford University Press, 2016), p. 158; *see also* B. Çali, "Specialized Rules of Treaty Interpretation: Human Rights" in D.B. Hollis (ed.) *The Oxford Guide to Treaties* (Oxford University Press, 2012), p. 538 ("Effectiveness is an overarching approach to human rights treaty interpretation… [O]ther more…specific interpretive principles developed in the context of each human rights treaty…all derive from the interpretive consensus that interpretations that are devoid of actual effect for human rights protections do not cohere with good faith interpretations of the wording and context of human rights treaties in the light of their object and purpose.").

65 CERD Committee, *General Recommendation No. 32 on the Meaning and scope of special measures in the International Convention on the Elimination of Racial Discrimination*, U.N. Doc. CERD/C/GC/32 (2009), para. 5; *see also Stephen Hagan v Australia*, Communication No. 26/2002, Opinion, U.N. Doc. CERD/C/62/D/26/2002 (2003), para. 7.3 ("The Committee considers…that the Convention, as a living instrument, must be interpreted and applied taking into [*sic*] the circumstances of contemporary society.")

universally recognized, including by the ICJ and regional human rights courts[66]. To this end, the Committee has repeatedly advised States parties to the CERD to "implement real solutions to racism so that *all people*, regardless of their background, could fully exercise their human rights"[67]. This applies to discrimination against non-nationals, which the Committee has previously characterized as "one of the main sources of contemporary racism"[68].

2. The *Travaux Préparatoires* Confirm that the CERD Applies to Discrimination on the Basis of Nationality

43. In its 4 December Submission, the UAE argues that a "distinction between 'nationality' and 'national origin' is clearly delineated in the *travaux préparatoires* of the CERD"[69]. In support of this point, it relies on a single amendment proposed—and ultimately withdrawn—by the representatives of the United States and France, as well as statements

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66 See *Reservations to the Convention on Genocide, Advisory Opinion: I.C.J. Reports 1951*, p. 24 ("The object and purpose of the Genocide Convention imply that it was the intention of the General Assembly and of the States which adopted it that as many States as possible should participate. The complete exclusion from the Convention of one or more States would not only restrict the scope of its application, but would detract from the authority of the moral and humanitarian principles which are its basis. It is inconceivable that the contracting parties readily contemplated that an objection to a minor reservation could produce such a result. . . . The object and purpose of the Convention thus limit both the freedom of making reservations and that of objecting to them"); *Velásquez Rodríguez v. Honduras*, Preliminary Objections, Judgment of 26 June 1989, IACtHR. (Ser. C) No. 1 (1994), para. 30 ("The object and purpose of the American Convention is the effective protection of human rights. The Convention must, therefore, be interpreted so as to give it its full meaning and to enable the system for the protection of human rights entrusted to the Commission and the Court to attain its "appropriate effects"); *Soering v. the United Kingdom*, Application no. 14038/88, Judgment of 7 July 1989, ECtHR (1989), para. 87 ("In interpreting the Convention regard must be had to its special character as a treaty for the collective enforcement of human rights and fundamental freedoms. Thus, the object and purpose of the Convention as an instrument for the protection of individual human beings require that its provisions be interpreted and applied so as to make its safeguards "practical and effective." (citations omitted)).

67 CERD Committee, *Ninety-third Session, Summary Record (Partial) of the 2457th Meeting*, U.N. Doc. CERD/C/SR.2547 (2017), para. 2 (Emphasis added).

68 CERD Committee, *General Recommendation No. 30 on Discrimination Against Non-Citizens*, U.N. Doc. CERD/C/64/Misc.11/rev.3 (2004), Preamble.

69 4 December Submission p. 16, para. 32. The UAE cites P. Thornberry, *The International Convention on the Elimination of all Forms of Racial Discrimination: A Commentary* (Oxford University Press, 2016), pp. 103-105 for the proposition that "differentiation on the basis of nationality [] is not prohibited under the CERD." 4 Decembr Submission, p. 15, n. 31. This reference does not, however, support the UAE's proposition; rather, it describes in general terms various discussions of "national origin" by the CERD's drafters.

made by the United States representative to clarify the meaning of that amendment[70]. In fact, lengthy discussions regarding the meaning and scope of "national origin" and its relationship to "nationality" underlie the entire drafting history of the CERD, and these discussions indicate the exact opposite of the UAE's conclusion. "National origin" and "nationality" were never delineated by the drafters as distinct terms, but instead were understood to significantly overlap in meaning and scope.

44. Throughout the CERD's drafting, delegates expressed the view that the term "national origin" could be interpreted in a number of different ways, including to encompass nationality in the sense of citizenship as well as in the sense of an individual's historical-cultural connections to a State[71]. For example, Mr. Combal, the delegate from France, explained that "the term 'national origin' . . . could be interpreted in two entirely different ways. In the Brazilian amendment it was used in the sociological sense, but it might also be equated with the word 'nationality.'"[72] The delegate from Iraq agreed with the latter

[70] *See* 4 December Submission pp. 16-17, paras. 34, 35 (noting that Judges Tomka, Gaja, Gevorgian and Salam relied on an amendment "specifying that 'the expression 'national origin' does not mean 'nationality' or 'citizenship'" in concluding that the drafters of the CERD sought to exclude distinctions on the basis of nationality from the scope of the Convention); *id.* p. 16, para. 32 (in discussing that amendment, "the US representative pointed out that: '[n]ational origin differed from nationality in that national origin related to the past—the previous nationality or geographical region of the individual or of his ancestors—while nationality related to present status. The use of the former term in the Convention would make it clear that persons were protected against discrimination regardless of where they or their ancestors had come from.").

[71] *E.g.*, United Nations, *Official Records of the General Assembly, Twentieth Session, Third Committee, 1304th Meeting*, U.N. Doc. A/C.3/SR.1304 (1965), p. 84, para. 16 (recording the representative from Senegal's statement that "national origin" should be retained in Article 1, "since it would offer protection to persons of foreign birth who had become nationals of their country of residence . . . as well as foreign minorities within a State").

[72] United Nations, *Official Records of the General Assembly, Twentieth Session, Third Committee, 1304th Meeting*, U.N. Doc. A/C.3/SR.1304 (1965), p. 84, para. 15. The Brazilian amendment (A/C.3/L.1209) referenced by Mr. Combal proposed the following changes to draft Article 1(1): "In this Convention the term 'racial discrimination' shall mean any distinction, exclusion, restriction or preference based on race, colour, [national] or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life. [In this paragraph the expression 'national origin' does not cover the status of any person as a citizen of a given State.]" Specifically, the Brazilian amendment proposed "the deletion of the words placed between square brackets" and "the addition in parenthesis of the phrase, 'and in the case of States composed of different nationalities discrimination based on such difference', after the word 'origin.'" United Nations, *Draft International Convention on the Elimination of All Forms of Racial Discrimination, Report of the Third Committee*, U.N. Doc. A/6181, (1965), p. 12, paras. 29-30.

meaning[73], while other delegates used the terms "national origin" and "nationality" interchangeably[74].

45. Because "national origin" was often interpreted as inclusive of nationality in the sense of citizenship, some delegates worried that the term's presence in Article 1(1) would lead to restrictions on States attempting to make legitimate distinctions between citizens and non-citizens (*e.g.*, in the case of political rights usually reserved to citizens, such as voting). The delegate from Lebanon, for example, voiced this concern during early debates of the Human Rights Commission, stating that "[t]he convention should apply to nationals, non-nationals, and all ethnic groups, but it should not bind the parties to afford the same political rights to non-nationals as they normally granted to nationals"[75]. In subsequent discussions of the Third Committee, Mr. Gueye, the delegate from Senegal, further explained that:

> "the expression 'national origin' had given rise to controversy, apparently because some delegations feared that its use would confer on aliens living in a State equality of rights in areas, political or other, which under the laws of the State were reserved exclusively to nationals"[76].

46. Thus, it is clear that the delegates understood "national origin" as capable of encompassing present nationality. It was for this very reason that the debates over the inclusion of the term "national origin" in Article 1(1) took place.

47. Although the drafters were concerned about the possibility that including "national origin" in Article 1(1) would oblige States to guarantee equal rights to citizens and non-citizens, they also recognized that the aim of the CERD was to prohibit discrimination in

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[73] United Nations, *Official Records of the General Assembly, Twentieth Session, Third Committee, 1304th Meeting*, U.N. Doc. A/C.3/SR.1304 (1965), p. 85, para. 22.

[74] United Nations, *Official Records of the General Assembly, Twentieth Session, Third Committee, 1304th Meeting*, U.N. Doc. A/C.3/SR.1304 (1965), p. 84, para. 13.

[75] United Nations, *Official Records of the Economic and Social Council*, *Commission on Human Rights*, *Twentieth Session, Summary Record of the Eight Hundred and Ninth Meeting*, U.N. Doc. E/CN.4/SR.809 (1964), p. 5.

[76] United Nations, *Official Records of the General Assembly, Twentieth Session, Third Committee, 1304th Meeting*, U.N. Doc. A/C.3/SR.1304 (1965), p. 84, para. 16.

the enjoyment of fundamental rights to *all persons*, and broadly agreed that some form of the term "national origin" or "nationality" would therefore be a necessary addition to Article 1(1). And they did this in full recognition of the fact that the precise meaning and scope of "national origin" had *not* been clearly delineated, but instead was left open to varying interpretations depending on culture and context. This is because failure to include the term "national" in the CERD's definition of "racial discrimination" would exclude from the CERD's substantive protections a segment of the population that was clearly at risk for discrimination. As explained by Mr. Villgrattner, the Austrian delegate, "[d]eletion of the word [national] might lead to uncertainty concerning the rights of certain groups and perhaps, eventually, to their denial"[77].

48. It was in this context that the U.S.-France amendment relied upon by the UAE was ultimately proposed. The purpose of that amendment, as the United States representative explained, "was to ensure that the Convention applied to racial discrimination in *all its forms*, while allowing *certain accepted distinctions* between citizens and non-citizens to be made by States"[78]. Had it been adopted, the U.S.-France amendment would have resulted in a new Article 1(2) providing :

> "In this Convention the expression 'national origin' does not mean 'nationality' or 'citizenship', and the Convention shall therefore not be applicable to distinctions, exclusions, restrictions, or preferences based on differences of nationality of [*sic*] citizenship"[79].

49. However, the drafters ultimately rejected the approach of explicitly excluding nationality-based discrimination from Article 1(1). Thus, the U.S.-France amendment was withdrawn in favor of a compromise amendment that provided the final text of Articles 1(1)–1(3) of the CERD:

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77 United Nations, *Official Records of the General Assembly, Twentieth Session, Third Committee, 1304th Meeting*, U.N. Doc. A/C.3/SR.1304 (1965), p. 84, para. 13.

78 United Nations, *Official Records of the General Assembly, Twentieth Session, Third Committee, 1304th Meeting*, U.N. Doc. A/C.3/SR.1304 (1985), p. 85, para. 24 (emphasis added).

79 United Nations, *Official Records of the General Assembly, Draft International Convention on the Elimination of All Forms of Racial Discrimination, Report of the Third Committee*, U.N. Doc. A/6181, (1965), p. 12, para. 32 (describing the amendment of France and the United States of America, U.N. Doc. A/C.3/L.1212).

"(1) In this Convention the term 'racial discrimination' shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

(2) This Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a State party between citizens and non-citizens.

(3) Nothing in the present Convention may be interpreted as affecting in any way the legal provisions of States Parties concerning nationality, citizenship or naturalization, provided that such provisions do not discriminate against any particular nationality"[80].

50. In this way, the drafters dealt with the concern that citizens and non-citizens would have to be guaranteed the same political rights through express exceptions outlined in Articles 1(2) and 1(3). As explained by Ms. Tabbara, the representative from Lebanon and one of the sponsors of the compromise amendment, "[t]he amendment made it clear that the Convention would not apply to non-citizens or effect legislation on nationality, citizenship or naturalization, provided that there was no discrimination against any particular nationality"[81]. Articles 1(2) and 1(3) were therefore introduced to narrow the broad prohibition on racial discrimination contained in Article 1(1), as explained above.

51. By adopting the compromise amendment and retaining the word "national" in Article 1(1), the drafters of the CERD aimed to maintain the CERD's primary goal of eliminating *all forms* of racial discrimination. They did this by composing a comprehensive definition of "racial discrimination" that was devoid of any "lacunae"[82].

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[80] United Nations, *Official Records of the General Assembly, Draft International Convention on the Elimination of All Forms of Racial Discrimination, Report of the Third Committee,* U.N. Doc. A/6181 (1965), para. 37 (describing the compromise amendment put forward by Ghana, India, Kuwait, Lebanon, Mauritania, Morocco, Nigeria, Poland and Senegal, U.N. Doc. A/C.3/L.1238); CERD, Arts. 1(1)-1(3).

[81] United Nations, *Official Records of the General Assembly*, *Twentieth Session*, *Third Committee, 1307th Meeting*, U.N. Doc. A/C.3/SR.1307 (1965), p. 95, para. 1.

[82] P. Thornberry, *The International Convention on the Elimination of all Forms of Racial Discrimination: A Commentary* (Oxford University Press, 2016), p. 119.

A broad application of the terms in Article 1(1), in which "national origin" is given the widest application possible, is in line with the intent of the drafters. It also accords with the drafters' intent to give practical effect to the CERD in the face of ever-evolving contemporary forms of racial discrimination. Indeed, the drafters largely rejected the approach of listing specific "types" of racial discrimination, such as Nazism and anti-Semitism, in order to ensure that "the Convention [would] be a timeless one, applicable . . . to every kind of racial discrimination"[83]. As Miss King, the representative from Jamaica, explained, "[t]he Convention was intended to condemn and provide against not only the present forms of racial discrimination but any future forms as well"[84].

52. For the reasons described above, the CERD clearly encompasses discrimination against groups of individuals of a particular nationality within Article 1(1)'s prohibition on discrimination based on "national origin". As such, the Coercive Measures enacted by the UAE violate the CERD by explicitly and intentionally discriminating against Qatari nationals.

B. The CERD Prohibits the Coercive Measures Based Upon the Discriminatory Effect on Individuals of Qatari National Origin

53. The UAE's argument that "treatment based on nationality" cannot fall within the scope of CERD cannot be squared with the fact that the CERD's prohibition on discrimination is not limited to the explicit purpose of the measures—rather, in line with the CERD's general object and purpose of eliminating "all forms" of racial discrimination, Article 1(1) makes clear that the CERD encompasses discrimination in either "purpose or effect"[85]. The Committee has thus previously determined that the CERD prohibits both "purposive or intentional discrimination and discrimination in effect"[86], and has stated that "[i]n seeking to determine whether that action has an effect contrary to the

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[83] United Nations, *Official Records of the General Assembly*, *Twentieth Session*, *Third Committee*, 1313th Meeting, U.N. Doc. A/C.3/SR.1313 (1965), p. 121, para. 6.

[84] United Nations, *Official Records of the General Assembly*, *Twentieth Session*, *Third Committee, 1313th Meeting*, U.N. Doc. A/C.3/SR.1313 (1965), p. 122, para. 13.

[85] CERD, Art. 1(1).

[86] CERD Committee, *General Recommendation No. 32 on the Meaning and Scope of Special Measures in the International Convention on the Elimination of All Forms Racial Discrimination*, U.N. Doc. CERD/C/GC/32 (2009), para. 7.

Convention, [the Committee] will look to see whether an action has an . . . unjustifiable disparate impact upon a group distinguished by race, colour, descent, or national or ethnic origin"[87].

54. Judge Crawford reached the same conclusion in *Ukraine v. Russia*, a case brought under the CERD to the ICJ:

> "[T]he definition of 'racial discrimination' in Article 1 of CERD does not require that the restriction in question be based expressly on racial or other grounds enumerated in the definition; it is enough that it directly implicates such a group on one or more of these grounds. Moreover, whatever the stated purpose of the restriction, it may constitute racial discrimination if it has the 'effect' of impairing the enjoyment or exercise, on an equal footing, of the rights articulated in CERD"[88].

55. Thus, independent of whether nationality-based discrimination is *per se* prohibited under the CERD—though it is, as discussed in Section A—the Coercive Measures violate the CERD because they have an unjustifiable negative impact on persons who are of Qatari national origin in a historical-cultural sense uncontested by the UAE: on the basis of characteristics such as "heritage" or their ability to "trace" their origin to Qatar[89].

56. As explained above, the dictionary definitions of "national" and "origin", taken together, suggest that the ordinary meaning of "national origin" refers to the belonging of a person—or a person's ancestors—to a given country or nation. In addition to present nationality, the term unquestionably encompasses such belonging in the sense of historical or family ties, geographic origins, ancestry or one's country of birth[90]. The prohibition on discrimination on the basis of belonging to a given country or nation is

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[87] CERD Committee, *General Recommendation No. 14 on Article 1, Paragraph 1, of the Convention*, U.N. Doc. A/48/18 (1993), para. 2.

[88] *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation), Provisional Measures, Declaration of Judge Crawford* (19 April 2017), para. 7.

[89] *See* 4 December Submission, p. 18, para. 35.

[90] Professor Thornberry has explained that the two terms "national origin" and "ethnic origin" often function "as a yoked pair of workhorses, employed whenever issues of color ('visible minorities') are not the most prominent markers of discrimination." P. Thornberry, *The International Convention on the Elimination of all Forms of Racial Discrimination: A Commentary* (Oxford University Press, 2016), p. 126.

therefore consistent with the CERD's object and purpose of eliminating all forms of racial discrimination, including those forms of racism that might be related to, but not entirely covered by, other enumerated grounds such as "ethnic origin" and "descent"[91]. It is also consistent with the CERD's *travaux préparatoires*[92].

57. As the UAE knows, in the present context, "Qatari" does not only refer to a "current nationality"—it also describes a historical-cultural community linked to the modern State of Qatar and, as explained above, is defined by shared heritage or descent, particular family or tribal affiliations, and participation in national traditions and culture, as well as geographical ties to what is now Qatar. This group is easily identifiable to other people living in the Gulf, including based on their uniquely "Qatari" dialect and dress. Individuals belonging to this community also generally hold Qatari nationality, and comprise the significant majority of Qatari nationals, meaning that the UAE's distinctions "on account of nationality or citizenship"[93] discriminate in effect against Qataris in the historical-cultural sense.

58. The origins of a historical-cultural community of "Qataris" can be traced at least to the mid- to late-1800s. During this time period, members of a prominent tribe living in the area that is now Qatar began to amass influence, and by the 1850s and 1860s, the tribe's

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91 *See* CERD Committee, *General Recommendation No. 29 on article 1, paragraph 1, of the Convention (Descent)* (2002), Preamble ("Confirming the consistent view of the Committee that the term 'descent' in article 1, paragraph 1, [of] the Convention does not solely refer to 'race' and has a meaning and application which complement the other prohibited grounds of discrimination.").

92 As explained above, the drafters viewed "national origin" as inclusive of both an individual's present nationality and historical-cultural affiliations linked to a particular State, and sought to balance the concern that non-citizens would be guaranteed equal rights to citizens if "national origin" was included in Article 1(1) against the need to ensure that the CERD would protect against "all forms" of discrimination. In that regard, the drafters of the CERD also expressed concerns about possible discrimination on the basis of an individual's historical-cultural affiliations such as language, ancestry, or national traditions. In so doing, the delegates confirmed that a group of people defined by certain historical-cultural "national" affiliations—for example, a "mother tongue," national traditions or beliefs, or ancestry tied to a particular geographical region—was meant to fall within the scope of the CERD's substantive protections. *See* United Nations, *Official Records of the General Assembly, Twentieth Session, Third Committee, 1304th Meeting*, U.N. Doc. A/C.3/SR.1304 (1965), p. 85, paras. 21, 23; United Nations, *Official Records of the Economic and Social Council*, *Sub-Commission on Prevention of Discrimination and Protection of Minorities*, *Sixteenth Session*, U.N. Doc. E/CN.4/Sub.2/SR.411, p. 5. In practical terms, such a people might exist across different States, might exist as a minority group living within a State, or might be tied to a particular State, either presently or historically.

93 4 December Submission, p. 15, para. 31.

patriarch—Muhammed bin Thani al-Wadhiri—had begun to operate as "de facto ruler of Qatar"[94]. In 1868, the British entered into a treaty with Muhammed bin Thani as head of "a distinct political entity"[95], recognizing him as the "primary local authority" of Qatar and as representative of the Qatari people[96]. The Al Thani family has continuously ruled over the territory that forms modern day Qatar ever since. In 1916, Muhammed bin Thani al-Wadhiri's son signed a treaty placing Qatar under British protection, a situation that was maintained until Britain's withdrawal from the Gulf region in 1971, as a result of which Qatar was formally established as an independent State[97].

59. By the 1970s, the sense of a "Qatari" identity as the primary point of self-identification[98] for the people living in this area was well-established, and it has only strengthened in the decades since[99]. As historians have explained, modern-day Gulf peoples "share a similar lifestyle but not a common identity, except perhaps in the eyes of outsiders"[100]. Today, there is a strong sense of a uniquely "Qatari" identity that is tied to belonging in the

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94 K. Eggeling, *Cultural Diplomacy in Qatar* ("The Al Thani first consolidated their power over the territory that forms modern day Qatar through two treaties with the British in 1868 and 1916 that recognized the tribe as the primary local authority.").

95 Matthew Gray, *Qatar: Politics and the Challenges of Development* (Lynne Rienner Publishers, 2010), p. 26.

96 *See* Rosemarie Said Zahlan, *The Making of the Modern Gulf States* (Unwin Hyman Ltd., 1989), p. 85 (describing Qatar's former status as a dependency of Bahrain and stating that "in the eastern villages of Doha and Wakrah . . . . Bahrain faced intermittent opposition from the people of Qatar" prior to the establishment of the Qatari State; also describing a meeting between Muhammed bin Thani (1868-76) and a British official as "implicitly recogniz[ing] Muhammed bin Thani—as well as the people of Qatar—as being independent of Bahrain.").

97 Matthew Gray, *Qatar: Politics and the Challenges of Development* (Lynne Rienner Publishers, 2010), pp. 28, 35-36.

98 CERD Committee, *General Recommendation No. 8 Concerning the Interpretation and Application of Article 1, Paragraphs 1 and 4 of the Convention*, U.N. Doc. A/45/18 (1990) (noting that identification as a member of a particular racial or ethnic group or groups "if no justification exists to the contrary, [shall] be based upon self-identification by the individual concerned.").

99 *See* Lawrence G. Potter, *Society in the Persian Gulf: Before and After Oil*, Center for International and Regional Studies, Georgetown University in Qatar (2017), p. 23 (describing how "state citizenship has increasingly become the most important identity" in the Gulf States, particularly within the last fifty years).

100 Lawrence G. Potter, "Society in the Persian Gulf: Before and After Oil," Center for International and Regional Studies, Georgetown University in Qatar, Occasional Paper No. 18 (2017), p. 4.

historical-cultural community of Qataris and identification with the Qatari State and its leaders[101].

60. Social scientists have similarly described identity in the Gulf in terms of a "civic ethnocracy", defined as "a political system based on kinship, real or presumed"[102]. In the particular context of the Gulf, "the defining feature [of such systems] is not race, language or religion but citizenship conceived in terms of shared descent"[103]. Indeed, across the Gulf, citizenship is granted on the basis of "shared descent" or other historical-cultural ties[104].

61. Article 1 of the CERD must be interpreted and applied in the light of this particular Gulf context, and the fact that nationality is generally only conferred on persons with a close historical-cultural connection to the State of their nationality. As explained above, Qatar generally requires that an individual be a member of the historical-cultural community of Qataris in order to qualify for Qatari nationality[105]. As a practical matter, this means that the significant majority of Qatari nationals—those belonging to the group explicitly targeted by the UAE—are also of Qatari origin in the sense of the historical-cultural

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101 The collective "Qatari" identity is celebrated on Qatar National Day. As scholars have explained, Qatar's National Day "seeks to commemorate the ascendency of a leveling nationalism over the varied pre-statal social topography." On National Day, large tents are erected for each tribe, and celebrations include "performance[s] of tribal belonging" such as poetry readings and ceremonial performances. *See* Andrew M. Gardner and Ali Alshawi, "Tribalism, Identity and Citizenship in Contemporary Qatar," 8:2 *Anthropology of the Middle East* 46 (2013), p. 54.

102 Anh Nga Longva, "Neither Autocracy Nor Democracy but Ethnocracy: Citizens, Expatriates and the Socio-Political System in Kuwait," *in* Dresch and Piscatori, eds., *Monarchies and Nations: Globalisation and Identity in the Arab States of the Gulf* (I.B. Tauris, 2005), p. 119.

103 Anh Nga Longva, "Neither Autocracy Nor Democracy but Ethnocracy: Citizens, Expatriates and the Socio-Political System in Kuwait," *in* Dresch and Piscatori, eds., *Monarchies and Nations Nations: Globalisation and Identity in the Arab States of the Gulf* (I.B. Tauris, 2005), p. 119.

104 *See, e.g.*, Paul Dresch, "Debates on Marriage and Nationality in the United Arab Emirates," *in* Paul Dresch and James Piscatori, eds., *Monarchies and Nations: Globalisation and Identity in the Arab States of the Gulf* (I.B. Tauris, 2005), p. 141 (describing Kuwait's nationality law, which set the pattern followed by other Gulf States and defined Kuwaitis as those who were normally resident in Kuwait before 1920).

105 *See, e.g., Qatar: Law No. 38 of 2005 on the acquisition of Qatari nationality* [Qatar], 30 October 2005, Art. 1 (defining Qatari nationals, including those historically resident in Qatar and those of Qatari heritage); *see also United Arab Emirates: Federal Law No. 17 for 1972 Concerning Nationality, Passports and Amendments Thereof*, [United Arab Emirates], 18 November 1972, Art. 5 ("[t]he nationality of the State may be granted to…[a]n *Arab individual from Omani, Qatari or Bahraini origin* residing in the State on continuous and lawful basis for at least three years directly before the date of submitting [a] naturalization application") (emphasis added).

connections described above: shared heritage or descent, particular family or tribal affiliations, geographical ties to what is now Qatar, and participation in national traditions and culture. That Qatari nationality is restrictive and largely coterminous with Qatari identity in this sense is well known to the UAE, and its attempts to characterize the Coercive Measures as "differentiated treatment on the basis of nationality"[106] alone should therefore not be credited. As the UAE is well aware, discrimination on the basis of Qatari nationality is in fact a convenient way to target individuals of Qatari origin, as discrimination on the ostensible basis of nationality will unquestionably have a disproportionate impact on individuals of Qatari heritage or descent.

62. In this case, the Coercive Measures imposed by the UAE constitute violations of the CERD regardless of their purpose, because they have in fact had a severe impact on the historical-cultural community of Qataris[107]. Further, despite the UAE's assertions that the Coercive Measures apply only "on the basis of nationality", they have adversely affected many non-Qatari nationals of Qatari heritage. As noted in Qatar's Communication, this includes the children of Qatari mothers who hold Emirati nationality, who have suffered from painful family separation as a result of the Coercive Measures[108].

63. Thus, the UAE's Coercive Measures have had a large-scale, adverse impact on individuals of Qatari national origin in the historical-cultural sense. The discriminatory effects of the Coercive Measures on these individuals alone constitute violations under the CERD and bring Qatar's Communication within the ambit of the Committee's competence. Further, while the effects alone are sufficient, the punitive nature of the UAE's actions, in combination with the specific context of the Gulf, in which nationality is largely coterminous with "national origin" in a historical-cultural sense, suggests that these effects are also by design. The UAE is well aware of the fact that nationality is closely correlated with historical-cultural ties in the Gulf region, and it must have known

[106] 4 December Submission, p. 15, para. 30.

[107] See Qatar's Communication, pp. 19-25, paras. 41-55.

[108] Qatar's Communication, p. 20, para. 43; *see also id.* pp. 48-50, paras. 113-119 (noting that the UAE's actions were "specifically designed to encourage hostility and incite hatred against Qataris" and have "contributed to a general culture of fear for Qataris and those related to them").

that the natural consequences of enforcing these measures against Qatari nationals would include severe adverse impacts on individuals of Qatari origin. Given this context, in addition to the UAE's repeated assertions that the Coercive Measures were implemented as a means to punish Qatar, it is clear that the UAE used nationality as an efficient approximation to target and damage the Qatari people.

III. THE COMMITTEE HAS JURISDICTION OVER QATAR'S ARTICLE 11 COMMUNICATION BECAUSE QATAR CONSIDERS THAT THE UAE IS NOT GIVING EFFECT TO THE PROVISIONS OF THE CERD

A. The UAE Distorts the Committee's Role and the Requirements of Article 11

64. Pursuant to the plain text of the CERD, the Chairman of the Committee "shall appoint an *ad hoc* Conciliation Commission" for any matter referred to the Committee under Article 11 where, in relevant part: (*1*) a State Party "considers that another State Party is not giving effect to the provisions of this Convention"; and (*2*) "the matter is not adjusted to the satisfaction of both parties … within six months after the receipt by the receiving State of the initial communication"[109]. These requirements under Articles 11(1) and 11(2) establish minimal standards in keeping with the Committee's contemplated role under Articles 11 to 13 as a mechanism to promote conciliation as a means to resolve disputes between States Parties to the CERD[110].

65. As an initial matter, Qatar categorically disagrees with the UAE's notion that the Committee does not have jurisdiction because the UAE's violations have ended. Qatar is not asking the Committee to find jurisdiction and proceed with the formation of a Conciliation Commission to assign blame for past transgressions; to the contrary, as addressed below in Section II.B, by virtue of the process envisaged in Articles 11 to 13, Qatar seeks to address violations that are continuing to this day.

66. But the UAE also seriously misstates the requirements of the CERD, when it argues that the Committee and any *ad hoc* Conciliation Commission that may be appointed "only has jurisdiction to consider allegations of ongoing violations of the CERD" because Article

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109 CERD Arts. 11(1)-(2).

110 The exhaustion requirement contained in Article 11(3) is addressed in Section IV, below.

11 uses the present tense when it states "another State Party *is not giving effect* to the provisions of this Convention"[111]. As an initial matter, the present tense phrase "is not giving effect to" relates to the time at which the matter is brought to the attention of the Committee and requires only that the violation was ongoing when Qatar submitted its Article 11 Communication. And notwithstanding the UAE's selective quotation, Article 11 actually starts with the language that "*if a State Party considers* that another State Party is not giving effect to the provisions of this Convention, it may bring the matter to the attention of the Committee"[112]. The "matter" that is not adjusted "to the satisfaction of both parties" for purposes of Article 11(2) is precisely that which is referred to in the opening sentence of Article 11(1). Accordingly, the requirement triggering the advancement of the procedure is what a State Party "considers" to be the case as to whether another State Party is not giving effect to the CERD.

67. That requirement is satisfied here. Qatar certainly "considers" that the UAE is "not giving effect to the provisions of the Convention" by continuing to enforce the Coercive Measures, and therefore has properly brought this matter to the Committee under Article 11. The October and November 2018 correspondence by Qatar and the UAE before the Committee clearly demonstrates that the matter qualifies for referral under Article 11; Qatar does not consider the matter to be adjusted to its satisfaction and accordingly referred the matter back to the Committee via its letter of 29 October 2018. Accordingly, nothing more is needed under Articles 11(1) or 11(2) for the Committee to exercise its competence under Articles 11 to 13, including to appoint an *ad hoc* Conciliation Commission pursuant to Article 12.

68. Indeed, to construe Article 11 as the UAE advocates, does harm not only to the plain language of the CERD, but is also manifestly illogical in light of the protective purpose

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[111] 4 December Submission, p. 22, para. 46 (emphasis added); 15 January Submission, p. 12, para. 22.

[112] CERD Arts. 11(1) (emphasis added). Language of this nature is deemed to be self-judging, conferring wide discretion on a contracting party to unilaterally consider the scope and applicability of a treaty provision. *See, e.g.*, *Certain Questions of Mutual Assistance in Criminal Matters (Djibouti v. France)*, *Judgment, I.C.J. Reports 2008*, p. 226, para. 135, p. 229, para. 145 (interpreting Article 2(c) of the Convention on Mutual Assistance in Criminal Matters between Djibouti and France, which provided that assistance in proceedings relating to criminal offences "may be refused […] if the requested state *considers that*" one of several conditions was present, as providing a State to which a request for assistance has been made with "very considerable discretion").

of the CERD and the positive conciliatory role contemplated for the Committee through the Commission mechanism. In particular, while the UAE states that the Committee is "prevented from continuing to entertain…a matter once that previous failure to give effect to the CERD's provisions has already been rectified"[113], the UAE's subjective opinion that it believes the matter with Qatar to be "rectified" cannot determine whether the Committee has jurisdiction to consider Qatar's Communication. This question of whether or not a State Party is giving effect to its obligations under the CERD is precisely the matter that the Article 11 to 13 process was designed to resolve. To determine otherwise would be absurd: the Committee would be divested of jurisdiction if the allegedly offending party simply stated that the matter had been "rectified". Nothing in the language or purpose of Articles 11 to 13 supports such a nonsensical result.

B. Qatar's Communication is Properly Before the Committee

69. To the extent the UAE argues that the Committee lacks jurisdiction because there exists insufficient evidence of its ongoing violations of the CERD[114], the UAE is wrong both as a legal and factual matter. As a legal matter, the question of whether a party has put forth sufficient evidence to demonstrate that another party is in violation of the CERD should be considered by the *ad hoc* Conciliation Commission when assessing the merits of the dispute and preparing its "findings on all questions of fact relevant to the issue between the parties" in accordance with Article 13. As a result, it would make no sense for the underlying merits to be addressed by the Committee as a matter of jurisdiction or admissibility.

70. But in any event, the UAE is also wrong to question sufficiency of evidence as a factual matter. The UAE disingenuously cites the dissenting opinions of ICJ judges, but omits the fact that the majority of the ICJ ruled in favor of Qatar in those proceedings and indicated provisional measures to protect the rights of Qataris under the CERD precisely because the UAE's Coercive Measures plausibly endangered the rights of Qataris under the CERD:

113 4 December Submission, p. 22, para. 47.

114 4 December Submission, pp. 22-24, paras. 46-53; 15 January Submission, p. 12-13, paras. 23-25.

> "In the present case, the Court notes, on the basis of evidence presented to it by the Parties, that the measures adopted by the UAE on 5 June 2017 appear to have targeted only Qataris and not other non-citizens residing in the UAE. Furthermore, the measures were directed to all Qataris residing in the UAE, regardless of individual circumstances. Therefore, it appears that some of the acts of which Qatar complains may constitute acts of racial discrimination as defined by the Convention"[115].

71. In so holding, the ICJ drew from an evidentiary record that included multiple well-documented reports detailing the detrimental human rights impacts of the Coercive Measures, produced by independent international observers such as the UN Office of the High Commissioner for Human Rights, Amnesty International, Human Rights Watch, and Qatari organizations like Qatar's National Human Rights Committee[116]. On this

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[115] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates*), Provisional Measures Order, p. 20, para. 54. Indeed, in the context of individual complaints brought pursuant to Article 14 of the CERD, the Committee has found that a complaint is admissible so long as the violations alleged *may* fall within the scope of the Convention. See, e.g., *Stephen Hagan v. Australia*, Communication No. 26/2002, U.N. Doc. CERD/C/62/D/26/2002 (2003), p. 10, para 6.2("As to the State party's arguments that the petition falls outside the scope of the Convention and/or is insufficiently substantiated, the Committee considers that the petitioner has sufficiently substantiated, for purposes of admissibility, that his individual claim *may* fall within the scope of application of the provisions of the Convention. … [T]he Committee deems it more appropriate to determine the precise scope of the relevant provisions of the Convention at the merits stage of the petition."). Indeed, the standard for cases brought under Articles 11 to 13 of the Convention cannot be higher than the standard established for individual complaints under Article 14, particularly given the far more minimal requirements set by Articles 11 to 13 that must be met in order for a State Party to bring a matter to the Committee's attention.

[116] *See* **Annex 11**, OHCHR Technical Mission to the State of Qatar, 17-24 November 2017, *Report on the Impact of the Gulf Crisis on Human Rights* (December 2017); **Annex 1**, Amnesty International, *Families ripped apart, freedom of expression under attack amid political dispute in Gulf* (9 June 2017), https://www.amnesty.org/en/latest/news/2017/06/families-ripped-apart-freedom-of-expression-under-attack-amid-political-dispute-in-gulf/; **Annex 3**, Amnesty International, *Gulf/Qatar dispute: Human Dignity Trampled and Families facing uncertainty as sinister deadline passes* (19 June 2017), https://www.amnesty.org/en/latest/news/2017/06/gulf-qatar-dispute-human-dignity-trampled-and-families-facing-uncertainty-as-sinister-deadline-passes/; **Annex 10**, Amnesty International, *Gulf dispute: Six months on, individuals still bear brunt of political crisis* (14 Dec. 2017), https://www.amnesty.org/en/documents /mde22/7604/2017/en/; **Annex 5**, Human Rights Watch, *Qatar: Isolation Causing Rights Abuses* (12 July 2017), https://www.hrw.org/news/2017/07/13/qatar-isolation-causing-rights-abuses; **Annex 6**, Human Rights Watch, *Gulf Crisis Shows How Discrimination in Saudi Arabia, Bahrain, UAE, and Qatar Tears Families Apart* (21 July 2017), https://www.hrw.org/news/2017/07/21/gulf-crisis-shows-how-discrimination-saudi-arabia-bahrain-uae-and-qatar-tears; **Annex 2**, National Human Rights Committee, *First Report Regarding the Human Rights Violations as a Result of the Blockade on the State of Qatar* (13 June 2017); **Annex 4**, National Human Rights Committee, *Second Report Regarding the Human Rights Violations as a Result of the Blockade on the State of Qatar* (1 July 2017); **Annex 7**, National Human Rights Committee, *100 Days Under the Blockade* (30 August 2017); **Annex 9**, National Human Rights Committee, *6 Months of Violations, What Happens Now? The Fourth General Report on the Violations of Human Rights Arising from the Blockade of the State of Qatar* (5 Dec. 2017); **Annex 12**, National Human

basis, the ICJ specifically observed that "many Qataris residing in the UAE [on 5 June 2017] appeared to have been forced to leave their place of residence without the possibility of return," noting that "a number of consequences apparently resulted from this situation and that the impact on those affected seem to *persist to this date*"[117]—namely: "UAE-Qatari mixed families have been separated; Qatari students have been deprived of the opportunity to complete their education in the UAE and to continue their studies elsewhere since UAE universities have refused to provide them with their educational records; and Qataris have been denied equal access to tribunals and other judicial organs in the UAE"[118]. Notwithstanding the ICJ's indication of provisional measures, the UAE has not rescinded its Coercive Measures, going so far as to summarily reject Qatar's offer to work collaboratively to monitor the implementation of the Provisional Measures Order[119]. Still today in its submissions before the Committee, the UAE views itself as never having violated the CERD[120], suggesting that any change in its

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Rights Committee, *A Year of the Blockade Imposed on Qatar* (June 2018). *See also* Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, U.N. Doc. A/HRC/39/54 (30 August 2018), para. 9 ("The Special Rapporteur…continues to share the concerns expressed by the United Nations High Commissioner for Human Rights in June 2017 that the measures adopted are overly broad in scope and implementation, and agrees that they have the potential to seriously disrupt the lives of thousands…simply because they belong to one of the nationalities involved in the dispute."); **Annex 8**, National Human Rights Committee, *Report of the NHRC on Violations of the Right to Private Property due to the Siege Imposed on the State of Qatar* (30 August 2017); **Annex 15**, National Human Rights Committee, *Gulf Crisis: Continuing human rights violations by the United Arab Emirates* (23 Jan. 2019).

Qatar's NHRC is an independent national human rights institution that has received an "A" rating by the Global Alliance of National Human Rights Institutions ("GANHRI") consistently since its reorganization in 2010. A GANRHI "A" rating indicates that the institution is in full compliance with the United Nations Paris Principles, which provide the international benchmarks against which national human rights institutions are accredited by GANHRI. *See* GANRHI, *Chart of the Status of National Institutions Accredited by the Global Alliance of national Human Rights Institutions: Accreditation status as of 21 February 2018*, p. 3, *available at*, https://nhri.ohchr.org/EN/AboutUs/GANHRIAccreditation/Documents/Status%20Accreditation%20Chart.pdf.

117 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates), Provisional Measures Order*, p. 24, para. 68 (emphasis added).

118 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates), Provisional Measures Order*, p. 24, para. 68. On this basis, the Court ordered the UAE to ensure that (1) separated families are reunited, (2) Qatari students are afforded the opportunity to continue their studies in the UAE or to receive their educational records if they prefer to study elsewhere, and (3) Qataris affected by the Coercive Measures are allowed access to tribunals and other judicial organs of the UAE. Provisional Measures Order, p. 27, para. 79.

119 **Annex 13**, Letter from Saeed Ali Yousef Alnowais, Agent of the UAE, to Philippe Couvreur, Registrar of the International Court of Justice (12 September 2018).

120 4 December Submission, pp. 2-3, 10-12, paras. 3-4, 18-22; 15 January Submission, paras. 7-13.

policy or practice in actuality has not followed. Indeed, the UAE's statement on 5 July 2018 "clarifying the legal position of Qatari nationals living in the UAE" did not absolve it of the ongoing violations based on its initial statement and only confirmed the continued Coercive Measures. In any case, the UAE's violations as referred to the Committee are clearly ongoing, and the effects of those measures are still being deeply felt by Qataris[121].

72. In sum, Qatar has provided more than sufficient evidence in support of the Committee's jurisdiction under Article 11. The UAE, by arguing that the Committee does not have jurisdiction to consider the matter, seeks to create new jurisdictional requirements that simply do not exist in the text of the CERD. Because Qatar "considers" that the UAE is "not giving effect to the provisions of the Convention" by continuing to enforce the Coercive Measures, and the matter "has not been adjusted" to Qatar's satisfaction, it has properly referred its Communication to the Committee under Article 11.

IV. QATAR'S COMMUNICATION IS ADMISSIBLE

73. The UAE also argues that Qatar's Communication is inadmissible because, the UAE says, (1) Qatar has failed to exhaust local remedies; (2) there are concurrent proceedings pending before the ICJ; and (3) the Communication constitutes an abuse of rights and process. None of these arguments is persuasive. Article 11(3)'s exhaustion requirement does not bar Qatar's claims (**Section IV.A**); the existence of concurrent proceedings before this Committee and the ICJ does not render Qatar's Communication inadmissible (**Section IV.B**); and the Communication is not an abuse of rights and process (**Section IV.C**).

[121] Qataris continue to report violations of Convention-protected rights to this day—among others, families remain separated, students continue to be denied access to education and educational records, and Qataris continue to be denied access to justice in the UAE. *See, e.g.,* **DCL-004** and **DCL-079** (describing continued separation from family in the UAE, including one declarant's inability to attend the funerals of two family members); **DCL-073** (describing delayed graduation date resulting from student's inability to continue studies in the UAE); **DCL-125** (describing the continued denial of educational records); **DCL-048**, **DCL-135**, **DCL-093**, and **DCL-146** (describing declarants' inability to communicate with previously retained lawyers or to retain new counsel).

A. Article 11(3)'s Exhaustion Requirement Does Not Bar Qatar's Claims

74. The UAE submits that "the Committee must decline to hear Qatar's … Communication because Qatar has failed to establish that local remedies have been exhausted as required under Article 11.3"[122].

75. The UAE is wrong. As explained below, Article 11(3)'s requirement to exhaust local remedies does not apply to Qatar's claims (**Section IV.A.1**), but even if it did, the UAE has failed to discharge its burden to prove the existence of any effective and reasonably available remedies that have not been exhausted (**Section IV.A.2**).

1. Article 11(3)'s Local Remedies Rule Is Inapplicable to Qatar's Claims "In Conformity with the Generally Recognized Principles of International Law"

76. Article 11(3) provides:

> "The Committee shall deal with a matter referred to it in accordance with paragraph 2 of this article after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged"[123].

77. The UAE notes that Article 11(3) "is a *reflection* of the customary international law principle that States may not exercise diplomatic protection on behalf of its [sic] nationals by instituting international proceedings unless local remedies first have been exhausted".[124] But Article 11(3) is more than just a reflection of the requirement to exhaust local remedies. Under its express terms, in assessing the local remedies rule, this Committee *must* apply "generally recognized principles of international law"[125]. And

[122] 4 December Submission, para. 54(a).

[123] CERD, Art. 11(3).

[124] 4 December Submission, para. 57 (emphasis added).

[125] CERD, Art. 11(3). It should also be added that the "generally recognized principles of international law" are not static; to the contrary, they evolve. M. C. Bassiouni, "A Functional Approach to 'General Principles of International Law'", *Michigan Journal of International Law*, Vol. 11 (1990), p. 777 ("[I]t would be stifling not to inject into the sources of any legal system the capability of growth and development. Every national legal system includes such a process, either through the jurisprudence of its courts or through doctrine as developed by scholars. Thus, it can be said that legal principles evolve and that a legal

those principles make it clear that the rule does not apply to claims of the kind before this Committee. The UAE's objection must therefore be dismissed.

78. The UAE's measures giving rise to Qatar's Communication constitute a systematic, generalized policy and practice that has caused, and continues to cause, widespread violations of the CERD. Generally recognized principles of international law do not require the exhaustion of local remedies in cases involving breaches of this nature (**Section IV.A.1.a**). Qatar is also making claims in its own right that are *interdependent* with the claims brought on behalf of its nationals. Qatar's claims are also *preponderantly* based on direct injury to it, not its nationals. Under general principles of international law, there is no need to exhaust domestic remedies in cases involving "mixed" claims of either kind (**Section IV.A.1.b**).

79. Each of these reasons, which independently warrant the dismissal of the UAE's objection, is discussed in turn below.

a. The Local Remedies Rule Does Not Apply in Circumstances of Widespread Harm or Generalized State Policies and Practices

80. The "generally recognized principles of international law" that Article 11(3) expressly incorporates are unequivocal: the local remedies rule does not apply in cases of widespread harm or generalized State policies and practices. The reason is obvious: requiring all Qataris aggrieved by the UAE's measures to exhaust local remedies (assuming such remedies existed) would be impracticable, such that it would lead to the

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mechanism or process for the recognition and application of this evolutive aspect of law must exist in international law."). Needless to say, the "generally recognized principles of international law" relevant to human rights protection are undoubtedly more progressive today than they were even at the time the CERD was concluded. Indeed, "[t]he Convention, as the Committee has observed on many occasions, is a living instrument that must be interpreted and applied taking into account the circumstances of contemporary society.". CERD Committee, General Recommendation XXXII (2009), para. 5. *See also, e.g.,* CERD Committee, General Recommendation XXXIII (2009), para. 1(d) (referring to the "evolution in the field of human rights since [the] adoption" of the CERD); CERD Committee, General Recommendation XXXV (2013), para. 4 (referring to this Committee's work "in implementing the Convention as a living instrument".).

application of alleged remedies that would unquestionably be "unreasonably prolonged" and ineffective[126].

81. Indeed, in no case, before any court or body in any jurisdiction, has the local remedies rule been applied in circumstances involving widespread and systematic harms like those before this Committee.

82. For example, the ICJ has required local remedies to be exhausted *only* when the claims involved a discrete number of easily identifiable individuals[127]. By contrast, the requirement has not been applied—indeed, it is rarely even mentioned by litigant States[128]—in cases involving, in the words of counsel for the UAE at the hearing on provisional measures before the ICJ, "a high number of persons"[129].

83. Thus, in *Georgia v. Russian Federation*—a case also involving the CERD—Georgia argued that Russia had committed violations of the CERD against the entire "ethnic Georgian, Greek and Jewish populations in South Ossetia and Abkhazia"[130]. Yet even though Georgia explicitly brought claims "*as parens patriae for its citizens*"[131], Russia

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126 *See* CERD, Art. 11(3) (explicitly stating that the local remedies rule does not apply "where the application of the remedies is unreasonably prolonged".).

127 *See, e.g., Interhandel (Switzerland v. United States of America)*, Preliminary Objections, Judgment, ICJ Reports 1959, p. 29 (finding that "*one interest, and one alone*, that of Interhandel […] induced the Swiss Government to institute international proceedings") (emphasis added); *Elettronica Sicula S.p.A. (ELSI) (United States v. Italy)*, Judgment, ICJ Reports 1989, p. 43, para. 52 (noting that "the matter which colours and pervades the United States claim as a whole, is the alleged damage to *Raytheon and Machlett* [two US companies]") (emphasis added); *see also Ahmadou Sadio Diallo (Republic of Guinea* v. *Democratic Republic of the Congo)*, Preliminary Objections, Judgment, ICJ Reports 2007, para. 48.

128 In the current case concerning the CERD between Qatar and the UAE now pending before the Court, the UAE has invoked the local remedies rule. While the Court refused to consider it at the Provisional Measures stage, it has not yet reached a final decision. *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Order, para. 42.

129 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Verbatim Record, CR 2018/15, p. 10, para. 12 (Treves).

130 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Preliminary Objections, Judgment, ICJ Reports 2011, para. 16.

131 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Preliminary Objections, Judgment, ICJ Reports 2011, para. 16 (some emphasis added).

did not argue that Georgian citizens had failed to exhaust local remedies. Nor did the Court raise the issue *proprio motu*[132].

84. In the ongoing dispute between Ukraine and Russia—another case involving the CERD—Ukraine alleges that Russia is "pursuing the cultural erasure" of all "non-Russian communities [in Crimea] through a systematic and ongoing campaign of discrimination"[133]. At the provisional measures stage, neither Russia nor the Court raised the local remedies rule[134].

85. The *Case Concerning Armed Activities on the Territory of the Congo* provides yet another example. In that case, the Democratic Republic of the Congo ("***DRC***") accused Rwanda of "massive, serious and flagrant violations of human rights" under several treaties, including the CERD[135]. Admissibility and jurisdiction were vigorously contested. Yet neither the parties nor the Court raised the exhaustion issue[136].

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[132] This is important because the Court has made clear that it has the power to "take up, proprio motu, *any* preliminary question, whether of admissibility or of jurisdiction", that "*might* constitute a bar to any further examination of the merits of the Applicant's case." *See, e.g., United States Diplomatic and Consular Staff in Tehran (United States of America v. Iran)*, Judgment, ICJ Reports 1980, para. 33 (emphasis added).

[133] *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*, Provisional Measures, Order, para. 33.

[134] *See generally, e.g., Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*, Provisional Measures, Order.

[135] *Armed Activities on the Territory of the Congo (New Application: 2002) (Democratic Republic of the Congo v. Rwanda)*, Jurisdiction and Admissibility, Judgment, ICJ Reports 2006, para. 1.

[136] *See generally Armed Activities on the Territory of the Congo (New Application: 2002) (Democratic Republic of the Congo v. Rwanda)*, Jurisdiction and Admissibility, Judgment, ICJ Reports 2006. Cases *not* involving the CERD but involving other widespread violations of human rights confirm the irrelevance of the local remedies rule in the circumstances of this case. By way of just one example, in *Application of the Convention on the Prevention and Punishment of the Crime of Genocide*, Bosnia and Herzegovina alleged that Yugoslavia had violated numerous obligations "toward the People and state of Bosnia and Herzegovina". *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Preliminary Objections, Judgment, ICJ Reports 1996, para. 13. Yugoslavia did not argue that all of the "People" of Bosnia and Herzegovina needed first to exhaust local remedies before the State could raise claims under the Genocide Convention. *See generally Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Preliminary Objections. Nor did the Court require such showing.

86. Human rights bodies similarly "attach different consequences to systematic breaches, *e.g.*, in terms of the *non-applicability of the rule of exhaustion of local remedies*"[137]. They do so notwithstanding the existence in the underlying treaty of provisions requiring the exhaustion of domestic remedies as a condition of admissibility[138].

87. Hence, under the European Convention on Human Rights ("ECHR"), the Court "may only deal with the matter after all domestic remedies have been exhausted, *according to the generally recognized rules of international law*, and within a period of six months" from "the date on which the final decision was taken"[139].

88. Nevertheless, in *Republic of Ireland v. United Kingdom*, the European Court of Human Rights ("ECtHR") noted that:

> "A practice incompatible with the Convention consists of an accumulation of identical or analogous breaches which are sufficiently numerous and inter-connected to amount not merely to isolated incidents or exceptions but to a pattern or system … The concept of practice is of particular importance for the operation of the rule of exhaustion of domestic remedies … [I]n principle, the rule does not apply where the applicant State complains of a practice as such, with the aim of preventing its continuation or recurrence, but does not ask the Commission or the Court to give a decision on each of the cases put forward as proof or illustrations of that practice"[140].

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137 International Law Commission, *Draft Articles on Responsibility of States for Internationally Wrongful Acts, with commentaries* (2001), p. 113 ("when reacting against breaches of international law, States have often stressed their systematic, gross or egregious nature. Similarly, international complaint procedures, for example in the field of human rights, attach different consequences to systematic breaches, e.g. in terms of the *non-applicability of the rule of exhaustion of local remedies*") (emphasis added).

138 *See, e.g.,* American Convention on Human Rights, Art. 46 ("Admission by the Commission of a petition or communication lodged in accordance with Articles 44 or 45 shall be subject to the following requirements: a. that the remedies under domestic law have been pursued and exhausted *in accordance with generally recognized principles of international law*") (emphasis added).

139 European Convention on Human Rights, Art. 35(1) (emphasis added). This language was previously contained in Article 26 of the Convention. It is now contained in Article 35(1). Although the European Convention's exhaustion requirement only expressly applies to individual applications, the Court considers the local remedies rule to be generally applicable in the inter-State context.

140 ECtHR, *Case of Ireland v. United Kingdom*, Application No. 5130/71, Judgment (18 January 1978), para. 159 (emphasis added).

89. Both the ECtHR and the now defunct European Commission of Human Rights have applied this exception to the applicability of the local remedies rule on numerous occasions[141], including in a case—analogous to this one—arising from "a coordinated policy" of "expelling Georgian nationals" from the territory of the respondent State[142].

90. The Inter-American Commission of Human Rights has similarly found the local remedies rule inapplicable "in cases in which the existence of a generalized practice is alleged", reasoning that "[t]he mechanisms established for examining isolated instances of alleged violations" are ill-suited "for responding effectively to cases where it is claimed that the alleged violations occur as part of a generalized practice"[143].

91. In this case, the UAE's measures were undertaken as part of a policy ordered and coordinated at the highest levels of government. The measures complained of represent a generalized policy and practice that has affected all Qataris and, in accordance with generally recognized principles of international law, the principle of exhaustion of local remedies simply does not apply in such cases.

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[141] *See also, e.g.,* European Commission of Human Rights, *Greece v. United Kingdom*, Application No. 176/56, Decision on Admissibility (2 June 1956), p. 3 ("the provision of Article 26 concerning the exhaustion of domestic remedies according to the generally recognised rules of international law *does not apply* to the present application, the scope of which is to determine the compatibility with the Convention of legislative measures and administrative practices in Cyprus") (emphasis added).

[142] ECtHR, *Case of Georgia v. Russia (I),* Application No. 13255/07, Merits Judgment (3 July 2014), para. 159 ("Having regard to all those factors, the Court concludes that from October 2006 a coordinated policy of arresting, detaining and expelling Georgian nationals was put in place in the Russian Federation which amounted to an administrative practice for the purposes of Convention case-law. Accordingly, the objection raised by the respondent Government on grounds of non-exhaustion of domestic remedies must be dismissed."). *See also generally id*., paras. 111-159.

[143] Inter-American Commission of Human Rights, *Nicaragua v. Costa Rica*, Inter-State Case 1/06, Report N° 11/07 (8 March 2007), para. 260. *See also id*., para. 258 (referring to the rule that, "in the event of systematic generalized violations", there is a "presumption *iuris tantum* that domestic remedies are neither suitable nor effective and, therefore, the requirement to exhaust them is dispensed with as a mere formality."). As also explained by the former President of the Inter-American Court of Human Rights, and current Judge at the ICJ, Prof. Cançado Trindade, "[i]n cases concerning legislative measures and administrative practices the individual, having shown that such a practice exists, is *not* under the duty of exhausting local remedies". A.A. Cançado Trindade, "Exhaustion of Local Remedies in Relation to Legislative Measures and Administrative Practices — The European Experience", *Malaya Law Review*, Vol. 18 (1976), p. 278 (emphasis in original). *See further* A.A. Cançado Trindade, *The Application of the Rule of Exhaustion of Local Remedies in International Law* (1983), p. 181 ("in a case concerning a general prevailing situation in breach of the Convention, recourse need not be had to local remedies.").

b. The Local Remedies Rule Does Not Apply in View of Qatar's Claims of Direct Injury to Its Own Interests under the CERD

92. Even assuming *arguendo* that the local remedies rule did in principle apply to claims of widespread harm caused by generalized practices, it would still not apply in this case. That is because Qatar brings claims of direct injury to its own interests under the CERD that are not subject to the local remedies rule. Moreover, such claims for direct injury are both interdependent with, and preponderant over, Qatar's claims brought on behalf of its nationals, and under general principles of international law, the local remedies rule does not apply to mixed claims of either kind.

93. According to the UAE, the local remedies rule dictates that "States may not *exercise diplomatic protection on behalf of its [sic] nationals* by instituting international proceedings unless local remedies first have been exhausted"[144]. The other side of the coin is equally axiomatic: the local remedies rule does *not apply* where a State "is not acting in the context of protection of one of its nationals"[145].

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[144] 4 December Submission, para. 57 (emphasis added).

[145] *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, Judgment, ICJ Reports 2005, para. 330 (holding that since Uganda was "not exercising diplomatic protection on behalf of the victims but vindicating its own rights under the Vienna Convention" under its second counter-claim, the "failure to exhaust local remedies d[id] not pose a barrier"); *Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium)*, Judgment, ICJ Reports 2002, pp. 17-18, para. 40 ("As the Congo is not acting in the context of protection of one of its nationals, Belgium cannot rely upon the rules relating to the exhaustion of local remedies."); *United States-United Kingdom Arbitration concerning Heathrow Airport User Charges (United States-United Kingdom)*, Award (30 November 1992) (revised 18 June 1993), UNRIAA, Vol. XXIV, para. 6.6 ("There is wide support for the view that a distinction is to be drawn between cases of diplomatic protection, on the one hand, and cases of direct injury where the State is protecting its own interests, on the other hand, and that the applicability of the rule of exhaustion is excluded in cases in the second category"); *The Ambatielos Claim (Greece, United Kingdom of Great Britain and Northern Ireland)*, Award (6 March 1956), UNRIAA, Vol. XII, p. 118 (defining the local remedies rule as a rule applicable in situations in which "an international action is brought *for injuries suffered by private individuals*") (emphasis added); International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), p. 44 ("Draft article 14 seeks to codify the rule of customary international law requiring the exhaustion of local remedies as a prerequisite *for the exercise of diplomatic protection*") (emphasis added); Theodor Meron, *The Incidence of the Rule of Exhaustion of Local Remedies*, British Year Book of International Law, Vol. 35 (1959), p. 94 ("From now onwards, the discussion will be limited to genuine cases of diplomatic protection, *to which cases alone the rule of local remedies can be applicable*.") (emphasis added).

94. In the present case, Qatar makes both types of claims[146]. As a State Party to the CERD, Qatar has its *own* interest in ensuring that the UAE upholds its obligations under the CERD[147], *regardless* of the existence of harm the UAE's actions inflicted upon Qataris[148]. The CERD clearly entitles States Parties to demand compliance with its

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[146] Qatar does not merely assert claims as *parens patriae* on behalf of its nationals; it also asserts claims in its *own* right. As set out in Qatar's Communication:

> "*UAE has violated its obligations under (inter alia) CERD Articles 2, 4, 5, and 6, as well as the moral principles underlying the CERD and the customary law principle of nondiscrimination on arbitrary grounds*. UAE's actions contravene the negative and positive aspects of its obligations under the Convention. Not only has it failed to enact measures to prevent, prohibit, and criminalize racial discrimination, but—extraordinarily for a signatory State—UAE has actively promoted and engaged in racial discrimination and criminalized actions intended to benefit Qataris."

Qatar's Communication Submitted Pursuant to Article 11 of the International Covenant on the Elimination of All Forms of Racial Discrimination (8 March 2018), para. 57 (emphasis added); *see also id.*, para. 74 ("By enacting and enforcing the Coercive Measures, UAE has violated a number of the human rights protections recognized under international law and enumerated in Article 5 of the CERD; *and* has interfered with the rights of Qatari nationals.") (emphasis added).

[147] *See, e.g., Phosphates in Morocco (Italy v. France)*, Preliminary Objections, Judgment, PCIJ Series A/B, No. 74, 1983, p. 28 ("This act being attributable to the State and described as contrary to the treaty right of another State, international responsibility would be established immediately as between the two States."); *Case of the Swiss Confederation v. the German Federal Republic (No. I)*, Award (3 July 1958), UNRIAA, Vol. XXIX, pp. 421-422 ("The Applicant has not made a claim for damages against the Federal Republic. The Applicant makes no claim whatsoever, but merely requests a decision of the Arbitral Tribunal on the interpretation and application of Annex VII in conjunction with Annex II to the Debt Agreement in a particular dispute. In the present case, therefore, the lack of jurisdiction of the Arbitral Tribunal cannot be alleged by invoking the rule of the exhaustion of local remedies in the form more precisely defined above"); Theodor Meron, *The Incidence of the Rule of Exhaustion of Local Remedies*, British Year Book of International Law, Vol. 35 (1959), p. 86 ("if the diplomatic negotiations between the two States prove unsuccessful, and State B applies to the International Court of Justice complaining of a breach of certain treaty obligations by State A (as shown by its conduct towards the injured alien) and asking principally for a *declaratory judgment based on the interpretation of the treaty*, this would appear to be a case of direct injury to which the rule of local remedies would not be applicable.") (emphasis added); *id.*, p. 87 (stating that "[c]ertain categories of acts have been considered to amount to direct injuries, such as…. *violations of treaties*") (emphasis added); *id.*, pp. 88-89 ("In such cases, an award of pecuniary compensation for its nationals who were incidentally injured by the impugned act is a secondary object; the primary object is to obtain from an international tribunal some *declaration of the responsibility of the respondent State in international law*, …, or some other remedy *such as a binding interpretation of a treaty*….") (emphasis added).

[148] *See, e.g., United States-United Kingdom Arbitration concerning Heathrow Airport User Charges (United States-United Kingdom)*, Award (30 November 1992) (revised 18 June 1993), UNRIAA, Vol. XXIV, para. 6.12 (finding the local remedies rule inapplicable in circumstances in which the tribunal came "to the view that *the State's obligation to use its best efforts* to ensure that user charges are just and reasonable to those airlines is *independent of actual prejudice to them*") (first emphasis in original; second emphasis added); *Case Concerning the Air Service Agreement of 27 March 1946 Between the United States of America and France*, Decision (9 December 1978), UNRIAA, Vol. XVIII, para. 31 (finding the local remedies rule inapplicable in circumstances in which it was "obvious that the object and purpose of an air services agreement such as the present one is *the conduct of air transport services*, the corresponding obligations of

obligations irrespective of the existence of distinct injuries suffered by individuals as a result of a breach of those obligations[149]. By way of example:

- Under Article 2(1), States Parties "undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races"[150].

- Under the same article, States Parties commit "to discourage anything which tends to strengthen racial division"[151].

- Under Article 4, States Parties agree to "declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof"[152].

- Under the same article, States Parties similarly agree to "declare illegal and prohibit organizations, and also all other propaganda activities, which promote and incite racial discrimination".[153] This Committee has made clear that "it is not enough to declare the forms of conduct in [A]rticle 4 as offences; the provisions of the article must also be effectively implemented"[154].

- Under Article 5, "States Parties undertake to prohibit and to eliminate racial discrimination in all its forms".[155] As this Committee has noted, "[w]henever a State imposes a restriction upon one of the rights listed in article 5 of the Convention which applies ostensibly to all within its jurisdiction, it must ensure

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the Parties being the admission of such conduct rather than an obligation requiring *a 'result' to be achieved*") (first emphasis in original; second emphasis added).

[149] As noted by one representative during negotiations of the CERD, "[e]veryone agreed that domestic remedies should be exhausted before a case was taken to the international level, but it should be borne in mind that one State might bring a complaint against another, *not with respect to the treatment of individuals or groups of individuals*, *but concerning failure to comply with certain provisions of the Convention*". UN General Assembly, Third Committee, 1353rd Meeting (24 November 1965), para. 54 (emphasis added).

[150] CERD, Art. 2(1).

[151] CERD, Art. 2(1).

[152] CERD, Art. 4.

[153] CERD, Art. 4.

[154] CERD Committee, General Recommendation XXXV (2013), para. 17. *See also, e.g.,* CERD Committee, General Recommendation XV (1993), para. 2 ("To satisfy these obligations, States parties have not only to enact appropriate legislation but also to ensure that it is effectively enforced.").

[155] CERD, Art. 5. *See also* CERD Committee, General Recommendation XXX (2004), Preamble (stating that Article 5 "requires States parties to prohibit and eliminate discrimination based on race, colour, descent, and national or ethnic origin in the enjoyment by all persons of civil, political, economic, social and cultural rights and freedoms".).

> that neither in purpose nor effect is the restriction incompatible with article 1 of the Convention as an integral part of international human rights standards"[156].

95. That Qatar has claims in its own right is not only reflected in these and other provisions, which can plainly be breached and result in harm distinct from any harm suffered by individuals as a result[157]. It is also reflected in Qatar's interest in preventing *future* harm—a core objective of the CERD[158]. The local remedies rule only applies to claims brought to protect individuals who have *already* been injured[159]. By contrast, it does not apply to disputes that are not "*confined to the past*", and relate to one State party's

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156 CERD Committee, General Recommendation XX (1996), para. 2.

157 *See, e.g.,* CERD Committee, General Recommendation XXXV (2013), para. 10 (stating that Article 4 "has an *expressive function* in underlining the *international community's abhorrence of racist hate speech*") (emphasis added).

158 *See, e.g.,* CERD Committee, General Recommendation XXXV (2013), para. 10 ("Article 4 comprises elements relating to speech and the organizational context for the production of speech, serves the functions of *prevention and deterrence*, and provides for sanctions when deterrence fails.") (emphasis added); CERD Committee, General Recommendation VII (1985), Preamble ("*Bearing in mind* the *preventive* aspects of article 4 to *deter* racism and racial discrimination as well as activities aimed at their promotion or incitement") (some emphasis added). The preventative focus of the CERD is reflected, *inter alia*, in its reporting and training requirements. *See, e.g.,* CERD Convention, Arts. 7, 9; CERD Committee, General Recommendation XI (1993), para. 2 ("The Committee therefore affirms that States parties are under an obligation to report fully upon legislation on foreigners and its implementation."); General Recommendation XIII (1993), para. 2 ("Law enforcement officials should receive intensive training to ensure that in the performance of their duties they respect as well as protect human dignity and maintain and uphold the human rights of all persons without distinction as to race, colour or national or ethnic origin.").

159 *See, e.g., The Ambatielos Claim (Greece, United Kingdom of Great Britain and Northern Ireland)*, Award (6 March 1956), UNRIAA, Vol. XII, p. 118 (the local remedies rule "means that the State against which an international action is brought for injuries *suffered* by private individuals has the right to resist such an action if the persons alleged to *have been injured* have not first exhausted all the remedies available to them under the municipal law of that State".) (emphasis added). *See also, e.g., Interhandel (Switzerland* v. *United States of America)*, Preliminary Objections, Judgment, ICJ Reports 1959, p. 27 ("the rule has been generally observed in cases in which a State has adopted the cause of its national whose rights are claimed to *have been disregarded* in another State in violation of international law.") (emphasis added); *Elettronica Sicula S.p.A. (ELSI) (United States v. Italy)*, Judgment, ICJ Reports 1989, p. 43, para. 52 (applying the local remedies rule in circumstances in which "alleged damage to Raytheon and Machlett" was said to "*have resulted* from the actions of the Respondent") (emphasis added); International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), Art. 1 ("diplomatic protection consists of the invocation by a State…of the responsibility of another State for an injury *caused* by an internationally wrongful act of that State to a natural or legal person that is a national of the former State") (emphasis added); International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), p. 45 (stating that paragraph 14(3) of the Draft Articles "provides that the exhaustion of local remedies rule applies *only* to cases in which the Claimant State *has been injured* 'indirectly'") (emphasis added).

interest in "obtain[ing] a solution which will also relate to the interpretation and application of [the Treaty] *in the future*"[160].

96. In the present case, of course, the harm is present and ongoing. Critically, in situations where "violations of the rights of [individuals] may entail a violation of the rights of [their national] State", and where "violations of the rights [of the national State] may entail a violation of the individual", the ICJ has found an "interdependence of the rights of the State and of individual rights" which precludes the applicability of the local remedies rule[161].

97. Such interdependence exists here: By violating the rights of Qatar, the UAE has harmed individual Qataris. Conversely, by harming individual Qataris, the UAE has necessarily harmed Qatar[162].

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[160] *United States-United Kingdom Arbitration concerning Heathrow Airport User Charges (United States-United Kingdom)*, Award (30 November 1992) (revised 18 June 1993), UNRIAA, Vol. XXIV, para. 6.11 (emphasis added). *See also id.*, para. 6.19 (emphasizing that in line with the "general principles of international law underlying the local remedies rule", the rule did not apply to such disputes).

[161] Indeed, in *Avena and other Mexican Nationals*, Mexico sought to protect its nationals on death row in the United States. It argued that it had "itself suffered, directly and through its nationals", injury as a result of the United States' failure to grant consular access to its nationals under Article 36(1) of the Vienna Convention on Consular Relations ("VCCR"). *Avena and Other Mexican Nationals (Mexico v. United States of America)*, Judgment, ICJ Reports 2004, p. 36, para. 40. The United States objected to the admissibility of Mexico's claims, arguing that Mexico had not exhausted local remedies before bringing its case. *Id.*, para. 38. The Court rejected the United States' argument, holding that

> "violations of the rights of the individual … may entail a violation of the rights of the sending State, and that violations of the rights of the latter may entail a violation of the rights of the individual. In these special circumstances of interdependence of the rights of the State and of individual rights, Mexico may, in submitting a claim in its own name, request the Court to rule on the violation of rights which it claims to have suffered both directly and through the violation of individual rights conferred on Mexican nationals .... *The duty to exhaust local remedies does not apply to such a request*."

Id., para. 40 (emphasis added).

[162] At the hearing on Qatar's request for provisional measures before the ICJ, the UAE argued that the Court's holding in *Avena* was limited to the specific context of Article 36 of the VCCR, which according to the UAE sets forth "a *sui generis* régime that was described by [the] Court in the *LaGrand* case as 'an interrelated régime designed to facilitate the implementation of the system of consular protection'". *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Verbatim Record, CR 2018/15, pp. 17-18, para. 11 (Treves) (citing *LaGrand (Germany* v. *United States of America*), Judgment, ICJ Reports 2001, p. 492, para. 74). This strained attempt to distinguish *Avena* falls flat. Nowhere in its judgment did the Court limit the "special circumstances of interdependence of the rights of the State and of individual rights" to the narrow framework of Article 36 VCCR. If it wanted to limit the applicability of the rule to the VCCR, the

98. But even if it could be said that Qatar's claims in its own right are not interdependent with Qatar's claims as *parens patriae* on behalf of its nationals (*quod non*), the local remedies rule would still not bar the admissibility of Qatar's Communication. Local remedies need not be exhausted where a claim is based "preponderantly on an injury to the State and not to a national"[163]. The injury inflicted by the UAE's measures to Qatar's own interests preponderates here for at least three reasons.

99. *First*, as explained above, Qatar is entitled to protect its own interests whether or not it also brings claims on behalf of its nationals[164]. As noted by the ICJ a few years after the adoption and entry into force of the CERD, the protection from racial discrimination forms part and parcel of the "principles and rules concerning the *basic* rights of the human person", which in turn give rise to obligations that transcend the ambit of the CERD and in respect of which "all States can be held to have a legal interest in their protection"[165]. The prohibition of racial discrimination has since been recognized as a peremptory norm of international law, the breach of which cannot be justified under any

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Court would have said so. It did not, and wisely so—circumstances of interdependence are by no means unique to the framework of Article 36 VCCR.

[163] *See* Chittharanjan F. Amerasinghe, *Diplomatic Protection* (2008), p. 181. *See also, e.g.,* International Law Commission, *Draft Articles on Diplomatic Protection*, *with commentaries* (2006), Art. 14(3) ("Local remedies shall be exhausted where an international claim … is brought *preponderantly* on the basis of an injury to a national"); *United States-United Kingdom Arbitration concerning Heathrow Airport User Charges (United States-United Kingdom)*, Award (30 November 1992) (revised 18 June 1993), UNRIAA, Vol. XXIV, para. 6.18 ("Although examination of the nature of USG's claims and of the airlines' potential claims reveals that they overlap to a certain extent, at the same time they present significant differences; and taking the case as a whole and undivided into its constituent parts, the Tribunal is of the opinion that the predominant element is the direct interest of the US itself."); *Case Concerning the Air Service Agreement of 27 March 1946 Between the United States of America and France*, Decision (9 December 1978), paras. 11, 29-30 (finding that, even though a private air carrier had allegedly been injured by a breach of rights under the Air Service Agreement, it was not required to exhaust local remedies before its State of nationality could bring an international claim).

[164] *See supra* paras. 92–95

[165] *Barcelona Traction, Light and Power Company, Limited (Belgium* v. *Spain) (New Application: 1962),* Second Phase, Judgment, ICJ Reports 1970, p. 32, paras. 33-35 (adding that "[o]bligations the performance of which is the subject of diplomatic protection are not of the same category") (emphasis added above). *See also Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal),* Judgment, ICJ Reports 2012, paras. 68-69.

circumstances, including the circumstances precluding wrongfulness accepted in general international law[166].

100. *Second*, the UAE itself asserts that its "targeted measures are aimed at the Qatari government and not the Qatari people"[167], and that "Qatar deliberately misrepresents the UAE's measures against the Qatari government as measures taken against the people of Qatar"[168]. The UAE cannot therefore argue that the measures it claims were neither "aimed at" nor "taken against" the people of Qatar nonetheless give rise to claims "brought *preponderantly* on the basis of an injury" to those very same people suffered as a result of the UAE's violations of the CERD[169].

101. *Finally*, Qatar's claims in its own right include claims for violations of the rights of individuals of Qatari origin who are not presently Qatari nationals. These claims relate to individuals who presently do not hold Qatari nationality but have suffered injury because of their Qatari heritage, descent, or past Qatari nationality.[170] Because a State may not exercise the right of diplomatic protection in respect of persons who are not its nationals,[171] and no special circumstance justifying derogation from this rule applies in the present context,[172] Qatar does not assert these claims as *parens patriae* of its nationals. Qatar instead asserts such claims in its own right, which reinforces the preponderant nature of Qatar's direct injury.

102. For all of these reasons, Qatar's Communication plainly passes what the ILC refers to as the "but for" test: "whether the claim comprising elements of both direct and indirect injury would have been brought were it not for the claim on behalf of the injured

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166 International Law Commission, *Draft Articles on Responsibility of States for Internationally Wrongful Acts, with commentaries* (2001), Art. 26, p. 85, paras. 5-6.

167 7 August Submission, para. 7.

168 7 August Submission, para. 11.

169 International Law Commission, *Draft Articles on Diplomatic Protection*, *with commentaries* (2006), Art. 14(3).

170 *See supra* Section II.B.

171 *See* International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), Art. 3, p. 29.

172 International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), Art. 8, p. 35.

national".[173] The answer here is clearly "yes". Qatar was directly targeted and has suffered and continues to suffer violations of interests of its own; such interests transcend the field of diplomatic protection and indeed fall under the purview of a higher normative order; and Qatar brings claims on behalf of non-nationals. In such circumstances, it is impossible to construe Qatar's Communication as having been brought "preponderantly on the basis of an injury to a national".[174] Accordingly, the local remedies rule does not apply.

103. In sum, under the "general principles of international law" to which Article 11(3) refers, the local remedies rule does not apply to claims of the kind presently before this Committee. This is not just because the UAE's measures constitute a systematic, generalized policy and practice giving rise to widespread violations of the CERD. It is also because Qatar's direct claims are interdependent with those brought on behalf of its nationals and because, even if they were not, they are preponderantly based on direct injury to Qatar. The UAE's objection must therefore be dismissed.

2. The UAE Has Failed to Prove the Existence of Any Effective and Reasonably Available Remedies that Have Not Been Exhausted

104. Qatar explained above why Article 11(3)'s local remedies rule does not apply to its claims under "generally recognized principles of international law"[175]. But even if the rule did apply, it still would not bar Qatar's claims. The UAE has failed to prove the existence of any effective and reasonably available remedies that have not been exhausted.

105. The ILC's Draft Articles on Diplomatic Protection state: "Local remedies do not need to be exhausted where" there are "no *reasonably available* local remedies to provide effective redress, or the local remedies provide no *reasonable possibility* of such

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[173] *See* International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), p. 46.

[174] International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), Art. 14(3).

[175] CERD, Art. 11(3).

redress."[176] The ICJ has made clear that "[i]t is for the *respondent*" to prove "that there were *effective* remedies in its domestic legal system that were not exhausted"[177]. This Committee's own Rules of Procedure confirm the point: the *respondent* is "required to give details of the *effective* remedies *available* to the alleged victim in the particular circumstances of the case"[178]. Notwithstanding the UAE's suggestion to the contrary,[179] it is thus the *UAE*—not Qatar—that bears the burden of proving that local remedies exist, and *also* that those remedies are both *reasonably available* and *effective*.

106. As a substantive matter, the local remedies rule is "riddled with many far-reaching exceptions"[180]. Article 11(3) expressly acknowledges one such exception in circumstances in which the application of local remedies is "unreasonably prolonged"[181]. Under general principles of international law, local remedies also need not be exhausted where, for example, "the local courts do not have the competence to grant an appropriate and adequate remedy to the alien"[182], or where "the respondent State does not have an

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[176] International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), Art. 15(a) (emphasis added). As such, even if "doubts about the effectiveness" of proceedings "cannot absolve a petitioner from pursuing them", such remedies must offer a "*reasonable possibility*" of success. CERD Committee, *Sarwar Seliman Mostafa v. Denmark*, Communication No. 19/2000, Decision (10 August 2001), UN Doc. CERD/C/59/D/19/2000, para. 7.4.

[177] *Ahmadou Sadio Diallo (Republic of Guinea* v. *Democratic Republic of the Congo)*, Preliminary Objections, Judgment, ICJ Reports 2007, para. 44 (emphasis added).

[178] CERD Committee Rules of Procedure, Rule 92(7) (emphasis added). *See also, e.g.*, CERD Committee, *Diop v. France*, Communication No. 2/1989, Opinion (10 May 1991), UN Doc. CERD/C/39/D/2/1989, para. 5.2. Qatar notes that Article 92(7) of the Rules of Procedure concerns the filing of individual complaints under Article 14, rather than inter-State complaints under Article 11, but sees no reason why the burden of proof would be allocated any differently for inter-State procedures. Indeed, the UAE itself submits that "the Committee's jurisprudence on exhaustion of local remedies under Article 14 is also relevant for the present purposes given the similarity of the provisions on the obligation to exhaust local remedies of Article 11.3 and 14.7(a) of the CERD". 15 January Submission, para. 49.

[179] 15 January Submission, para. 50 ("It falls to Qatar to show either that these available remedies were in fact exhausted, or either such remedies would not have been effective in the particular circumstances of the case or that their application would be 'unduly prolonged.'"); *id.*, para. 54 ("Qatar has put forward no evidence that these constitutionally protected remedies are in fact either unavailable to Qataris or ineffective.").

[180] Cesare P. R. Romano, "The Rule of Prior Exhaustion of Domestic Remedies: Theory and Practice in International Human Rights Procedures", *International Courts and the Development of International Law* (2013), p. 564.

[181] CERD, Art. 11(3).

[182] International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), p. 47. *See also, e.g., Ahmadou Sadio Diallo (Republic of Guinea* v. *Democratic Republic of the Congo)*, Preliminary Objections, Judgment, ICJ Reports 2007, para. 47 ("the DRC has also failed to show that

adequate system of judicial protection"[183]. Relatedly, it is "fundamental to the effectiveness of a remedy that its *independence* from the authority being complained against is observed"[184].

107. Moreover, the remedies encompassed by the rule include only "legal remedies"[185]. "[R]emedies of a judicial character, whether or not discharged by courts, are encompassed by the rule, whereas remedies based on the *discretionary* action of public organs are not."[186]

108. As a practical matter, the exercise of legal remedies "must not be unjustifiably hindered by the acts or omissions of the authorities of the respondent State"[187]. Practical obstacles can include, for example, "the closure of transport links between the two countries";[188]

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means of redress against expulsion decisions are available under its domestic law"); *The Ambatielos Claim (Greece, United Kingdom of Great Britain and Northern Ireland)*, Award (6 March 1956), UNRIAA, Vol. XII, p. 119; CERD Committee, *Zentralrat Deutscher Sinti und Roma et al. v. Germany*, Communication No. 38/2006, Opinion (3 March 2008), UN Doc. CERD/C/72/D/38/2006, para. 7.3; CERD Committee, *L.R. et al. v. Slovak Republic*, Communication No. 31/2003, Opinion (10 March 2005), UN Doc. CERD/C/66/D/31/2003, para. 9.2; CERD Committee, *D.R. v. Australia*, Communication No. 42/2008, Opinion (15 September 2009), UN Doc. CERD/C/75/D/42/2008, paras. 6.4-6.5.

[183] International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), p. 47.

[184] CERD Committee, *L.R. et al. v. Slovak Republ*ic, Communication No. 31/2003, Opinion (10 March 2005), UN Doc. CERD/C/66/D/31/2003, para. 9.2 (emphasis added). *See also, e.g., Robert E. Brown (United States) v. Great Britain*, Award (23 November 1923), UNRIAA, Vol. VI, p. 129.

[185] *See, e.g.,* International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), Art. 14(2) ("'Local remedies' means *legal* remedies") (emphasis added). *See also, e.g.,* James R. Crawford & Thomas D. Grant, "Exhaustion of Local Remedies", *Max Planck Encyclopedia of Public International Law* (2007), para. 12 ("The rule is limited to legal remedies.").

[186] James R. Crawford & Thomas D. Grant, "Exhaustion of Local Remedies", *Max Planck Encyclopedia of Public International Law* (2007), para. 12 (emphasis added). *See also, e.g., Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)*, Preliminary Objections, Judgment, ICJ Reports 2007, para. 47; International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), p. 45 ("The injured alien is, however, only required to exhaust such remedies which may result in a binding decision. *He is not required to approach the executive for relief in the exercise of its discretionary powers*.") (emphasis added); CERD Committee, *Habassi v. Denmark*, Communication No. 10/1997, Opinion (6 April 1999), UN Doc. CERD/C/54/D/10/1997, para. 6.2.

[187] ECtHR, *Case of İlhan v. Turkey*, Application No. 22277/93, Judgment on Merits and Just Satisfaction (27 June 2000), para. 97. *See also, e.g., Case of Velásquez-Rodríguez v. Honduras*, Judgment (29 July 1988), Inter-American Court of Human Rights Series C, No. 4, para. 68.

[188] ECtHR, *Case of Georgia v. Russia (I),* Application No. 13255/07, Merits Judgment (3 July 2014), para. 156.

difficulties in contacting the relevant authorities of the respondent State;[189] and a "widespread climate of discrimination"[190].

109. Credible fear of reprisal can also excuse the need to pursue a remedy[191]. Similarly, if an individual's "indigency or a general fear in the legal community to represent him prevents" him from "invoking the domestic remedies necessary to protect a right", he is "not required to exhaust such remedies"[192].

110. In short, the existence of "available and sufficient" remedies "must be sufficiently certain not only in theory but also in practice, failing which they will lack the requisite accessibility and effectiveness"[193]. As such, "the State that alleges non-exhaustion must indicate which domestic remedies should be exhausted and provide evidence of their

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[189] ECtHR, *Case of Georgia v. Russia (I),* Application No. 13255/07, Merits Judgment (3 July 2014), para. 156.

[190] Inter-American Commission of Human Rights, *Nicaragua v. Costa Rica*, Inter-State Case 1/06, Report N° 11/07 (8 March 2007), para. 256.

[191] *See, e.g.,* Human Rights Committee, *Irving Phillip v. Trinidad and Tobago*, Communication No. 594/1992, Views (3 December 1998), UN Doc. CCPR/C/64/D/594/1992, para. 6.4 ("In these circumstances, given the author's statement that he had not filed a complaint *because of his fears of the warders*, the Committee considered that it was not precluded by [the Optional Protocol's local remedies rule] from examining the complaint.") (emphasis added). *See also, e.g.,* ECtHR, *Case of Georgia v. Russia (I),* Application No. 13255/07, Merits Judgment (3 July 2014), para. 154 ("the climate of precipitation and intimidation in which these measures were taken also explains the reluctance of the Georgian nationals to use those remedies."); CERD Committee, General Recommendation XXXI, para. 1(b); Human Rights Committee, *Avadanov v. Azerbaijan*, Communication No. 1633/2007, Views (2 November 2010), UN Doc. CCPR/C/100/D/1633/2007, para. 6.4.

[192] *Exceptions to the Exhaustion of Domestic Remedies (Arts. 46(1), 46(2)(a) and 46(2)(b) American Convention on Human Rights),* Advisory Opinion OC-11/90 (10 August 1990), Inter-American Court of Human Rights Series A, No. 11, para. 42. *See also, e.g., Case of Velásquez-Rodríguez v. Honduras*, Judgment (29 July 1988), Inter-American Court of Human Rights Series C, No. 4, para. 80.

[193] ECtHR, *Case of Vernillo v. France,* Application No. 11889/85, Judgment on Merits and Just Satisfaction (20 February 1991), para. 27. It again "falls to the respondent State to establish that these various conditions are satisfied". *Id. See also, e.g., Exceptions to the Exhaustion of Domestic Remedies (Arts. 46(1), 46(2)(a) and 46(2)(b) American Convention on Human Rights),* Advisory Opinion OC-11/90 (10 August 1990), Inter-American Court of Human Rights Series A, No. 11, para. 17; ECtHR, *Case of Georgia v. Russia (I),* Application No. 13255/07, Merits Judgment (3 July 2014), paras. 150-151; James R. Crawford & Thomas D. Grant, "Exhaustion of Local Remedies", *Max Planck Encyclopedia of Public International Law* (2007), para. 19; Human Rights Committee, *Warsame v. Canada*, Communication No. 1959/2010, Views (1 September 2011), UN Doc. CCPR/C/102/D/1959/2010, para. 7.4.

effectiveness"[194], including in the form of "examples of the alleged remedy having been successfully utilized by persons in similar positions"[195].

111. The UAE insists in these proceedings that "numerous" effective domestic remedies are "available within the UAE to any Qatari nationals who claim to be victims of violations of any of the rights set forth in the CERD"[196]. It points to only three of these supposedly "numerous" remedies: (1) "administrative remedies such as hotlines and other application procedures";[197] (2) "[c]ourt remedies";[198] and (3) "complaint procedures specific to various governmental authorities"[199].

112. Here again, the UAE is wrong. As explained below, the UAE has not proved that *any* of these so-called "remedies" are "effective" and "reasonably available"[200]. They therefore need not be exhausted "in conformity with the generally recognized principles of international law"[201].

194 Inter-American Commission of Human Rights, *Nicaragua v. Costa Rica*, Inter-State Case 1/06, Report N° 11/07 (8 March 2007), para. 243. *See also, e.g.*, *Case of the Mayagna (Sumo) Awas Tingni Community v. Nicaragua*, Preliminary Objections, Judgment (1 February 2000), Inter-American Court of Human Rights Series C, No. 66, para. 53.

195 *See* C Cesare P. R. Romano, "The Rule of Prior Exhaustion of Domestic Remedies: Theory and Practice in International Human Rights Procedures", *International Courts and the Development of International Law* (2013), p. 568 ("the European Court of Human Rights has specified that the State must not only satisfy the Court that the remedy was effective, available both in theory and practice at the relevant time, but also frequently asks the State to provide examples of the alleged remedy having been successfully utilized by persons in similar positions to that of the applicant."). *See also, e.g.,* ECtHR, *Case of Kangasluoma v. Finland*, Application No. 48339/99, Judgment on Merits and Just Satisfaction (20 January 2004), para. 48 ("Nor did the Government supply any example from domestic practice showing that, by using the means in question, it was possible for the applicant to obtain such relief. *This is in itself sufficient to demonstrate that the remedies referred to do not meet the standard of 'effectiveness' for the purposes of Article 13* because, as the Court has already said … the required remedy must be effective both in law and in practice.") (emphasis added); ECtHR, *Case of Georgia v. Russia (I),* Application No. 13255/07, Merits Judgment (3 July 2014), para. 157.

196 4 December Submission, para. 65.

197 4 December Submission, para. 64. *See also* 7 August Submission, para. 85.

198 4 December Submission, para. 67. *See also* 7 August Submission, para. 85.

199 4 December Submission, para. 67.

200 *See* International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), Art. 15(a).

201 CERD, Art. 11(3).

a. The Hotline is Discretionary and Ineffective

113. The UAE submits that a so-called "hotline" through which "Qatari nationals who seek entry to the UAE are able to apply for entry"[202] constitutes a remedy that must be exhausted under Article 11(3) of the CERD. The UAE made a similar argument before the ICJ and lost. The Court concluded in its 23 July 2018 Order on Provisional Measures that the UAE had not indicated "*any* effective local remedies that were available to the Qataris that have not been exhausted"[203].

114. There are at least four independently sufficient reasons to reject this claim as the ICJ previously did.

115. *First*, the hotline is not a legal remedy. Indeed, the UAE has *itself* expressly stated that permission through the hotline may be granted "at the *discretion* of the UAE government"[204]. An injured alien is, however, "not required to approach the executive for relief in the exercise of its discretionary powers"[205].

116. *Second*, while the UAE disparagingly dismisses so-called "anecdotal accounts" of "individuals' mistrust or paranoia" with respect to the hotline[206], the facts demonstrate that the hotline is a "police security channel"[207] run in a police State[208]. The security

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[202] 7 August Submission, para. 85.

[203] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates),* Provisional Measures, Order, para. 42 (emphasis added).

[204] Ministry of Foreign Affairs & International Cooperation, *An official Statement by the UAE Ministry of Foreign Affairs and International Cooperation* (5 July 2018), *available at* https://www.mofa.gov.ae/EN/MediaCenter/News/Pages/05-07-2018-UAE-Statement-of-MoFAIC.aspx (last accessed: 8 February 2019) (emphasis added).

[205] International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), p. 45.

[206] 4 December Submission, para. 64.

[207] *Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration*, p. 6 (**UAE Annex 4**).

[208] *See, e.g.,* Christopher M. Davidson, Foreign Policy, "The Making of a Police State" (14 April 2011), *available at* https://foreignpolicy.com/2011/04/14/the-making-of-a-police-state-2/ (last accessed: 8 February 2019); OHCHR, *Press briefing note on United Arab Emirates* (4 Jan. 2019) ("Mansoor was initially convicted in May 2018 on charges of using social media to 'publish false information that harm national unity and damage the country's reputation'. This was in relation to tweets he posted that were critical of the Government. As the Court of State Security is UAE's highest court, he has no further appeal rights under the UAE's judicial system.").

channel's "service objectives" include "[c]ombating and preventing crimes" and "[c]onsolidating the concept of 'Security Is Everybody's Responsibility.'"[209] According to the Abu Dhabi Police, "[a]ttention" is paid to "issues that are disturbing and recurrent in the society and have a high impact on security"[210]. Indeed, the service provided gathers information helpful "in knowing the behaviours and conducts that indicate the commission of the crime"[211].

117. In circumstances in which the UAE ordered the expulsion of every Qatari from its territory and then criminalized expressions of sympathy towards Qatar, it is as absurd as it is offensive for the UAE to discredit the legitimate fears of Qataris to expose themselves and their loved ones to a "police security channel" of this kind[212].

118. *Third*, the hotline is ineffective. In its 15 January submission, the UAE alleged "that from 9 July 2018 through 31 December 2018, 3,563 applications by Qatari nationals were lodged with the UAE authorities for entry permits to the UAE, 3,353 of which were accepted"[213]. Even more incredibly, in its 4 December submission, the UAE submitted that "the vast majority of applications for permission to travel are approved", and that

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209 *Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration*, p. 6 (**UAE Annex 4**).

210 *Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration*, p. 6 (**UAE Annex 4**).

211 *Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration*, p. 6 (**UAE Annex 4**).

212 *See, e.g.,* **DCL-048**, para. 24 ("I once called the hotline and was asked to provide many personal details and documents. That just increased my fear."). *See also, e.g.,* Amnesty International, *Gulf/Qatar dispute: Human dignity trampled and families facing uncertainty as sinister deadline passes* (19 June 2017) ("Some affected families have told Amnesty International that they are too scared to call hot lines and register their presence, or their family's presence, in a 'rival' country for fear of reprisal."); for relevant jurisprudence, *see, e.g.,* Human Rights Committee, *Irving Phillip v. Trinidad and Tobago*, Communication No. 594/1992, Views (3 December 1998), UN Doc. CCPR/C/64/D/594/1992, para. 6.4 ("given the author's statement that he had not filed a complaint because of his fears of the warders, the Committee considered that it was not precluded by article 5, paragraph 2 (b), of the Optional Protocol from examining the complaint."); ECtHR, *Case of Georgia v. Russia (I)*, Application No. 13255/07, Merits Judgment (3 July 2014), para. 154 ("the climate of precipitation and intimidation in which these measures were taken also explains the reluctance of the Georgian nationals to use those remedies.").

213 15 January Submission, para. 8.

"[i]n the first six months of 2018 alone, the hotline received 1,390 applications", of which "only 12 applications were rejected for security or other reasons"[214].

119. The UAE's argument, however, flies in the face of evidence of Qataris citing repeated instances of rejections for arbitrary reasons or having received no responses from the hotline at all[215]. Setting aside the obvious deficiencies in the evidence produced to prove its claims[216]—which would suggest that the UAE began rejecting far *more* applications *after* the ICJ issued its legally binding order on provisional measures than it did before[217]—the numbers actually incorporate extremely large numbers of applications to *exit* the country[218]. Indeed, the reality is that applicants wanting to *enter* the UAE are

[214] 7 August Submission, para. 25.

[215] *See, e.g.,* **DCL-079**, paras. 20-27 (describing multiple calls to the hotline, many of which went unanswered); **DCL-125**, para. 7 ("I have applied for admission to the UAE on eight occasions…My applications were not approved five times, and they were approved three times. I was often given no explanation when my application was not approved"); **DCL-004**, para. 20 (describing the declarant's son's experience of being rejected and accepted); *Comment by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein on impact on human rights* (14 June 2017) (noting that measures implemented to address dual nationality families "are not sufficiently effective to address all cases"); Human Rights Watch, *Qatar: Isolation Causing Rights Abuses* (12 July 2017) ("of the 12 Gulf nationals who said they tried to contact these hotlines, only two managed to get permission to go back and forth."). *See also, e.g.,* Amnesty International, *Gulf/Qatar dispute: Human dignity trampled and families facing uncertainty as sinister deadline passes* (19 June 2017).

[216] For example, the contents of UAE's Annex 4 appear to have been selectively curated from a larger document—not on the record—for use in these proceedings. *See generally Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration*, p. 2 (**UAE Annex 4**) (indicating that the original document sent by the Abu Dhabi police contained underlying documentary evidence for a much larger set of applications, including a number of rejected applications). Similarly, UAE Annex 1.2 contains no corroboration, and was clearly produced by the UAE executive solely for the purposes of litigation in these proceedings. *See generally Requests for Entry or Exit of Qatari Nationals from 9 July 2018 until 31 December 2018* (**UAE Annex 1.2**).

[217] The ICJ issued its order on provisional measures on 23 July 2018. If the UAE is to be believed, it nonetheless rejected *seventeen times* more applications from 9 July 2018 through 31 December 2018 than it did during the first six months of 2018 combined. *See* 15 January Submission, para. 8; 7 August Submission, para. 25.

[218] While the quality of UAE Exhibit 1.2 is so poor that Qatar has been unable to convert it back to Excel for purposes of precisely tallying the numbers, it appears that a very large number, if not the majority, of the records reflect requests to *exit*, not *enter*, and that the UAE's claim that "3,563 applications by Qatari nationals were lodged with the UAE authorities for *entry* permits to the UAE, 3,353 of which were accepted" is thus incorrect. 15 January Submission, para. 8 (emphasis added). *See generally Requests for Entry or Exit of Qatari Nationals from 9 July 2018 until 31 December 2018* (**UAE Annex 1.2**). UAE's Annex 4, for its part, incorporates applications of Qataris *and Emiratis* to both enter *and exit* the country. *See, e.g., Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration*, pp. 2, 19, 22 (**UAE Annex 4**). In fact, the exhibit itself suggests that the *majority* of the applications accepted were actually submitted by Emiratis wanting to visit Qatar. *Cf. id*., p. 2 ("The number of UAE Nationals' requests to visit Qatar is (828 requests) since the beginning of 2018 AD.").

very frequently unable to reach *anyone* through the UAE's hotline despite calling repeatedly[219]. When they have actually managed to apply, their applications have often not been approved without any explanation[220]. Indeed, applications have sometimes not been approved even though applications submitted with the *exact* same documents had previously been accepted on different occasions[221], a fact that highlights the arbitrary and nontransparent nature of the mechanism and contradicts the UAE's claim that Qataris are permitted to enter if they "do not pose a security risk and otherwise meet" unspecified "neutral immigration criteria"[222].

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[219] *See, e.g.,* **DCL-079**, paras. 20-27 ("I…called over and over again until someone answered … Between [] and [], I called the hotline at least 50 times a day. Only around six of these calls were answered… I called the hotline another 70 times between []; they only answered six times. During my last discussion with them, they asked me to stop calling because I was calling too frequently and told me that someone would call me back. No one ever did. At that point, I stopped calling. We never heard back from the hotline again, and we all missed [] funeral."). *See also, e.g.,* Amnesty International, *Gulf/Qatar dispute: Human dignity trampled and families facing uncertainty as sinister deadline passes* (19 June 2017) ("Several people said they had tried in vain for hours or days to get through to the hot lines. Those who got through said officials asked them for minimal details about their cases and told them they would receive a call back, but there had been no follow-up."); **DCL-135**, para. 25 ("During the call, I was asked about the purpose of my visit and whether I have first degree relatives in the UAE. When I explained the purpose of my visit, the hotline representative simply said that they would look into it and get back to me. The representative gave me no further information. Despite the promise, they never did. After I had not heard from the hotline representatives for over a month, I tried again in October 2018. Again, the representative promised to call me back and did not. After this call, I gave up on the hotline."); **DCL-079**, paras. 23-24 ("Whenever I called, either a hotline operator answered, or the phone was off, or it was busy. When they did not answer, the line cut off and I would then send a text message by WhatsApp.").

[220] *See, e.g.,* **DCL-125**, para. 7 ("My applications were not approved five times, and they were approved three times. I was often given no explanation when my application was not approved, but was instead told to apply again without any indication as to what I had done incorrectly or what I should do differently the next time. On at least one occasion, an application was not approved even though an application submitted with the exact same documents had previously been accepted on a different occasion. My last four applications have all been rejected. Every time I have been rejected I have had to contact the UAE authorities to find out; no one has ever told me that I was rejected until I called."). As such, even if the hotline *were* a remedy encompassed by Article 11(3)—and it clearly is not—it would be a remedy that has *already* been exhausted.

[221] *See, e.g.,* **DCL-125**, para. 7 ("On at least one occasion, an application was not approved even though an application submitted with the exact same documents had previously been accepted on a different occasion.").

[222] 7 August Submission, para. 3. Qatar notes, moreover, that even many of those who have received approval to travel have nonetheless been refused entry onto planes run by Emirati airlines. *See, e.g.,* **DCL-004**, para. 19 ("[E]ven though he had a permit, [my son] was refused entry onto the plane traveling to []…The Etihad Airways staff stopped him at the gate, saying that they would not allow any Qataris on-board, as they were an Emirati company."); **DCL-125**, para. 12 ("my ticket was booked through the Emirates airline, and Emirates refused to allow me to board").

120. The UAE nonetheless asserted in its 4 December Submission that the "efficient working of the hotline is evidenced by the extensive travel logs of movements" since 5 June 2017, which allegedly "show 8,442 movements by Qatari citizens across UAE borders, all of which were facilitated by the work of the hotline"[223]. In its 15 January submission, it similarly claimed that "[u]pdated evidence" indicates that "registered entries and exits of Qatari nationals into and out of the UAE from 1 June 2018 through 31 December 2018 amounted to 2,876"[224].

121. It will not escape this Committee that the large majority of these "movements" and "entries and exits" unsurprisingly record Qataris *exiting* the country[225]. Nor will it escape this Committee that the UAE has provided no comparative set of data on the movements of Qataris during the period *before* the crisis. The reason is obvious: cell phone records indicate that there has been a precipitous drop in the presence of Qataris in the UAE since 5 June 2017. One carrier reports a *96% drop* in roaming in the UAE by Qatari customers[226].

122. The UAE's additional argument that "substantially" the "same number of Qataris live in the UAE as prior to the start of the crisis"[227], and that "the vast majority of Qatari

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[223] 7 August Submission, para. 26. Qatar notes that in its Supplemental Response of 4 December 2018, the UAE referred for the first time to "administrative remedies such as hotlines *and other application procedures*". 4 December Submission, para. 64 (emphasis added). The UAE has given no indication of what those other "application procedures" might be, or what role they are alleged to play in light of its previous assertion that "all" travel by Qataris into and out of the country was "facilitated by the work of the hotline". 7 August Submission, para. 26.

[224] 15 January Submission, para. 8.

[225] *See generally* Excel Redacted Entrance and Exit for Qatari Nationalities (**UAE Annex 1.1)** (recording over 750 more exits than entries); *Immigration - Complete Entry-Exit Records* (**UAE Annex 5**) (again recording hundreds more exits than entries). Qatar also notes that the UAE's data does not record the dates of each movement for the year following 5 June 2017. *See generally Immigration - Complete Entry-Exit Records* (**UAE Annex 5**). This is almost certainly because including the dates would have revealed a mass exodus of Qataris from the UAE in the immediate aftermath of the 5 June 2017 expulsion.

[226] *See* **Annex 16**, *Ooredoo Comparison – Before and After*, p. 1 (providing comparative data on the roaming of Qatari SIM card holders "roaming" in the UAE). *See also generally id*.; **Annex 14**, Letter on Usage from the CEO of Vodafone Qatar (30 December 2018) (providing, in a letter from the CEO of Vodafone Qatar, detailed information on the calls, messages, and internet used by users of Vodafone Qatar while roaming in the UAE from January 2016 to December 2018, and showing a large and permanent drop in usage in June 2017) (certified translation).

[227] 7 August Submission, para. 94. *See also Immigration - Complete Entry-Exit Records* (**UAE Annex 5**).

residents in the UAE on 5 June 2017 chose to continue their residence in the UAE"[228], completely fails to prove its facially implausible claim of the hotline's supposed effectiveness.

123. The UAE attempts to support this claim by citing immigration records, which it claims show that "[a]s of mid-June 2018, there were 2,194 Qatari nationals in the UAE, largely the same as the number of Qataris residing in the UAE on 5 June 2017"[229]. The first problem with these assertions is that the documents the UAE cites simply do not substantiate them. Even if the documents showed the presence of 2,194 Qataris "in the UAE" as of mid-June 2018—and it is not at all clear that they do[230]—they provide no comparative set of data on the number of Qataris in the UAE "*on 5 June 2017*"[231]. As such, the UAE has once again failed to provide comparative data obviously within its possession. Its failure to do so is telling.

124. But even if it were true that the number of Qataris now "in" the UAE were the same as the number of Qataris previously "*residing* in" the UAE, that fact would suggest a dramatic *reduction* in the overall number of Qataris in the country. After all, the number of Qataris "in" the country would include both residents and non-residents, whereas the number of Qataris "*residing* in" the country would not[232].

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228 7 August Submission, para. 19.

229 7 August Submission, para. 19. *See also* 15 January Submission, para. 10 ("As of June 2018, the number of Qataris in the UAE amounted to 2,194.").

230 UAE Annex 1 lists only dates of *entry* into the country. *See generally Immigration – Qataris in the UAE* (**UAE Annex 1**). UAE Annex 2, which appears to be a cover page to UAE Annex 1, then states that UAE Annex 1 shows "the number of Qatari nationals who *have been in* the country", raising the question of whether any of those Qataris have since *left* the country. *See Immigration - ID & Citizenship Authority Cover Letter Re Excel Immigration Stats*, p. 2 (**UAE Annex 2**) (emphasis added).

231 However, in the exhibit the UAE cites to support this claim, it did include—perhaps inadvertently—data not only on the year *following* 5 June 2017, but also on an approximately one-month period *before* it. *See generally Immigration – Qataris in the UAE* (**UAE Annex 1**). Incredibly, when sorted by date, the data indicates that, of the individuals listed on the spreadsheet, significantly more entered the country in the approximately one-month period *prior* to 5 June 2017 than in the *following 12 months combined*. *See* **Annex 17**, Sorted Excel Spreadsheet of UAE Annex 1, Immigration – Qataris in the UAE.

232 Indeed, whereas in its Response of 7 August 2018 the UAE suggested that there were approximately 2,194 Qataris "residing in" the UAE as of 5 June 2017, in its 15 January 2019 submission, it submitted that, as of 10 January 2019, there were only "*702* Qatari nationals residing in the UAE who hold UAE identification documents". *See* 7 August Submission, para. 19; 15 January Submission, para. 10 (emphasis added). Qatar notes that the document the UAE cites in support of this latter assertion actually records *396* of these 702

125. The UAE's characterization of its own exhibits thus confirms what should be common sense: that the UAE's measures forming the subject of Qatar's Communication have led to an enormous decrease in the number of Qataris both residing in and visiting the UAE.

126. *Finally*, even if the hotline were effective—which it is not—the hotline is only available for family-related matters, as the UAE itself made clear at the hearing on provisional measures before the ICJ[233]. Moreover, setting aside its obvious procedural deficiencies, it could only *arguably* mitigate harm with respect to travel into and out of the country. It cannot remedy past harms, restore the *status quo ante*, afford reparation, offer guarantees of non-repetition or adjudge or declare breach[234]. The hotline is therefore not an adequate remedy in any sense of the word.

127. At the hearing on provisional measures before the ICJ, the UAE emphasized "that the mechanism of the hotline is more appropriate and expeditious than more traditional

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Qatari nationals as having *exited* the country. *See* Excel Redacted Holders of UAE Resident Permits (**UAE Annex 1.3**). Moreover, many of the remaining *entries*—a mere 306—may have actually been made by the *same nationals* entering the country on more than one occasion. *Id*. (redacting information identifying those allegedly entering the country). But even accepting the UAE's submissions as true—and Qatar does not—there would apparently have been a more than *threefold* decrease in the number of Qataris residing in the UAE. That decrease would not, of course, account for the substantial numbers of additional Qataris who are no longer able to *visit* the country as a result of the arbitrary administration of the hotline.

[233] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Verbatim Record, CR 2018/13, para. 41 ("a Presidential Directive was issued on 6 June 2017 which instructed the authorities to take into account the humanitarian circumstances of such mixed families and in implementation a special telephone line was established to receive such cases and take appropriate action."). *See also, e.g., Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration*, p. 2 (**UAE Annex 4**) ("in terms of taking into consideration the Humanitarian cases of the Emirati-Qatari joint families, in recognition of the brotherly Qatari people, the Ministry of Interior has set up a toll-free hotline (009718002626) to receive such humanitarian cases and take appropriate procedures to help them."). This fact has prevented many Qataris from calling the hotline. *See, e.g.,* **DCL-135**, para. 24 ("I didn't try to contact the hotline because I heard it was for people trying to visit close relatives."); *id.,* para. 25 ("After I heard about the provisional measures order…I contacted the hotline to request a special permit to go to the UAE to try to retrieve the originals of my documents. During the call, I was asked about the purpose of my visit and whether I have first degree relatives in the UAE."); **DCL-093**, para. 28 ("I did not try to request a special permit to go to the UAE and see my property because one of my Qatari friends told me that the special permit was only for Qataris who were visiting first-degree relatives in the UAE.").

[234] *See, e.g.,* Francesca Capone, "Remedies", *Max Planck Encyclopedia of Public International Law* (2007), para. 17 ("The responsible State is also under an obligation to make reparation for the injury caused by the internationally wrongful act."); *id*., para. 15 ("The State responsible for the commission of a wrongful act is under an obligation to cease the conduct and to offer appropriate assurances, normally given verbally, and guarantees of non-repetition, such as preventive measures to be taken to avoid repetition of the breach.").

mechanisms"[235]. The fact that the most "appropriate" mechanism is an admittedly discretionary—and demonstrably arbitrary and nontransparent—"police security channel"[236] speaks volumes to the nature of the other purported "remedies" available.

b. The UAE's "Court Remedies" Are Neither "Reasonably Available" nor "Effective"

128. The UAE also submits that "Qatari nationals in the UAE have at all times been entitled to access the UAE's courts"[237], and that "[c]ourt remedies in the UAE are available and effective and can be pursued without difficulty, either in person or through powers of attorney"[238].

129. It is impossible to reconcile this assertion with the ICJ's express finding that Qataris appear to have "been denied equal access to tribunals and other judicial organs in the UAE"[239]. It is equally impossible to reconcile the assertion with an undisputed fact: that, to borrow the UAE's own words, there is no evidence "of a *single Qatari national* seeking to avail himself or herself" of the courts for perceived "violation of the protections in CERD"[240].

130. Indeed, far from assisting the UAE, this admission destroys its argument entirely. As this Committee recently made clear to the UAE itself, "a low number of complaints does not signify the absence of racial discrimination in the State party, but may signify barriers in invoking the rights in the Convention domestically"[241]. More importantly, and as

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235 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Verbatim Record, CR 2018/15, p. 18, para. 12 (Treves).

236 *See Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration*, p. 6 (**UAE Annex 4**).

237 4 December Submission, para. 65.

238 4 December Submission, para. 67.

239 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Order, para. 68.

240 4 December Submission, para. 68 (emphasis added). *See also, e.g., id.*, para. 68; 15 January Submission, para. 54.

241 CERD Committee, *Concluding observations on the combined eighteenth to twenty-first periodic reports of the United Arab Emirates*, UN Doc. CERD/C/ARE/CO/18-21 (13 September 2017), para. 13. *See also, e.g., id.*, para. 15; CERD Committee, General Recommendation XXXI (2004), para. 1 ("States parties

explained above, it is "the State that alleges non-exhaustion"—in this case, the UAE—that must "provide *evidence*" of the effectiveness of a purported remedy[242], including in the form of "*examples* of the alleged remedy having been *successfully utilized* by persons in similar positions"[243]. But the UAE cannot present any examples of Qataris having successfully utilized court "remedies" with respect to the measures[244], and the UAE's argument must be dismissed for that reason alone[245].

131. The reality is that thousands of Qataris have been deeply aggrieved by the UAE's treatment of them[246], but know that there are no court remedies that are either "reasonably available" or "effective"[247].

132. To begin with, the UAE's justice system is deeply and demonstrably flawed. In 2018, the United Nations High Commissioner for Human Rights called on the UAE to "release

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should pay the greatest attention to the following possible indicators of racial discrimination: … The absence or small number of complaints, prosecutions and convictions relating to acts of racial discrimination in the country. Such a statistic should not be viewed as necessarily positive, contrary to the belief of some States. It may also reveal either that victims have inadequate information concerning their rights, or that they fear social censure or reprisals, or that victims with limited resources fear the cost and complexity of the judicial process, or that there is a lack of trust in the police and judicial authorities, or that the authorities are insufficiently alert to or aware of offences involving racism.").

[242] Inter-American Commission of Human Rights, *Nicaragua v. Costa Rica*, Inter-State Case 1/06, Report N° 11/07 (8 March 2007), para. 243 (emphasis added). *See also, e.g.*, *Case of the Mayagna (Sumo) Awas Tingni Community v. Nicaragua*, Preliminary Objections, Judgment (1 February 2000), Inter-American Court of Human Rights Series C, No. 66, para. 53.

[243] Cesare P. R. Romano, "The Rule of Prior Exhaustion of Domestic Remedies: Theory and Practice in International Human Rights Procedures", *International Courts and the Development of International Law* (2013), p. 568 ("the European Court of Human Rights has specified that the State must not only satisfy the Court that the remedy was effective, available both in theory and practice at the relevant time, but also frequently asks the State to provide examples of the alleged remedy having been successfully utilized by persons in similar positions to that of the applicant.") (emphasis added above). *See also, e.g.,* ECtHR, *Kangasluoma v. Finland*, Application No. 48339/99, Judgment on Merits and Just Satisfaction (20 January 2004), para. 48; ECtHR, *Case of Georgia v. Russia (I),* Application No. 13255/07, Merits Judgment (3 July 2014), para. 157.

[244] This is true despite this Committee's express call on States Parties to ensure "that non-citizens have equal access to effective remedies, including the right to challenge expulsion orders, and are allowed effectively to pursue such remedies". CERD Committee, General Recommendation XXX (2004), para. 25.

[245] In fact, there is no evidence that anyone in the UAE has *ever* alleged a violation of the CERD in domestic courts. *See, e.g., Report of the Committee on the Elimination of Racial Discrimination*, UN Doc. A/50/18 (22 September 1995), para. 554 (The CERD "had thus far never been invoked before a court".).

[246] *See, e.g.,* **Annex 12,** National Human Rights Committee, *A year of the blockade imposed on Qatar* (June 2018), p. 13.

[247] *See* International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), Art. 15(a).

immediately and unconditionally [peaceful activists and human rights defenders] who have been arbitrarily detained"; and to "[e]nsure the separation of powers and strengthen the independence of the judiciary, which is under the control of the executive branch and the State security service"[248]. Similarly, in a 2015 report on the UAE, the UN Special Rapporteur on the independence of judges and lawyers noted, *inter alia*,

- that she was "especially concerned that the judicial system remains under the de facto control of the executive branch of government";[249]
- that "important pieces of legislation" contain "vague and broad definitions of criminal offences, in contravention of international human rights standards", and that such provisions "defy the principle of legality and open the door to arbitrary interpretation and abuse"[250];
- that she was told that "foreigners' lack of confidence in the justice system is such that many of them do not report crimes or abuses"[251];
- that it is "often impossible for vulnerable persons to seek remedies for abuses they suffer, which is a breach of the principle of equality before the courts"[252];
- that she was "concerned at reported instances in which judges appear to have lacked impartiality and shown bias, especially with regard to non-nationals of the United Arab Emirates", and that "[a]mong foreigners residing in the United Arab Emirates, there seems to be a perception that the domestic courts cannot be trusted, and more specifically that judges do not treat nationals in the same way as non-nationals"[253];

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[248] Letter from UN High Commissioner for Human Rights to UAE (7 August 2018), *available at* https://lib.ohchr.org/HRBodies/UPR/Documents/Session29/AE/UAE_LetterHC_EN.pdf (last accessed: 8 February 2019), p. 4. *See also, e.g., Report of the United Nations High Commissioner for Human Rights*, UN Doc. A/HRC/WG.6/29/ARE/2 (13 November 2017), para. 31 ("A group of special procedure mandate holders urged the United Arab Emirates to end the harassment and intimidation of human rights defenders and respect the right to freedom of opinion and expression, including on social media and the Internet.").

[249] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 33.

[250] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 29.

[251] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 37.

[252] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 63.

[253] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 37.

- that she was "particularly concerned at reports of serious breaches of fair trial and due process guarantees, especially regarding, but not limited to, crimes related to State security"[254], and "that individuals accused of having committed crimes that jeopardize State security have extremely limited access to legal counsel"[255];
- that she was "alarmed at reports that some lawyers who take up cases related to State security have been harassed, threatened and had pressure exerted on them, including through constant surveillance, public campaigns of defamation, and the arbitrary deportation of non-national lawyers"[256];
- that "[i]mpunity surrounding such breaches of the independence of the legal profession has had a chilling effect on lawyers", and that it was reported to the Special Rapporteur "that it has become extremely difficult to secure a lawyer in State security-related cases", with "[m]any lawyers refus[ing] such cases or drop[ping] them early on owing to the pressure placed on them"[257]; and
- that she "received credible information and evidence" that many individuals "were arrested without a warrant and taken to unofficial places of detention", and "were also subjected to torture or other forms of ill-treatment, including in order to extract confessions of guilt or testimonies against other detainees"[258].

133. These problems existed well *before* the UAE ordered all Qataris to leave the country, and then instituted a vague and sweeping new criminal prohibition on "expressing sympathy,

[254] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 86. *See also, e.g.,* Report of the United Nations High Commissioner for Human Rights, UN Doc. A/HRC/WG.6/29/ARE/2 (13 November 2017), para. 31 ("OHCHR stated that, under the pretext of national security, many activists had been prosecuted for allegations mainly related to a person's right to express his or her opinion and criticism of any public policy or institution.").

[255] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 56.

[256] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 79. *See also id.* (noting that the Special Rapporteur was "alarmed at the long list of obstacles that lawyers working on State security-related cases encountered on a daily basis while discharging their professional duties and representing their clients' interests."); *id.*, para. 86 (noting that the Special Rapporteur was "concerned about the harassment, pressure and threats to which some lawyers are subjected, in breach of their independence, especially when they take up cases related to State security crimes".); *id.*, para. 80 ("in at least one case, a lawyer was arrested when he was enquiring about the whereabouts of his clients at the State security prosecution branch.").

[257] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 81.

[258] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 52. *See also, e.g.,* Human Rights Watch, *UAE Continues to Flout International Law* (29 June 2018) ("Others in the UAE who speak out about human rights abuses remain at serious risk of arbitrary detention, imprisonment, and torture, and many are serving long prison terms or have felt compelled to leave the country.").

bias, or affection for [Qatar], or objecting to the position of the State of the United Arab Emirates and the strict and firm measures that it has taken against the Qatari government"[259]. This new prohibition—which, needless to say, is a particularly egregious illustration of suppression of speech[260]—is not an idle threat. On the contrary, the UAE has already arrested or punished multiple people under it[261]—including for wearing a Qatar national team shirt to an Asian Cup football match hosted by the UAE[262]—and is notorious for using the "pretext of national security" to prosecute individuals for "criticism of any public policy or institution"[263].

134. The reality is that there is nothing remotely surprising about the fact that no Qatari has sought to challenge the UAE's measures in domestic courts.

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259 Al Bayan Online, *Attorney General Warns Against Sympathy for Qatar or Objecting to the State's Positions* (7 June 2017) (certified translation).

260 *See, e.g.,* CERD Committee, General Recommendation XXXV (2013), para. 25 ("The Committee considers that the expression of ideas and opinions made in the context of academic debates, political engagement or similar activity, and without incitement to hatred, contempt, violence or discrimination, should be regarded as legitimate exercises of the right to freedom of expression.").

261 Amnesty International, *United Arab Emirates 2017/2018* ("Ghanim Abdallah Matar was detained for a video he posted online in which he expressed sympathy towards the people of Qatar."). *See also, e.g.,* **Annex 12**, National Human Rights Committee, *A year of the blockade imposed on Qatar* (June 2018), p. 34 (**UAE Annex 23**) ("The UAE authorities has also dismissed Mr. Youssef Al-Sarkal, Chairman of the UAE General Authority for Sports, by reason of shaking hands with the President of the Qatar Football Association.").

262 *See* The Guardian, *British man detained in UAE after wearing Qatar football shirt to match* (5 February 2019) ("A British football fan has been arrested and detained in the United Arab Emirates after he wore a Qatar national team shirt to a match.").

263 *Report of the United Nations High Commissioner for Human Rights*, UN Doc. A/HRC/WG.6/29/ARE/2 (13 November 2017), para. 31. *See also, e.g.,* Amnesty International, *United Arab Emirates 2017/2018*; Human Rights Watch, *Submission for the Universal Periodic Review of the United Arab Emirates* (29 June 2017) ("In March 2017, the UAE detained Ahmed Mansoor, an award-winning human rights defender. He remains detained and is facing speech-related charges that include using social media websites to 'publish false information that harms national unity.' *A coalition of 20 human rights organizations said Mansoor was the last remaining human rights defender in the UAE who had been able to criticize the authorities publicly*") (emphasis added); Human Rights Watch, *World Report 2018: United Arab Emirates* ("The UAE arbitrarily detains and forcibly disappears individuals who criticize authorities within the UAE's borders."); Human Rights Watch, *United Arab Emirates: Events of 2017* (2018) ("UAE authorities have launched a sustained assault on freedom of expression and association since 2011. UAE residents who have spoken about human rights issues are at serious risk of arbitrary detention, imprisonment, and torture.").

135. *First*, pursuant to the anti-sympathy prohibition, a Qatari could face criminal prosecution for even "*objecting*" to the measures[264]. It is facially unreasonable for the UAE to nonetheless demand that Qataris not only do exactly that, but that they do so before the very same courts the UN High Commissioner for Human Rights has made clear are "under the *control of the executive branch and the State security service*"[265].

136. *Second*, even if a Qatari were willing to take the personal risk of bringing a claim, he would be unable to find a lawyer to represent him. Not only has it "become extremely difficult to secure a lawyer in State security-related cases"[266] in general but, as the Office of the High Commissioner made clear, lawyers are particularly "unlikely to defend Qataris", as "this would likely be interpreted as an expression of sympathy towards Qatar"[267].

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[264] Al Bayan Online, *Attorney General Warns Against Sympathy for Qatar or Objecting to the State's Positions* (7 June 2017) (certified translation) (emphasis added).

[265] Letter from UN High Commissioner for Human Rights to UAE (7 August 2018), *available at* https://lib.ohchr.org/HRBodies/UPR/Documents/Session29/AE/UAE_LetterHC_EN.pdf (last accessed: 8 February 2019), p. 4. *See also, e.g.,* CERD Committee, *Concluding observations on the combined eighteenth to twenty-first periodic reports of the United Arab Emirates*, UN Doc. CERD/C/ARE/CO/18-21 (13 September 2017), para. 15 (emphasis added).

[266] UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 81 ("It was reported to the Special Rapporteur that it has become extremely difficult to secure a lawyer in State security-related cases.").

[267] **Annex 11**, OHCHR Technical Mission to the State of Qatar, *Report on the impact of the Gulf Crisis on human rights* (December 2017), para. 40. In fact, many Qataris have found it difficult to find lawyers willing to represent them even on matters *unrelated* to challenging the measures. *See, e.g.,* **DCL-048**, para. 17 ("In [] 2017, my lawyer in the UAE stopped replying to my texts and answering my calls … I continued to try and contact him until February 2018 … I then gave up."); *id*., para. 18; **DCL-093**, paras. 30-33 ("My business partner and I have been unable to hire a lawyer to represent us before Emirati courts…[M]y partner contacted three lawyers by phone…None of these lawyers agreed to take our case. They told my business partner that they were busy, that they did not have time for our case, or that they wanted us to come to the UAE to discuss before they could take the case…They seemed eager to get rid of my partner. We felt that those were just excuses."); **DCL-135**, para. 18 ("I have been trying to contact my lawyer and his secretary…since June 5, 2017…During the first week following the UAE's June 5, 2017, directive, my lawyer or his secretary would sometimes answer my calls and tell me that they would get back to me with an update. They never did. Since the end of that week, neither by lawyer nor his secretary have answered or returned any of my calls."); **DCL-146**, para. 32 ("I tried to hire a lawyer in the UAE to bring a case against the company that terminated my business's lease and caused the loss of my business assets…I called two lawyers who work in the UAE and told them what had happened. One said that he could not do anything for me, and the other said that he could not represent me. They did not say why, but it was clear to me that they refused my case because I am Qatari."); **DCL-136**., para. 10 ("I tried to contact various Emirati lawyers to represent me in

137. The UAE's assertion that between 6 June 2017 and 20 June 2018 "there have been over 340 cases involving Qataris"[268] cannot change this. Setting aside the fact that in many of those cases Qataris were appellees or defendants[269]—including in *criminal proceedings*[270] resulting in at least one conviction rendered *in absentia*[271]—the fact remains that the UAE has presented *no* cases in which Qataris have challenged the measures that form the subject of Qatar's Communication[272].

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the UAE, but none of them were willing to represent me. One of them specifically said that he was scared to deal with me because I am Qatari.").

See also, e.g., **DCL-147**, paras. 21-23 ("I could not trust a lawyer from the UAE. Even if I hire and pay a UAE lawyer, he would still do what the government wants because he lives in the UAE. Because of the UAE Government's blockade and the anti-sympathy law, a lawyer in the UAE could not act against the position of his government. He would be afraid to do so, and he might not even take the case on because I'm Qatari…. I can't be sure that a lawyer would represent me at all, and if one does I can't trust him to act in my best interest."); **DCL-004**, para. 13 ("I would have also needed an Emirati lawyer to represent me, but I did not think any Emirati lawyer would agree to do so…I do not believe that the Emirati courts would ever rule in my favor because I am Qatari."); **Annex 15**, National Human Rights Committee, *Gulf Crisis: Continuing human rights violations by the United Arab Emirates: Report on the non-compliance by the United Arab Emirates with the Order of the International Court of Justice* (23 Jan. 2019), p. 11.

This is entirely unsurprising, given that even neighbors, close friends and family members are often afraid of associating with Qataris. *See, e.g.,* **DCL-135**, para. 22 ("I have tried to phone a few of my Emirati friends and acquaintances to ask for help in retrieving the documents. Some did not pick up the phone, and others refused to help. When I called a close Emirati friend of mine and asked him to go see my lawyer and retrieve my documents, he confirmed what I thought. My Emirati friend asked me to 'excuse [him] from this mission' because he was scared of the anti-sympathy laws."); *id.*, paras. 24, 28; **DCL-093**, para. 18 (describing how declarant's close Emirati friends have stopped speaking to declarant); **DCL-079**, paras. 29-30 (describing how the declarant's Emirati family stopped speaking with their Qatari family members); **DCL-048**, paras. 13, 21 (noting that Emirati friends informed declarant they were "scared to help me in case they ended up in jail"); **DCL-146**, paras. 13, 17 (noting that after the UAE's anti-sympathy law was passed, Emiratis"told me that because of the law they had to stop communicating with me"); **DCL-136**, paras. 10-11 (describing how declarant's Emirati friends ended communication with declarant).

268 7 August Submission, para. 63.

269 *See generally Judicial Records* (**UAE Annex 18**); *International Judicial Cooperation Department – Ministry of Justice Letter* (**UAE Annex 16**). Indeed, in its Supplemental Response of 4 December 2018, the UAE makes the more limited claim that between 5 June 2017 and 13 June 2018, "more than 160 cases were pursued by Qatari nationals before the UAE courts during the relevant time period". *See* 4 December Submission, fn. 90. Yet even that claim is inaccurate. Not only were some of the cases in question registered *before* 5 June 2017, but Qataris were also very frequently *defendants*, and the UAE's claim that Qatari nationals "pursued" anything in such cases is misleading to say the least. *See generally International Judicial Cooperation Department – Ministry of Justice Letter* (**UAE Annex 16**).

270 *See Judicial Records*, pp. 25, 26, 27, 28, 30, 31, 32, 33 (**UAE Annex 18**).

271 *See Judicial Records*, p. 26 (**UAE Annex 18**). In fact, the UAE's *own* exhibit accompanying its most recent submission of 15 January 2019 indicates that only *18 lawsuits* were filed by Qataris in federal courts in *well over a year*. *See Statement of the cases involving a Qatari citizen*, p. 2 (**UAE Annex 2**).

272 *See* 15 January Submission, para. 54 ("the UAE has offered proof that demonstrates that, since 5 June 2017, Qatari nationals have freely continued to resort to the UAE courts to assert their rights in legal

138. *Third,* notwithstanding the UAE's half-hearted reference to three constitutional provisions to suggest otherwise[273], the UAE's Constitution is demonstrably inadequate to protect Qataris' rights under the CERD[274]. The UAE's reference to UAE Federal Decree Law No. 2 of 2015 does not assist it[275]. While the UAE casually claims that the law "prohibits 'discrimination of any form' by various means of expression"[276], it ignores the fact that, as this Committee has *itself* previously noted[277], the law does *not encompass discrimination on the basis of national origin*[278].

139. The UAE has previously made the extraordinary submission to this Committee that "daily life is untroubled by behaviours that are incompatible with noble values, and the State does not need to enact legislation to deal with any violations of the Convention"[279]. In light of this submission, it is unsurprising that this Committee—which has repeatedly

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matters, *even if not necessarily related to CERD.*") (emphasis added). *See also generally Judicial Records* (**UAE Annex 18**); *International Judicial Cooperation Department – Ministry of Justice Letter* (**UAE Annex 16**).

273 4 December Submission, paras. 65-66.

274 *See, e.g.,* UAE Constitution (2010), Art. 25 ("There shall be no distinction among the *citizens* of the UAE on the basis of race, nationality, faith or social status.") (emphasis added); *id.*, Art. 37 ("A *citizen* may not be deported or exiled from the UAE.") (emphasis added); *id*., Art. 29 ("Freedom of movement and residence is guaranteed to the *citizens* as provided in law.") (emphasis added). *See also, e.g.,* CERD Committee, *Concluding observations on the combined eighteenth to twenty-first periodic reports of the United Arab Emirates*, UN Doc. CERD/C/ARE/CO/18-21 (13 September 2017), para. 9 ("The Committee is further concerned that article 25 states that the prohibition of discrimination applies to 'citizens of the Union' and might not apply equally to non-citizens, who constitute approximately 90 per cent of the population (art. 1).").

275 *See* 15 January Submission, para. 57.

276 *See* 15 January Submission, para. 57.

277 CERD Committee, *Concluding observations on the combined eighteenth to twenty-first periodic reports of the United Arab Emirates*, UN Doc. CERD/C/ARE/CO/18-21 (13 September 2017), para. 11 ("The Committee is concerned that the definition of discrimination in the law is not fully in line with article 1 of the Convention, as the grounds of descent and national origin are missing.").

278 *See* UAE Federal Decree Law No. 2 of 2015, Art. 1 ("In applying the provisions of this Decree, the following terms and phrases shall have the meanings assigned against each of them, unless the context requires otherwise: … Discrimination: Any distinction, restriction, exclusion or preference among individuals or groups based on the ground of religion, creed, doctrine, sect, caste, race, colour or ethnic origin.").

279 *See* United Arab Emirates, *Reports Submitted by States Parties in Accordance with Article 9 of the Convention: Seventeenth periodic report of States parties due in 2007*, UN Doc. CERD/C/ARE/12-17 (29 February 2008), para. 72.

called on States parties to enact legislation, enforce it and monitor the results[280]—has for *decades* expressed concerns regarding the adequacy of UAE law[281]. Indeed, as recently as September 2017, this Committee recommended that the UAE "enact legislation to bring its laws fully into line with the Convention"[282].

140. *Fourth*, even if a remedy existed in theory, UAE courts are widely perceived as biased against non-nationals in general[283]. There is every reason to believe a judiciary under the control of the very same executive that ordered the expulsion of Qataris and has

280 *See, e.g.,* CERD Committee, General Recommendation I (1972); CERD Committee, General Recommendation VII (1985), para. 1; CERD Committee, General Recommendation XXXV (2013), paras. 13, 17; CERD Committee, General Recommendation XV (1993), para. 2.

281 *See, e.g.,* CERD Committee, *Concluding observations on the combined eighteenth to twenty-first periodic reports of the United Arab Emirates*, UN Doc. CERD/C/ARE/CO/18-21 (13 September 2017), paras. 10-11 ("The Committee is concerned that the definition of discrimination in the law is not fully in line with article 1 of the Convention, as the grounds of descent and national origin are missing."); *Report of the Committee on the Elimination of Racial Discrimination*, UN Doc. A/35/18 (1980), para. 105; *Report of the Committee on the Elimination of Racial Discrimination*, UN Doc. A/39/18 (1984), para. 248; *Report of the Committee on the Elimination of Racial Discrimination*, UN Doc. A/43/18 (1988), para. 194; *Report of the Committee on the Elimination of Racial Discrimination*, UN Doc. A/50/18 (22 September 1995) para. 562 (noting the "concerns of the Committee with regard to certain inadequacies in the legislation"). *See also, e.g.,* CERD Committee, *Jewish Community of Oslo et al. v. Norway*, Communication No. 30/2003, Opinion (22 August 2005), UN Doc. CERD/C/67/D/30/2003, para. 7.2.

282 CERD Committee, *Concluding observations on the combined eighteenth to twenty-first periodic reports of the United Arab Emirates*, UN Doc. CERD/C/ARE/CO/18-21 (13 September 2017), para. 10. *See also, e.g.,* Letter from UN High Commissioner for Human Rights to UAE (7 August 2018), *available at* https://lib.ohchr.org/HRBodies/UPR/Documents/Session29/AE/UAE_LetterHC_EN.pdf (last accessed: 8 February 2019), p. 3 (calling on the UAE to "[e]nact comprehensive anti-discrimination legislation, which prohibits discrimination on all grounds, including colour, language, political or other opinion, descent, national, ethnic or social origin … and is applied not only between citizens but also to non-citizens."). Moreover, the UAE grossly understates its burden by suggesting that all available domestic remedies that offer *any* "prospect of success under domestic law must be exhausted". 15 January Submission, para. 49. As the ILC's Draft Articles on Diplomatic Protection make clear, local remedies need be exhausted only where they provide a "*reasonable* possibility" of redress. International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), Art. 15(a) (emphasis added). *See also, e.g.,* CERD Committee, *Jewish Community of Oslo et al. v. Norway*, Communication No. 30/2003, Opinion (22 August 2005), UN Doc. CERD/C/67/D/30/2003, para. 7.2 (in which this Committee indicated that uncertainties in the application of domestic law made it impossible "to conclude that such proceedings constitute[d] a useful and effective domestic remedy".).

283 *See, e.g.,* UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 37 ("Among foreigners residing in the United Arab Emirates, there seems to be a perception that the domestic courts cannot be trusted, and more specifically that judges do not treat nationals in the same way as non-nationals. The Special Rapporteur was told that foreigners' lack of confidence in the justice system is such that many of them do not report crimes or abuses."). *See also, e.g.,* General Recommendation XIV (1993), para. 1 ("Non-discrimination, together with equality before the law and equal protection of the law without any discrimination, constitutes a basic principle in the protection of human rights."); General Recommendation XX (1996), para. 3 ("Many of the rights and freedoms mentioned in article 5, such as the right to equal treatment before tribunals, are to be enjoyed by all persons living in a given State.").

criminalized "sympathy" towards Qatar would *not* be impartial towards Qataris—especially in a situation that the UAE portrays as implicating State security, a circumstance in which fair trial and due process concerns are particularly acute[284].

141. *Fifth*, even if all of these obstacles could somehow be overcome, the existing "remedies" are clearly not "reasonably available"[285]. Setting aside the arbitrary and discretionary nature of the "hotline" through which Qataris are expected to apply to travel, the closure of transport links between the two countries—a fact found relevant to the local remedies rule in at least one case involving large-scale expulsion in the past[286]—means that Qataris must first take a burdensome and expensive trip through a third country[287]. They must then be willing to undertake the personal risk of entering the UAE, a country in which they do not feel safe[288] and cannot rely on their government to protect them[289].

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284 *See, e.g.,* UN Human Rights Council, *Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, Mission to UAE*, UN Doc. A/HRC/29/26/Add.2 (5 May 2015), para. 86 ("The Special Rapporteur is particularly concerned at reports of serious breaches of fair trial and due process guarantees, especially regarding, but not limited to, crimes related to State security.").

285 International Law Commission, *Draft Articles on Diplomatic Protection, with commentaries* (2006), Art. 15(a).

286 ECtHR, *Case of Georgia v. Russia (I),* Application No. 13255/07, Merits Judgment (3 July 2014), para. 156.

287 The UAE asserts that "a number of courts in the UAE provide various e-services for the filing of a claim". 4 December Submission, para. 69. But even if this assertion were accurate—and the UAE has failed to prove that it is—the UAE has not even argued that claims can be filed by non-lawyers, with respect to the measures in question, and then actually pursued *from abroad* through *completion* of the case.

288 *See, e.g.,* **DCL-030**, para. 11 ("I would never feel safe there even if I was allowed to visit it again someday."); **DCL-048**, para. 23 ("I am afraid of the treatment that I could receive there."); **DCL-079**, para. 16 ("I was too afraid to even think about traveling to the UAE. There was so much uncertainty as to the process, as to how we would be treated in transit and once there, as to the dangers we could face. It was just too much uncertainty…."); **DCL-093**, paras. 26-27 ("I am too afraid to go to the UAE … I do not trust Emirati authorities since they have imposed measures against Qatar and Qataris…. My business partner did not try to go to the UAE for the same reasons. He is also concerned that he would not be able to come back."); **DCL-135**, para. 24 ("I didn't try to contact the hotline because…I was [] scared to travel to the UAE."); **DCL-146**, para. 14 ("I am afraid to travel to the UAE because I have heard many stories about Qataris who went there and were abused by UAE authorities."); **DCL-136**, para. 9 ("I was scared of entering the UAE, particularly since the Qatari Embassy closed and the UAE government told all Qataris to leave within 14 days."); **DCL-113**, para.12 ("[E]ven if I *were* allowed to visit the UAE, I would not try to go, because I am scared of what might happen to me in the UAE.").

289 *See, e.g.,* **DCL-030**, para. 18 ("Since I filed my claim before the CCC, I was told about the UAE 'hotline,' but I would not try to call the number, because I do not want to visit the UAE. I would not feel safe there. If something bad happened to me in the UAE, I don't know who I would turn to for help because there is no Qatari Embassy in the country. I would feel at risk all the time…, and worried that some Emiratis would treat me badly simply because I am Qatari."); **DCL-048**, para. 22 ("The only option I have now would be

142. The UAE's final claim that 146 Qataris have executed powers of attorney since the beginning of the crisis also does not assist it. Even if this claim were substantiated—and it has not been[290]—146 is an *extremely* small number in comparison to the thousands of Qataris who have been harmed by the UAE's measures[291]. More importantly, it is a fundamental due process right for an individual to be able to attend their own legal proceedings in person. And even if it were not, many Qataris simply do not know anyone trustworthy who would be willing to execute a power of attorney[292]. Moreover, many of those who do know someone, and who have made the expensive and difficult trip to a third country in an attempt to acquire a power of attorney[293], have been rejected *expressly*

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to travel to the UAE myself. However, I do not think it is safe to do so. There is no embassy, no Qatari officials and no one would be able to guarantee my safety."); **DCL-004**, para. 14 ("If something was to go wrong in the UAE, there would be no Qatari Embassy there to protect me."); **DCL-108**, para. 20 ("I have asked my daughters to meet their grandparents in Turkey instead of [], as I don't think it's a good idea for them to enter the UAE…If anything were to happen to them, there is no Qatari embassy in the country to help them."); **DCL-136**, para. 9 ("I was scared of entering the UAE, particularly since the Qatari Embassy closed…").

290 Indeed, the UAE's "proof" of this claim is a single conclusory, uncorroborated line of a document prepared by the UAE itself. *See Statement of the cases involving a Qatari citizen*, p. 2 (**UAE Annex 2**).

291 The fact that only 146 Qataris had even *allegedly* received powers of attorney—none of which the UAE has shown were granted in connection to challenging the measures that actually form the subject of Qatar's Communication—thus *harms* the UAE's case, rather than helping it.

292 **DCL-048**, para. 21 ("I initially thought about giving a POA to my Emirati lawyer, but that is not an option anymore, as he has not been responsive. I do not know anyone else who would accept a POA in the UAE at the moment, as my friend refused to help me."). Similarly, many of those who do know someone they trust have refrained from asking them to execute a power of attorney because they fear this could create problems or be a safety issue for the person involved. *See, e.g.,* **DCL-113**, para. 14 ("I have not tried to get a Power of Attorney, because I don't know who I could give Power of Attorney to—I am afraid that if someone helped me by acting on my behalf in the UAE, it could put them in danger, or they could be charged with violating the anti-sympathy law. I don't want any of my friends or acquaintances in the UAE to be questioned by officials or Emiratis about why they are cooperating with a Qatari or why they have a Power of Attorney for a Qatari."). Experience shows that such concerns are fully justified. *See, e.g.,* **DCL-146**, paras. 27-31 ("I asked the two employees with POAs to deal with my business' lease termination, but both were prevented and deterred from taking actions due to police scrutiny and surveillance by UAE authorities. They said that they were being monitored and were not able to even reach my property.").

293 *See, e.g.,* **DCL-152**, paras. 21-22, 25-26 ("the matter took some six weeks, three lawyers' offices, and visits to two embassies and four ministries in three countries … The only reason that [the company] could manage the complicated process is that it had preexisting relationships with lawyers in the various legal fields and the existing transnational relationships among the law firms, as well as the Company's considerable resources that enabled it to complete the process at embassies and notary offices in three countries. Without these resources, the burden of the current process and its significant cost … would have been larger than it would have been able to bear"); **DCL-030**, paras. 12-13 (detailing the declarant's trip to Oman and visits to three different governmental entities in an attempt to acquire a power of attorney); **DCL-108**, para. 13 (detailing declarant's multiple trips to Oman to acquire powers of attorney and noting that "[n]ormally, it costs around 150 AED to get all of the necessary stamps for a valid POA," but that on one occasion alone, "I spent 2,000 AED.").

because they were Qataris[294]. To add insult to injury, even the very small number of Qataris who have actually received valid powers of attorney have often been unable to *use* them[295]. Indeed, individuals with valid powers of attorney have been harassed, arrested and interrogated for their association with Qataris[296].

143. In light of the evidence laid out above, the conclusion is inescapable: the UAE's courts do *not* constitute a "reasonably available" remedy, let alone an "effective" one.

c. Other Alleged "Complaint Procedures" Are Neither "Reasonably Available" nor "Effective"

144. Finally, the UAE argues that Qatari nationals can resort to "complaint procedures specific to various governmental authorities"[297].

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[294] **DCL-030**, para.12 ("[T]he official working at the UAE Embassy refused to stamp the POA. He told me 'we're not stamping it' and that they 'don't stamp anything involving Qataris.' He said it was because he had 'supreme orders' not to do so. I tried to argue with him, but he wouldn't listen—he wouldn't even look at us or engage in conversation; he simply waved to the person in line behind us and said 'next.'"); *id.*, para. 15; **DCL-147**, para. 19 ("the UAE Embassy official refused to stamp the POA and told my friend that the Embassy would not accept anything from Qataris. My friend pressed the matter, but the Embassy official insisted that he would not stamp the POA and said next time don't even try."); **DCL-108**, para. 16 ("[T]he UAE official at the Embassy had refused to stamp the POA. The official told my friend that the paperwork could not be stamped because it was for a Qatari…The official told my friend that…the Embassy had 'received orders' and could not authenticate any document related to Qataris."). In some cases, individuals who were denied powers of attorney on the basis of their nationality were later able to acquire them by trying again, thereby highlighting the arbitrary and discretionary nature of the process. *See*, *e.g.*, **DCL-030**, paras. 12-13; **DCL-108**.

[295] **DCL-146**, paras. 8, 22, 27-29 ("In order to ensure that my employees could carry out the duties of the business, I executed Powers of Attorney for some of them…My employee went to get [an impounded] car back from the authorities, but they refused to give it to him, even after he showed them the POA that I had granted him. They told him to let the Qatari come and see about his car problem.")); **DCL-030**, para. 13 (describing the experiences of a declarant who was unable to use their power of attorney because it was valid for only three months, and the declarant did not find anyone willing to purchase their apartment within that short time).

[296] *See, e.g.,* **DCL-146**, paras. 28-31 ("At the time of the blockade, I asked the two employees with POAs to deal with my business' lease termination, but both were prevented and deterred from taking actions due to police scrutiny and surveillance by UAE authorities. They said that they were being monitored and were not able to even reach my property. They were also afraid to raise objections to the lease termination to the authorities because of the anti-sympathy laws…About 20 days after the anti-sympathy law announcement, this employee was taken into custody by UAE authorities for interrogation. That employee stopped communicating with me after his interrogation. That made me think that he was interrogated because we had been in regular contact via phone and text messages. I know about his interrogation because another employee learned about it from him and told me. This other employee also told me that the UAE authorities warned the interrogated employee not to communicate with any Qataris. At that point forward, that second employee also stopped communicating with me out of fear of the UAE authorities.").

[297] 4 December Submission, para. 67.

145. Qatar notes that this category of purported "remedies" is an obvious afterthought. The UAE's initial Response did not even mention these so-called "complaint procedures", and in its 4 December Submission, the entire discussion of them could be found in a single sentence and footnote[298]. In that Submission, the UAE actually identified only a *single* procedure, before the Dubai Legal Affairs Department[299]. But that procedure, too, is clearly *not* a remedy encompassed by Article 11(3) of the CERD.

146. *First*, in the UAE's own words, the Dubai Legal Affairs Department is tasked with "receiving complaints and claims made against the *Government of Dubai*"[300]. However, the measures in question were not issued by the Government of Dubai but rather by the UAE as a whole, and the UAE has proffered no evidence that the Dubai Legal Affairs Department is able to hear complaints made against it[301].

147. *Second*, according to the Government of Dubai's own website, the Dubai Legal Affairs Department is tasked not only with considering complaints, but also with "[re]presenting the Government and Government entities in claims and disputes before competent judicial entities", making clear where its loyalties lie[302].

148. *Third*, as the UAE itself concedes, complaints to the Dubai Legal Affairs Department represent only a preliminary step *prior* to litigation before the courts[303]. Setting aside the fact that the Dubai Legal Affairs Department would then represent the *government* before

[298] *See* 4 December Submission, para. 67, fn. 88.

[299] *See* 4 December Submission, fn. 88.

[300] *See* 4 December Submission, fn. 88 (emphasis added). *See also* 15 January Submission, para. 56 (referring to the procedure in question as having been instituted "by *local* UAE government".) (emphasis added).

[301] Even if the complaints procedure before the Dubai Legal Affairs Department somehow constituted a "reasonably available" and "effective" remedy for purposes of Article 11(3) of the CERD—and it does not—it could not possibly be a remedy required of the many individuals with no connection to the Government of Dubai.

[302] Government of Dubai, *The Government of Dubai Legal Affairs Department*, *available at* http://www.dubai.ae/en/Lists/GovernmentDepartments/DispForm.aspx?ID=49 (last accessed: 9 January 2019).

[303] *See* 4 December Submission, fn. 88.

the courts[304], as Qatar has already explained, court remedies in the UAE are neither "reasonably available" nor "effective"[305].

149. *Finally*, the UAE has provided no evidence that the complaint mechanism has ever been used, let alone successfully and in relation to the measures that are the subject of Qatar's Communication. The complaints procedure before the Dubai Legal Affairs Department therefore cannot possibly be considered an effective remedy for purposes of Article 11(3)'s local remedies rule.

150. In its third submission of 15 January 2019, the UAE suddenly discovered, for the first time, a number of other purported "remedies"—none of which it had seen fit to even *mention* before the ICJ or in the 68 pages of argument it previously submitted to this Committee on two separate occasions. Unsurprisingly, this third try is not the charm.

151. As an initial matter, Qatar notes that the UAE's own framing of these newfound "remedies" makes clear that they could only *conceivably* concern narrow subsets of activity implicated by Qatar's Communication[306]. Qatar also notes the UAE's repeated suggestion that there is "no evidence of recourse to such remedies"[307]. But once again, this admission does not assist the UAE's case, but instead destroys it. It bears repeating: it is "the State that alleges non-exhaustion" that must "provide *evidence*" of the

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[304] Government of Dubai, *The Government of Dubai Legal Affairs Department*, *available at* http://www.dubai.ae/en/Lists/GovernmentDepartments/DispForm.aspx?ID=49 (last accessed: 9 January 2019).

[305] *See supra* Section IV.A.2.

[306] *See* 15 January Submission, para. 57 (concerning mechanisms that purportedly allow *criminal* complaints against *individuals* regarding "hate speech"); *id.*, para. 58 (concerning complaints regarding the alleged "blocking of media content"); *id.*, para. 59 (concerning complaints with respect to unspecified violations of the "right to health and right to medical treatment"); *id.*, para. 60 (concerning an alleged complaint mechanism for "secondary school students" against "a UAE school"); *id.*, para. 61 (concerning complaints with respect to unspecified violations of the "right to work"); *id.*, para. 62 (concerning complaints with respect to alleged violations of the "right to property", such as those involving disputes between "landlords and tenants").

[307] *Cf.* 15 January Submission, paras. 56, 57, 58, 59 ("Qatar has put forward no evidence of recourse to such remedies."). *See also, e.g., id.*, para. 60 ("Qatar also has not shown any instance of Qatari nationals making complaints with respect to the right of education."); *id.*, para. 61 ("Qatar has put forward no evidence that any Qatari has availed himself or herself of these complaint resolution procedures."); *id.*, para. 62 ("again, Qatar has provided no evidence that such remedies have been exhausted.").

effectiveness of a purported remedy[308], including in the form of "*examples* of the alleged remedy having been *successfully utilized* by persons in similar positions"[309].

152. It is, once again, little wonder that the UAE has been unable to provide any such examples, as not a single one of its new "remedies" is "reasonably available" and "effective".

153. *First*, the UAE argues that "[v]arious means exist for individuals (including Qataris) to bring complaints to the attention of the authorities, including under the mechanisms provided for pursuant to Federal Decree Law No. 2 of 2015 and Law No. 5 of 2012"[310]. But as Qatar has already explained, Federal Decree Law No. 2 of 2015 does not prohibit discrimination on the basis of national origin, and cannot possibly serve as the basis for effective complaints. Nor can Law No. 5 of 2012, which not only does not even mention the word "discrimination"[311], but is also the *very same law* invoked by the UAE to *criminalize* "sympathy" towards Qatar[312]. The fact that the UAE would suggest that

[308] Inter-American Commission of Human Rights, *Nicaragua v. Costa Rica*, Inter-State Case 1/06, Report N° 11/07 (8 March 2007), para. 243 (emphasis added). *See also, e.g.*, *Case of the Mayagna (Sumo) Awas Tingni Community v. Nicaragua*, Preliminary Objections, Judgment (1 February 2000), Inter-American Court of Human Rights Series C, No. 66, para. 53.

[309] Cesare P. R. Romano, "The Rule of Prior Exhaustion of Domestic Remedies: Theory and Practice in International Human Rights Procedures", *International Courts and the Development of International Law* (2013), p. 568 ("the European Court of Human Rights has specified that the State must not only satisfy the Court that the remedy was effective, available both in theory and practice at the relevant time, but also frequently asks the State to provide examples of the alleged remedy having been successfully utilized by persons in similar positions to that of the applicant.") (emphasis added above). *See also* CERD Committee, *Concluding observations on the combined eighteenth to twenty-first periodic reports of the United Arab Emirates*, UN Doc. CERD/C/ARE/CO/18-21 (13 September 2017), para. 13 ("a low number of complaints does not signify the absence of racial discrimination in the State party, but may signify barriers in invoking the rights in the Convention domestically."); CERD Committee, General Recommendation XXXI (2004), para. 1(b).

[310] 15 January Submission, para. 57.

[311] *See generally* United Arab Emirates, *Federal Decree-Law No. 5 of 2012 on Combating Cybercrimes*, *available at* https://wipolex.wipo.int/en/text/316909 (last accessed: 24 January 2019).

[312] *See* Freedom House, *Freedom on the Net 2018, United Arab Emirates*, *available at* https://freedomhouse.org/report/freedom-net/2018/united-arab-emirates (last accessed: 8 February 2019) ("In July 2017, the cybercrime law was expanded to criminalize 'sympathy for Qatar,' which carries a penalty of up to 15 years in prison.").

Qataris should nonetheless invoke these irrelevant laws by complaining through an "e-service" provided by the "Dubai police" is nothing short of absurd[313].

154. *Second*, the UAE submits that the "blocking of online content may be challenged by individual users through submissions via online forms or by the media outlets themselves by petitioning the National Media Council of the UAE"[314]. But the only "online form" the UAE refers to is a basic "Request Form" provided not by the UAE, but rather by the multinational telecommunications provider Etisalat[315]. Setting aside its apparently discretionary nature, a corporate webpage is not even arguably a "domestic remedy", let alone a legal one, encompassed by the local remedies rule.

155. Nor can the UAE rely on the alleged possibility of submitting "petition[s]" to "the National Media Council of the UAE"[316]. Even if a petition challenging the "blocking of content" were permissible in theory—and the UAE has not proved that it is[317]—the reality is that the National Media Council is a "federal government body"[318] under the control of *same executive branch that has ordered the measures subject to Qatar's Communication*[319]. In circumstances in which the UAE continues to maintain that its

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313 15 January Submission, para. 57 ("Various means exist for individuals (including Qataris) to bring complaints to the attention of the authorities, including under the mechanisms provided for pursuant to Federal Decree Law No. 2 of 2015 and Law No. 5 of 2012. To facilitate complaints, Dubai police offers an e-service through which an individual can report offenders."). Qatar notes in any event that the "Request to Open a Criminal Case" page to which the UAE refers is open only to those with an "Emirates ID", and allows complaints only with respect to a "Breach of Trust Case"; a "Hassle Case"; an "Insulting Case"; an "Insulting via Mobile Case"; a "Threat Case"; and an "Assault Case". *See* Dubai Police, *Request to Open a Criminal Case*, *available at* https://www.dubaipolice.gov.ae/wps/portal/home/services/individualservices/opencriminalcase?firstView=true (last accessed: 24 January 2019).

314 15 January Submission, para. 58.

315 *See* Etisalat, *Web Content Block/Unblock Request Form*, *available at* https://etisalat.ae/en/generic/contactus-forms/web-block-unblock.jsp (last accessed: 24 January 2019).

316 15 January Submission, para. 58.

317 The UAE cites two articles of a resolution on "Media Activities Licensing" indicating the existence of a grievance procedure with respect to that resolution. *See* 15 January Submission, para. 58. However, it provides no indication of the manner in which a resolution on "licensing" concerns the "blocking of online content" more generally.

318 *See* National Media Council, *About Us*, *available at* http://nmc.gov.ae/en-us/NMC/Pages/About-NMC.aspx (last accessed: 8 February 2019).

319 *See* United Arab Emirates, *The UAE Cabinet*, *available at* https://government.ae/en/about-the-uae/the-uae-government/the-uae-cabinet (last accessed: 18 January 2019) ("The Cabinet or the Council of Ministers of

actions were lawful, any suggestion that the National Media Council would provide an effective remedy is thus once again absurd.

156. *Third*, the UAE asserts that the UAE's Ministry of Health and Prevention "provides a number of avenues for an individual to file a complaint"[320]. The only source it cites is a "Customer Complaints" webpage allowing "customers" to "submit complaints, suggestions or Compliments"[321]. Not only is the Ministry of Health and Prevention again under the control of the executive branch, but the webpage in question also provides no indication that the Ministry is competent to handle complaints relating to the matters raised in Qatar's Communication, much less that its responses are based on anything but discretion[322].

157. *Fourth*, the UAE submits that the Abu Dhabi Department of Education and Knowledge provides a complaint mechanism for "secondary school students" whereby "an individual can raise a complaint against a UAE school"[323]. Unsurprisingly, it fails to note that the complaints page in question is *explicitly* concerned only with complaints directed against "[p]rivate" schools[324]. There is, moreover, once again no indication that the Abu Dhabi Department of Education and Knowledge is competent to handle complaints connected to measures instituted by the *federal* government, let alone in connection to the measures that form the subject of Qatar's Communication[325]. The fact that the best education-

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the United Arab Emirates is the executive branch of the federation. It *executes all internal and external affairs of the Federation* as per the provisions of UAE Constitution and the federal laws … Article 60 of the Constitution lays down the powers of the Cabinet. They are: … *Controlling the conduct of work in federal departments*") (emphasis added).

[320] 15 January Submission, para. 59.

[321] UAE Ministry of Health & Prevention, *Customer Complaints*, *available at* http://www.mohap.gov.ae/en/Pages/COMPLAINS.aspx (last accessed: 8 February 2019).

[322] UAE Ministry of Health & Prevention, *Customer Complaints*, *available at* http://www.mohap.gov.ae/en/Pages/COMPLAINS.aspx (last accessed: 8 February 2019). Similar considerations apply to the UAE's reference to the "Medical Complaint" webpage of the Dubai Health Authority, which as the UAE itself acknowledges is not even part of the federal government.

[323] 15 January Submission, para. 60.

[324] *See* Abu Dhabi Department of Education and Knowledge, *Raising a Complaint Against A Private School*, *available at* https://www.adek.abudhabi.ae/en/Parents/PrivateSchools/Pages/RCAPS.aspx (last accessed: 8 February 2019).

related "remedy" the UAE could come up with is a *local* government webpage concerning complaints for *secondary school students* against *private* schools is truly telling.

158. *Fifth*, the UAE refers to the "availability of ample remedies" with respect to the "right to work"[326]. It submits in particular that "a complaint system is available through the UAE Ministry of Human Resources and Emiritisation"[327]. Setting aside the fact that the Ministry of Human Resources and Emiritisation is—yet again—under the control of the executive branch now claiming its actions are lawful before this Committee, the UAE's own source expressly states that it is "*not possible*" for a "worker outside the country [to] file a labor complaint"[328]. Even if that were not the case, the UAE has pointed to no substantive provision of law that could be invoked through the complaints procedure to effectively challenge the measures in question[329]. And even if such a provision of law existed, the complaints procedure concerns "amicable settlement", and is accordingly entirely discretionary[330].

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325 *See* Abu Dhabi Department of Education and Knowledge, *Raising a Complaint Against A Private School*, *available at* https://www.adek.abudhabi.ae/en/Parents/PrivateSchools/Pages/RCAPS.aspx (last accessed: 8 February 2019). The webpage in question states merely that "[a]ll cases raised through ADEC monitored complaint management system will be reviewed and monitored by ADEC for compliance to regulations". *Id*. The UAE has not produced those regulations, let alone provided any indication of how local government regulations might provide a remedy to any of the Qataris affected by *federal* government measures. Unsurprisingly, it also has not substantiated its casual claim that complaints may be raised specifically for "failure to respond to a request for provision of transcripts". 15 January Submission, para. 60.

326 15 January Submission, para. 61.

327 15 January Submission, para. 61.

328 *See* UAE Ministry of Human Resources & Emiratisation, *Register labor complaints (FAQ)*, *available at* https://www.mohre.gov.ae/en/our-services/%D8%A8%D8%AD%D8%AB-%D8%A7%D9%84%D8%B4%D9%83%D9%88%D9%89-%D8%A7%D9%84%D8%B9%D9%85%D8%A7%D9%84%D9%8A%D8%A9.aspx (last accessed: 24 January 2019) (emphasis added).

329 The UAE instead cites Article 6 of Federal Decree Law No. 8 of 1980, which merely permits the filing of claims concerning rights "under this law", but is in no way proof that "this law" would actually afford an effective substantive remedy with respect to the challenged measures. *See* United Arab Emirates, *Federal Decree Law No. 8 of 1980, Labour Law and its Amendments*, *available at https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/11956/69376/F417089305/ARE11956.pdf* (last accessed: 24 January 2019), Art. 6.

330 *See* United Arab Emirates, *Federal Decree Law No. 8 of 1980, Labour Law and its Amendments*, *available at* https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/11956/69376/F417089305/ARE11956.pdf (last accessed: 24 January 2019), Art. 6. The UAE's claim that disputes that are not settled can then be referred

159. *Finally*, the UAE argues that Qataris have not exhausted remedies purportedly available with respect to "alleged infringement of the right to property"[331]. In particular, it asserts that "disputes between landlords and tenants may be addressed by the Rental Disputes Center of the Government of Dubai, with the option of appeal to the Appellate Division of the Center", and that "complaints relating to an individual's assets or accounts" can be handled by the Central Bank of the UAE "through fax, online or in person through various Central Bank locations"[332].

160. The UAE is grasping at straws. Even if private landlord-tenant disputes before local dispute resolution centers were relevant for a small number of Qataris, the UAE has failed to indicate the substantive law to be applied by such bodies, let alone to prove that it would be capable of affording an effective remedy with respect to the federal measures in question. The same considerations apply to the "Customer Complaints and Enquiries" webpage of the Central Bank of the UAE. Setting aside questions of the Bank's independence from the executive, the UAE has proffered no evidence that the Bank even has *competence* to hear complaints related to the measures, much less that such complaints might prove effective[333].

161. Since the UAE has not identified any other so-called "complaints procedures", it has failed to meet its burden of proving the existence of any reasonably available and effective remedies that have not been exhausted[334].

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to certain courts does not change this, for as Qatar has already explained, the UAE's purported court remedies are neither reasonably available nor effective. The same holds true for every other purported "remedy" for which the UAE claims (often without any proof whatsoever) that appeals to the courts are possible. *See, e.g.,* 15 January Submission, paras. 58, 59. *See also id*., para. 62 ("The UAE judiciary is also naturally available to all Qataris with grievances related to property matters.").

331 15 January Submission, para. 62.

332 15 January Submission, para. 62.

333 Qatar notes that the UAE has again proffered no indication of the substantive law—if any—to be applied by the Bank in handling "Customer Complaints and Enquiries" (details of which are limited to 1,000 characters, or approximately 150 words). *See* Central Bank of the UAE, *Consume Complaints and Enquiries*, *available at* https://centralbank.ae/en/form/complaints (last accessed: 8 February 2019).

334 Qatar submits that the UAE should not be permitted to continue invoking newfound "remedies" in each new submission it makes, and reserves the right to respond should the UAE nonetheless make a fourth attempt to manufacture such "remedies", or should it introduce new evidence with respect to "remedies" it has already invoked.

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162. Qatar has shown that the local remedies rule does not apply to its claims under the "general principles of international law" that Article 11(3) expressly requires this Committee to apply. But even if the local remedies rule *were* applicable to Qatar's claims, the UAE has failed to prove that any reasonably available and effective local remedies exist. It cannot do so: as the evidence set out above demonstrates, there are no such remedies. Its invocation of Article 11(3) must therefore be rejected.

B. The Existence of Concurrent Proceedings before this Committee and the ICJ Does Not Render Qatar's Communication Inadmissible

163. In its 4 December and 15 January Submissions, the UAE argues that the existence of concurrent proceedings before this Committee and the ICJ renders Qatar's Communication inadmissible[335]. Despite several attempts, the UAE still has difficulty articulating why this is the case; its position and legal theory have changed from one submission to the next.

164. First, in June 2018, the UAE argued before the ICJ that the existence of concurrent proceedings rendered Qatar's Application before the ICJ, *not* its Communication, inadmissible[336]. In fact, the UAE went so far as to say that "it seems perfectly clear that when a matter is referred to [the Committee], it must be allowed to fulfil its mission"[337]. That initial claim was consistent with the UAE's 7 August Submission, in which the

[335] 15 January Submission, Section IV; 4 December Submission, Section V.

[336] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Verbatim Record, CR 2018/13, p. 19, paras. 23-24 (Pellet). The UAE did not expressly employ the word "inadmissible", but it argued: "The way in which Qatar has proceeded is incompatible with both the *electa una via* principle and the *lis pendens* exception, since the same claim has been submitted in turn to two organs by the same applicant against the same respondent ... Perhaps Qatar can be considered to be estopped from seising this Court ...." *Ibid.* (translation by the ICJ).

[337] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Verbatim Record, CR 2018/13, p. 26, para. 21 (Pellet) (translation by the ICJ).

UAE did not challenge the admissibility of the Communication on the grounds of concurrent proceedings[338].

165. The UAE changed tack in the following months. In its 4 December Submission, the UAE argued that the existence of concurrent proceedings rendered Qatar's Communication inadmissible because "Qatar … has abandoned the Article 11 process"[339]. It was not clear how Qatar could have been considered to have "abandoned" the Article 11 process when it had, just one month prior, exercised its right under Article 11(2) of the CERD to refer the matter again to this Committee[340].

166. In any event, the UAE appears now to have abandoned this legal theory in favour of still another one. In its 15 January Submission, the UAE argues that the existence of concurrent proceedings renders Qatar's Communication inadmissible because it "undermines the integrity of the dispute resolution provisions of the CERD and of the ICJ"[341]. As explained in more detail below, this argument is equally unconvincing.

167. The reason why the UAE has been unable to maintain a consistent line of argument is simple: it is entirely permissible to have concurrent proceedings before this Committee and the ICJ. This is because, contrary to what the UAE argues, Article 22 does not establish a "hierarchical and linear" process (**Section IV.B.1**); neither *lis pendens* nor *electa una via* applies here (**Section IV.B.2**); and concurrent proceedings would ensure the equality of the parties and uphold the integrity of the system (**Section IV.B.3**). Moreover, it should not be overlooked that the UAE's position with respect to concurrent proceedings would leave Qatar with no remedy at all (**Section IV.B.4**).

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338 *See* 7 August Submission, Section VII. Although the UAE objected to the existence of concurrent proceedings, it never challenged the admissibility of the Communication. Rather, the UAE merely stated that it "intends to lodge objections under which it will challenge the ICJ's jurisdiction to hear the case on the merits". *Ibid.*, para. 93; *see also ibid.*, para. 12.

339 4 December Submission, Section V.B.

340 *Letter* from Qatar to the CERD Committee (29 October 2018), p. 2.

341 15 January Submission, Section IV.A (some capitalization omitted).

1. Article 22 Does Not Establish a "Hierarchical and Linear" Process

168. The UAE's argument is premised on the view that Article 22 of the CERD establishes a "hierarchical and linear" process, with the CERD procedures first and the ICJ procedure second[342]. According to the UAE, "[i]t is clear from the ordinary meaning of the terms of [Article 22] that the CERD envisages that the treaty-specific dispute resolution mechanism it offers to its States Parties (*i.e.*, resort to the Committee under Article 11) should be explored and exhausted before escalating to an ICJ process"[343]. The UAE's interpretation of Article 22 is, however, incorrect. Article 22 does not suggest that "the procedures expressly provided for in this Convention" must be completely "explored and exhausted"[344] before referral to the ICJ. This is obvious from the ordinary meaning of the terms of Article 22, which provide:

> "Any dispute between two or more States Parties with respect to the interpretation or application of this Convention, which is not settled by negotiation or by the procedures expressly provided for in this Convention, shall, at the request of any of the parties to the dispute, be referred to the International Court of Justice for decision, unless the disputants agree to another mode of settlement."[345]

169. The only ostensible authority that the UAE cites to support its interpretation is the ICJ's pronouncement that the "procedures expressly provided for in this Convention" and "negotiation" are "procedural preconditions to be met before the seisin of the Court"[346]. Nevertheless, what the UAE fails to mention is that the Court did *not* hold that *both* the negotiation requirement and the CERD procedures requirement must be met (i.e., that

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[342] 15 January Submission, para. 33; *see also* 4 December Submission, para. 77.

[343] 15 January Submission, para. 28 (emphasis omitted); *see also* 4 December Submission, para. 73.

[344] 15 January Submission, para. 28; 4 December Submission, para. 73.

[345] CERD, Art. 22.

[346] 15 January Submission, para. 28 (quoting *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Order, para. 29 (citing *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Preliminary Objections, Judgment, ICJ Reports 2011, para. 141)). In its 4 December Submission, the UAE provided no authority for its reading of Article 22. *See* 4 December Submission, para. 73.

they are "cumulative")[347]. Rather, the ICJ has repeatedly decided, on a *prima facie* basis, that for it to have jurisdiction under Article 22, it is sufficient that *only one* requirement be met before the seisin of the Court (i.e., that they are "alternative")[348]. As a result, a State Party may have recourse to the ICJ after negotiations without engaging the CERD procedures at all.

170. And while the ICJ has yet to definitively confirm that the two requirements are alternative rather than cumulative, no fewer than 13 Judges of the Court have already opined that they are alternative[349]. In fact, as far as Qatar is aware, not a single Judge has ever expressed the view that the two requirements are cumulative[350].

171. This is entirely unsurprising given the many reasons why the two requirements can only be read as alternative, some of which have already been pointed out by the aforementioned Judges of the Court.

172. *First*, as cogently explained by five ICJ Judges in a joint dissenting opinion, negotiation and the CERD procedures are "two different ways of doing the same thing, that is to say,

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[347] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Order, paras. 39-40; *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Preliminary Objections, Judgment, ICJ Reports 2011, para. 183.

[348] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Order, paras. 39-40; *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*, Provisional Measures, Order, paras. 60-61; *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Provisional Measures, Order, ICJ Reports 2008, paras. 116-117.

[349] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Preliminary Objections, Joint Dissenting Opinion of President Owada, Judges Simma, Abraham and Donoghue and Judge *ad hoc* Gaja, ICJ Reports 2011, paras. 39-47; *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Preliminary Objections, Dissenting Opinion of Judge Cançado Trindade, ICJ Reports 2011, para. 116; *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Provisional Measures, Joint Dissenting Opinion of Vice-President Al-Khasawneh and Judges Ranjeva, Shi, Koroma, Tomka, Bennouna and Skotnikov, ICJ Reports 2008, para. 17 (referring to the CERD procedures requirement as an "*alternative* precondition" (emphasis added)). Although these views were all expressed in dissenting opinions, none of these Judges were dissenting on the issue of whether the requirements are alternative or cumulative.

[350] Indeed, at the provisional measures stage of the ICJ proceedings between Qatar and the UAE, although there were seven dissenting Judges, none of them opined in their opinions and declarations that the two requirements are cumulative.

seeking an agreement premised on the parties' ability to reconcile their positions"[351]. Considering them to be cumulative requirements would be, in the words of those Judges, "illogical"[352], "senseless"[353], "highly unreasonable"[354], and "inconsistent with the spirit of the text" of the CERD[355].

173. *Second*, if the requirements were deemed cumulative, the negotiation requirement would be rendered redundant and deprived of any *effet utile*. This is because, as this Committee is fully aware, negotiation constitutes an element of the CERD procedures. In particular, Article 11(2) provides that, after the initial communication and response have been exchanged, "[i]f the matter is not adjusted to the satisfaction of both parties, either *by bilateral negotiations* or by any other procedure open to them, … either State shall have the right to refer the matter again to the Committee"[356]. If the two requirements were cumulative, there would be no reason to have an additional negotiation requirement in Article 22 on top of the negotiation requirement already stated in Article 11(2).

174. *Third*, if the requirements were cumulative, then it would lead to the unreasonable result that some disputes subject to Article 22 could *never* be referred to the ICJ. This is because there are some disputes "with respect to the interpretation or application of

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351 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation),* Preliminary Objections, Joint Dissenting Opinion of President Owada, Judges Simma, Abraham and Donoghue and Judge *ad hoc* Gaja, ICJ Reports 2011, para. 44. Note that the judges dissented on a separate issue; this issue of cumulative versus alternative was not decided by the majority. *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Preliminary Objections, Judgment, ICJ Reports 2011, para. 183.

352 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation),* Preliminary Objections, Joint Dissenting Opinion of President Owada, Judges Simma, Abraham and Donoghue and Judge *ad hoc* Gaja, ICJ Reports 2011, para. 43.

353 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation),* Preliminary Objections, Joint Dissenting Opinion of President Owada, Judges Simma, Abraham and Donoghue and Judge *ad hoc* Gaja, ICJ Reports 2011, para. 43.

354 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation),* Preliminary Objections, Joint Dissenting Opinion of President Owada, Judges Simma, Abraham and Donoghue and Judge *ad hoc* Gaja, ICJ Reports 2011, para. 44.

355 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation),* Preliminary Objections, Joint Dissenting Opinion of President Owada, Judges Simma, Abraham and Donoghue and Judge *ad hoc* Gaja, ICJ Reports 2011, para. 43.

356 CERD, Art. 11(2) (emphasis added).

[CERD]"[357] that could not possibly be subject to the CERD procedures because they are not situations where "a State Party considers that another State Party is not giving effect to the provisions of this Convention"[358] (the only matters that may be submitted to this Committee under Article 11(1)). For example, there could be a dispute between two States concerning whether a State Party's reservation to the CERD is "incompatible with the object and purpose of [the] Convention" under Article 20, or a dispute concerning whether a State Party properly denounced the CERD under Article 21. Such disputes are not situations where "a State Party considers that another State Party is not giving effect to the provisions of this Convention". It would thus be absurd to insist that State Parties must go through the CERD procedures as a precondition to going to the ICJ.

175. When States enter into international legal obligations under a multilateral treaty, the principles of *pacta sunt servanda* and good faith require that the terms of that treaty have a *single consistent* meaning. It cannot be the case that the same words in the same treaty provision have a different meaning depending on the nature of the "dispute … with respect to the interpretation or application of th[e] Convention". Only a reading of the two requirements as "alternative" can ensure consistency of meaning and thereby protect the Parties' expectations.

176. *Fourth*, the fact that the two requirements are alternative is supported by the *travaux préparatoires* of the CERD. Article 22 had originally included only the negotiation requirement, not the CERD procedures requirement[359]. Just three weeks before the adoption of the CERD, the so-called "three-Power amendment" to Article 22 was introduced, adding the CERD procedures requirement[360]. When this amendment was put

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357 CERD, Art. 22.

358 CERD, Art. 11(1).

359 In proposing the "final clauses" for the CERD, the Officers of the Third Committee for the General Assembly proposed Clause VIII to read: "Any dispute between two or more Contracting States over the interpretation or application of this Convention, which is not settled by negotiation, shall at the request of any of the parties to the dispute be referred to the International Court of Justice ...." UN General Assembly, Third Committee, Twentieth Session, *Draft International Convention on the Elimination of All Forms of Racial Discrimination: Suggestions for final clauses submitted by the Officers of the Third Committee*, UN Doc. A/C.3/L.1237 (15 October 1965), p. 4.

360 UN General Assembly, Third Committee, Twentieth Session, *Draft International Convention on the Elimination of All Forms of Racial Discrimination: Ghana, Mauritania and Philippines: amendments to*

up for consideration before the Third Committee of the UN General Assembly, there was virtually no debate over it, showing that the Third Committee did not consider the amendment to introduce any significant changes to the limits on the Court's jurisdiction[361]. This stood in stark contrast to another proposed amendment considered at the same time that would have limited the Court's jurisdiction;[362] this amendment was heavily opposed[363] and ultimately defeated[364].

177. After reviewing the relevant *travaux préparatoires*, five Judges of the Court concluded: "The clear impression … emerges that the three powers' intent in proposing their amendment was not to impose a further condition resulting in more limited access to the Court than under the earlier text."[365]

178. The only plausible conclusion is thus that the two requirements of negotiation and the CERD procedures are *alternative*, not cumulative. As a result, a State Party may refer a dispute to the Court without any recourse to this Committee. Article 22 does not create the "hierarchical and linear"[366] process that the UAE claims, but rather offers a prospectus of alternatives. The CERD procedures can thus be engaged independently of ICJ proceedings.

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the suggestions for final clauses submitted by the officers of the Third Committee (A/C.3/L.1237), UN Doc. A/C.3/L.1313 (30 November 1965).

[361] *See* UN General Assembly, Third Committee, Twentieth Session, 1367th Meeting, UN Doc. A/C.3/SR.1367 (7 December 1965), pp. 453-455.

[362] Poland had proposed that the phrase "at the request of any of the parties" be changed to "at the request of all of the parties". UN General Assembly, Third Committee, Twentieth Session, *Draft International Convention on the Elimination of All Forms of Racial Discrimination: Poland: amendments to the suggestions for final clauses submitted by the Officers of the Third Committee (A/C.3/L.1237)*, UN Doc. A/C.3/L.1272 (1 November 1965).

[363] *See, e.g.*, UN General Assembly, Twentieth Session, Third Committee, 1367th Meeting, UN Doc. A/C.3/SR.1367 (7 December 1965), p. 453, paras. 24-25, 28 (Canada), p. 453, para. 31 (Colombia), pp. 453-454, para. 32 (USA), p. 454, para. 38 (France), p. 454, para. 39 (Italy).

[364] UN General Assembly, Twentieth Session, Third Committee, 1367th Meeting, UN Doc. A/C.3/SR.1367 (7 December 1965), p. 455.

[365] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation),* Preliminary Objections, Joint Dissenting Opinion of President Owada, Judges Simma, Abraham and Donoghue and Judge *ad hoc* Gaja, ICJ Reports 2011, para. 47.

[366] 15 January Submission, para. 33; 4 December Submission, para. 77.

2. Neither *Lis Pendens* nor *Electa Una Via* Applies Here

179. The UAE tries to support its argument by arguing that "Qatar has created a *lis pendens* situation"[367]. In certain national legal systems, the doctrine of *lis pendens* provides that an action may not be brought simultaneously in two different fora. But the doctrine does not apply to inter-State proceedings, absent express language to that effect.

180. Judge Crawford has written: "Whether there is any international equivalent to the national law doctrine[] of *lis alibi pendens* … is controversial."[368] This puts it mildly: neither the ICJ nor its predecessor the Permanent Court of International Justice ("**PCIJ**") has *ever* found a claim inadmissible due to *lis pendens*[369]. This perhaps explains why the UAE, in its 4 December and 15 January Submissions, studiously avoids claiming that *lis pendens* is a "doctrine", "principle", or "rule" applicable in international law, and instead merely refers to the alleged "*lis pendens* situation"[370] or "situations of *lis pendens*"[371].

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[367] 15 January Submission, para. 31; 4 December Submission, para. 74.

[368] *See* James Crawford, *Brownlie's Principles of Public International Law* (8th Edition, 2012), p. 701.

[369] In fact, the ICJ and the PCIJ regularly entertain cases where the parties are simultaneously pursuing other means for consensual settlement of the dispute. *See, e.g.*, *Passage through the Great Belt (Finland v. Denmark)*, Provisional Measures, Order, ICJ Reports 1991, para. 35 ("[P]ending a decision of the Court on the merits, any negotiation between the Parties with a view to achieving a direct and friendly settlement is to be welcomed ...."); *Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening)*, Preliminary Objections, Judgment, ICJ Reports 1998, para. 68 ("Whatever their nature, the existence of procedures for regional negotiation cannot prevent the Court from exercising the functions conferred upon it by the Charter and the Statute."); *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States)*, Jurisdiction and Admissibility, Judgment, ICJ Reports 1984, para. 108 ("[T]he Court is unable to accept ... that the existence of the Contadora process constitutes in this case an obstacle to the examination by the Court of the Nicaraguan Application."); *United States Diplomatic and Consular Staff in Tehran (United States v. Iran)*, Judgment, ICJ Reports 1980, para. 43 ("The establishment of the Commission by the Secretary-General ... cannot, therefore, be considered in itself as in any way incompatible with the continuance of parallel proceedings before the Court."); *Aegean Sea Continental Shelf (Greece v. Turkey)*, Jurisdiction, Judgment, ICJ Reports 1978, para. 29 ("[T]he fact that negotiations are being actively pursued during the present proceedings is not, legally, any obstacle to the exercise by the Court of its judicial function."); *Case of the Free Zones of Upper Savoy and the District of Gex (France/Switzerland)*, Order, PCIJ Series A, No. 22, 1929, p. 13 ("[T]he judicial settlement of international disputes, with a view to which the Court has been established, is simply an alternative to the direct and friendly settlement of such disputes between the Parties; as consequently it is for the Court to facilitate, so far as is compatible with its Statute, such direct and friendly settlement ....").

[370] 15 January Submission, para. 31; 4 December Submission, para. 74.

[371] 15 January Submission, para. 34.

181. In its 15 January Submission, the UAE cites various authorities in support of its *lis pendens* argument, but only to show the "dangers and disadvantages"[372] and "risk"[373] of concurrent proceedings. As explained in detail below, none of these authorities actually posit that the doctrine of *lis pendens* applies to inter-State proceedings in the absence of express language so providing.

182. In fact, the first two authorities cited by the UAE themselves expressly question whether the doctrine of *lis pendens* applies to inter-State proceedings. The UAE first cites the *Polish Upper Silesia* case[374], but in the very same sentence from which the UAE quotes, the PCIJ held: "It is a much disputed question ... whether the doctrine of *litispendance* … can be invoked in international relations …."[375] The UAE next cites a book by Professor Yuval Shany[376], but just a few pages after the pages from which the UAE quotes, Professor Shany states that "it is far from clear whether the general principle of *lis alibi pendens* applicable to intra-systematic cases should govern the relations between international fora"[377]. Later in the book, he similarly concludes: "In sum, it looks as if existing case-law on the question of *lis alibi pendens* is also too scarce and non-definitive to establish the existence of such a general rule or principle in international law …."[378]

183. The third authority invoked by the UAE—a course by Professor Campbell McLachlan at The Hague Academy of International Law—similarly does not support the applicability of *lis pendens* to inter-State proceedings. The UAE first quotes Professor McLachlan for his statement that "there is widespread acceptance that duplicative litigation within the

[372] 15 January Submission, para. 31.

[373] 15 January Submission, para. 34.

[374] 15 January Submission, para. 31 (quoting *Certain German Interests in Polish Upper Silesia (Germany v. Poland)*, Preliminary Objections, Judgment, PCIJ Series A, No. 6, 1925, p. 20).

[375] *Certain German Interests in Polish Upper Silesia (Germany v. Poland)*, Preliminary Objections, Judgment, PCIJ Series A, No. 6, 1925, p. 20.

[376] 15 January Submission, para. 31 (quoting Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (2003), pp. 155-156); 4 December Submission, para. 74 (quoting Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (2003), pp. 155-156).

[377] Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (2003), p. 162.

[378] Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (2003), p. 244.

same legal system is not permitted"[379]. This statement, however, is taken out of context[380]. When Professor MacLachlan discusses inter-State dispute settlement bodies, he has no difficulty pointing out that:

> "Evidence of [lis pendens'] adoption by international courts and tribunals is thus far limited to the stay orders issued by the UNCLOS Tribunal in MOX Plant, and the developing practice of investment arbitral tribunals. The principle does not even merit a mention in Cheng's classic 1953 study [on "General Principles of Law as Applied by International Courts and Tribunals"], or in Sir Hersch Lauterpacht's earlier work on private law sources."[381]

184. The reason why the *MOX Plant* case is not relevant is discussed below, and investment arbitral tribunals are not inter-State tribunals. They therefore do not provide any support for the proposition that the doctrine of *lis pendens* should apply to inter-State proceedings.

185. The UAE then quotes Professor McLachlan's reference to the 2003 Resolution of the Institut de Droit International[382], but that resolution concerned transnational litigation before national courts, not inter-State litigation before international bodies[383].

186. The fourth and final authority that the UAE relies on is the *MOX Plant* case before an arbitral tribunal constituted under Annex VII of the UN Convention on the Law of the

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379 15 January Submission, para. 31 (quoting Campbell McLachlan, "Lis Pendens in International Litigation", *Collected Courses of The Hague Academy of International Law*, Vol. 336 (2009), p. 461).

380 The entire sentence reads: "The detailed analysis in these lectures has shown, in the first place, that there is widespread acceptance that duplicative litigation within the same legal system is not permitted, as being contrary to due process and the Rule of Law." Campbell McLachlan, "Lis Pendens in International Litigation", *Collected Courses of The Hague Academy of International Law*, Vol. 336 (2009), p. 461. The phrase "[t]he detailed analysis in these lectures has shown" suggests that he is referring to detailed analysis that he already provided, which, by that point in time in his course, could only refer to his examination of *lis pendens* in private international litigation (Chapter II) and non-public international arbitration (Chapter III), not public international litigation (Chapter IV).

381 Campbell McLachlan, "Lis Pendens in International Litigation", *Collected Courses of The Hague Academy of International Law*, Vol. 336 (2009), p. 460.

382 15 January Submission, para. 31 (quoting Campbell McLachlan, "Lis Pendens in International Litigation", *Collected Courses of The Hague Academy of International Law*, Vol. 336 (2009), pp. 461-462).

383 *See* Institut de Droit International, *Second Commission: The principles for determining when the use of the doctrine of forum non conveniens and anti-suit injunctions is appropriate*, Resolution (9 February 2003), *available at* http://www.idi-iil.org/app/uploads/2017/06/2003_bru_01_en.pdf (last accessed: 2 September 2019).

Sea ("**UNCLOS**")[384]. That case, however, was one where there was express language in two treaties prohibiting concurrent proceedings: Article 282 of UNCLOS[385] and Article 344 of the Treaty on the Functioning of the European Union[386]. Indeed, the *MOX Plant* tribunal relied on these two provisions in deciding to suspend its own proceedings[387]. Qatar does not deny that if there were similar provisions in the CERD, then they would apply. But in the absence of such express language, the doctrine of *lis pendens* does not apply.

187. In addition, even if the doctrine of *lis pendens* were applicable to inter-State proceedings, its requirements would not be met in this case. In the *Polish Upper Silesia* case, the PCIJ made clear that, even if the doctrine were to apply, the objects of the two claims would have to be the same and the bodies hearing the two claims would have to be "of the same character"[388]. The Court in that case found that neither of these two requirements were satisfied[389]. The objects of the two claims were different (restitution vs. interpretation), and the bodies hearing the two claims were of different characters (the Germano-Polish Mixed Arbitral Tribunal vs. the PCIJ)[390].

188. Here, the objects of Qatar's claims in the two proceedings are also different: non-binding recommendations from a Conciliation Commission[391] and a binding decision from the

384 15 January Submission, para. 34.

385 UNCLOS, Art. 282 ("If the States Parties … have agreed, through a general, regional or bilateral agreement or otherwise, that [the] dispute shall … be submitted to a procedure that entails a binding decision, that procedure shall apply in lieu of the [UNCLOS] procedures.").

386 *Consolidated Version of the Treaty on the Functioning of the European Union*, Official Journal of the European Union C 326 (26 October 2012), Art. 344 ("Member States undertake not to submit a dispute concerning the interpretation or application of the Treaties to any method of settlement other than those provided for therein.").

387 *See MOX Plant (Ireland v. United Kingdom)*, PCA Case No. 2002-01, Procedural Order No. 3 (24 June 2003), paras. 20(v), 21, 22.

388 *Certain German Interests in Polish Upper Silesia (Germany v. Poland)*, Preliminary Objections, Judgment, PCIJ Series A, No. 6, 1925, p. 20.

389 *Certain German Interests in Polish Upper Silesia (Germany v. Poland)*, Preliminary Objections, Judgment, PCIJ Series A, No. 6, 1925, p. 20.

390 *Certain German Interests in Polish Upper Silesia (Germany v. Poland)*, Preliminary Objections, Judgment, PCIJ Series A, No. 6, 1925, p. 20.

391 CERD, Art. 13(2).

ICJ[392]. Moreover, the Committee, the Conciliation Commission, and the ICJ are not bodies "of the same character"[393]. The Committee is an expert monitoring body[394] and, as the UAE itself puts it, the Conciliation Commission "is not a judicial body but a fact-finding body"[395]. The ICJ, in contrast, is the "principal judicial organ of the United Nations"[396].

189. This latter difference is another reason why the UAE's invocation of the *MOX Plant* case is inapposite: the two competing bodies in that case were both international judicial bodies tasked with rendering binding decisions (the Annex VII arbitral tribunal and the European Court of Justice). That is not the case in the present proceedings. In *United States Diplomatic and Consular Staff in Tehran (United States v. Iran)*, the ICJ made clear that it can adjudicate a dispute even when there is a concurrent fact-finding commission:

> "The Commission … was established to undertake a … fact-finding mission …. [The Secretary-General] created the Commission … as an organ or instrument for mediation, conciliation or negotiation …. The establishment of the Commission by the Secretary-General … cannot, therefore, be considered in itself as in any way incompatible with the continuance of parallel proceedings before the Court. Negotiation, enquiry, mediation, conciliation, arbitration and judicial settlement are enumerated together in Article 33 of the Charter as a means for the peaceful settlement of disputes."[397]

190. The UAE finally tries to support its argument about the impermissibility of concurrent proceedings by invoking "the principle of *electa una via*"[398], which generally provides

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392 UN Charter, Art. 94(1).

393 *Certain German Interests in Polish Upper Silesia (Germany v. Poland),* Preliminary Objections, Judgment, PCIJ Series A, No. 6, 1925, p. 20.

394 *See* OHCHR, *Committee on the Elimination of Racial Discrimination*, *available at* https://www.ohchr.org/en/hrbodies/cerd/pages/cerdindex.aspx (last accessed: 8 February 2019).

395 15 January Submission, para. 43.

396 ICJ Statute, Art. 1.

397 *United States Diplomatic and Consular Staff in Tehran (United States v. Iran)*, Judgment, ICJ Reports 1980, para. 43 (emphasis added).

398 15 January Submission, para. 32; 4 December Submission, para. 75.

that the election of one avenue of legal action amounts to a renunciation of other avenues. Like *lis pendens*, however, *electa una via* applies only where there is express language providing for its application. The UAE ignores this critical point. It relies solely on a passage from the book by Professor Shany to support its argument about *electa una via*[399]. Yet in the passage quoted, Professor Shany was merely noting how *electa una via* would operate *if it were applicable*[400]. Just two sentences before the quoted passage, Professor Shany states that *electa una via*, absent express language, is "the least widely accepted" when compared to *res judicata* and *lis pendens*[401]. Professor Shany also later in the book states that "*electa una via* ... does not find any meaningful support in the international jurisprudence (in the absence of explicit treaty language)"[402].

191. It should also be emphasized that this Committee has already made clear that it may entertain communications that are also being considered elsewhere, unless there is express language (e.g., in a State Party's declaration) stating otherwise. In *Koptova v. Slovak Republic*, for example, the Slovak Republic argued that the communication was inadmissible because the petitioner had filed a similar case with the European Court of Human Rights[403]. This Committee rejected this argument, declaring that "neither the Convention nor the rules of procedure prevent[] the Committee from examining a case that [is] also being considered by another international body"[404]. Although this case was an individual rather than an inter-State communication, this Committee did not limit its pronouncement to only individual communications[405].

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399 15 January Submission, para. 32; 4 December Submission, para. 75.

400 *See* Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (2003), p. 23.

401 Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (2003), p. 23.

402 Yuval Shany, *The Competing Jurisdictions of International Courts and Tribunals* (2003), p. 229.

403 CERD Committee, *Koptova v. Slovak Republic*, Communication No. 13/1998, Opinion (1 November 2000), UN Doc. CERD/C/57/D/13/1998, para. 6.3.

404 CERD Committee, *Koptova v. Slovak Republic*, Communication No. 13/1998, Opinion (1 November 2000), UN Doc. CERD/C/57/D/13/1998, para. 6.3.

405 Indeed, there is no reason why individual communications should be treated any differently from inter-State communications with respect to the issue of concurrent proceedings. In the context of individual communications, Rule 84(1)(g) of the CERD Committee Rules of Procedure provides that the UN Secretary-General may request clarification on "[t]he extent to which the same matter is being examined under another procedure of international investigation or settlement", impliedly recognizing the

192. Other human rights bodies take the same approach. For example, the European Court of Human Rights and the European Commission of Human Rights have considered the admissibility of applications subject to concurrent proceedings before other fora[406], but only because Article 35(2)(b) of the European Convention on Human Rights expressly provides as such[407]. (No such provision of course exists in the CERD.) Similarly, the Human Rights Committee has considered the admissibility of communications subject to other concurrent proceedings[408], but only where the relevant State has made a reservation, understanding, or declaration to that effect to the Optional Protocol to the International Covenant on Civil and Political Rights[409].

193. It is true that many States have made declarations to the CERD removing matters subject to concurrent proceedings elsewhere from this Committee's competence[410], but Qatar and the UAE are not among them. Indeed, the very fact that States have made such declarations confirms that the CERD permits concurrent proceedings.

194. The intention of the drafters of the CERD is thus clear: the Article 22 dispute settlement procedures in the CERD cannot prejudice the States Parties' recourse to other procedures for the pacific settlement of disputes.

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permissibility of concurrent proceedings. CERD Committee Rules of Procedure, Rule 84(1)(g). Moreover, Rule 91, which lists the grounds for inadmissibility of communications, does not include the existence of concurrent proceedings as one of the grounds. CERD Committee Rules of Procedure, Rule 91.

[406] *See, e.g.*, ECtHR, *Peraldi v. France*, Application No. 2096/05, Decision on Admissibility (7 April 2009); ECtHR, *Pace v. Italy*, Application No. 22728/03, Decision on Admissibility (17 July 2008), paras. 22-29; ECtHR, *Pauger v. Austria*, Application No. 24872/94, Decision on Admissibility (9 January 1995).

[407] European Convention on Human Rights, Art. 35(2)(b) ("The Court shall not deal with any application submitted under Article 34 that ... is substantially the same as a matter that ... has already been submitted to another procedure of international investigation or settlement and contains no relevant new information.").

[408] *See, e.g.*, Human Rights Committee, *Casanovas v. France*, Communication No. 441/1990, Views (26 July 1994), UN Doc. CCPR/C/51/D/441/1990, para. 5.1.

[409] *See*, for example, reservations, understandings, and declarations by Austria, Croatia, France, Italy, Luxembourg, Malta, Russian Federation, Slovenia, Spain, Sri Lanka, Sweden, and Turkey.

[410] *See*, for example, declarations by Andorra, Denmark, Estonia, Finland, Germany, Iceland, Ireland, Italy, Liechtenstein, Malta, Norway, Moldova, and Slovenia.

3. Concurrent Proceedings Would Ensure the Equality of the Parties and Uphold the Integrity of the System

195. Perhaps aware of the weakness of its legal arguments, the UAE resorts to vague statements about how the continuation of proceedings before the Committee and the ICJ would "compromise[]" the "architecture of the CERD system for the settlement of disputes";[411] "jeopardise the integrity of the system";[412] "wreak irreparable harm on the procedural rights of the UAE, which would be required to simultaneously defend itself against the same allegations in two overlapping and parallel procedures";[413] "be in contradiction with the principle of the equality of the parties"[414] since "Qatar has unilaterally taken for itself two opportunities to litigate against the UAE in overlapping and parallel proceedings";[415] "force[]" the UAE to "choose between forsaking its rights to mount a full defence in the present CERD communication procedure or sacrificing its right to procedural equality in the ICJ case";[416] and grant Qatar the "opportunity to foresee and undermine the UAE's litigation strategy"[417].

196. These arguments are baseless. As explained above, the continuation of both proceedings is fully consistent with the dispute settlement mechanisms the CERD creates. There would be no harm to procedural rights. It is true that the UAE has to litigate two cases, but Qatar has to as well. Furthermore, there is no inequality of the Parties. Qatar and the UAE have equal procedural rights before both the Committee and the ICJ. The UAE does not have to forsake any rights: it, just like Qatar, simply has to present its arguments before two bodies, both of which are eminently qualified in their own spheres.

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411 15 January Submission, para. 35; *see also* 15 January Submission, para. 40.

412 15 January Submission, para. 36; *see also* 15 January Submission, para. 40.

413 15 January Submission, para. 36.

414 15 January Submission, para. 37.

415 15 January Submission, para. 38.

416 15 January Submission, para. 39.

417 15 January Submission, para. 39.

4. The UAE's Position with Respect to Concurrent Proceedings Would Leave Qatar with No Remedy at All

197. If anything, if this Committee dismisses the proceedings before it, then there would be a risk of harm to Qatar's procedural rights, not the UAE's. This is because the UAE is simultaneously trying to convince the ICJ to dismiss the proceedings before it[418], which would then lead to the result that Qatar has no remedy whatsoever—neither before this Committee nor the ICJ. This denial of justice would wreak far greater havoc on the "architecture of the CERD system for the settlement of disputes" and "the integrity of the system".

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198. In conclusion, the existence of concurrent proceedings before this Committee and the ICJ is entirely permissible. And dismissing these proceedings would run a serious risk of leaving Qatar with no remedy whatsoever with respect to the human rights violations in question.

C. Qatar's Communication Is Not an Abuse of Rights and Process

199. The UAE also argues that Qatar's Communication constitutes an abuse of rights and process[419]. This is not a serious argument. Qatar's claims are fully grounded in both fact and law, as explained in Qatar's Communication[420].

200. In its 4 December Submission, the UAE argues that "Qatar has failed, despite many opportunities to do so, to present even a shred of evidence of any ongoing discrimination

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418 At the provisional measures stage of the ICJ proceedings, the UAE argued that *lis pendens* and *electa una via* rendered the claims before the Court inadmissible. *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Verbatim Record, CR 2018/13, p. 19, para. 23 (Pellet). Indeed, in its 7 August Submission, the UAE stated: "The UAE maintains that Qatar should not be permitted to advance a complaint under Article 11 while simultaneously initiating proceedings in relation to the same issues before the ICJ. The UAE intends to lodge jurisdictional objections with the ICJ on this basis." 7 August Submission, para. 12. And in its 4 December and 15 January Submissions, the UAE affirmed its view that Qatar's Application to the Court is "improper and extra-jurisdictional". 15 January Submission, para. 40; 4 December Submission, para. 77.

419 15 January Submission, Section IV.C; 4 December Submission, Section V.B.

420 *See* Qatar's Communication, pp. 19-23, paras. 41-51;. *See also* **DCL-004**; **DCL-030**; **DCL-048**; **DCL-073**; **DCL-079**; **DCL-093**; **DCL-108**; **DCL-113**; **DCL-125**; **DCL-135**; **DCL-136**; **DCL-146**; **DCL-147**; **DCL-152**.

against Qatari nationals—still less, any discrimination actually falling within the scope of the CERD"[421]. It is not clear what "opportunities" the UAE is referring to. If the UAE is referring to the CERD procedures, then Qatar need only point out that Article 11 of the CERD does not require Qatar to provide any evidence: Articles 11(1) and 11(2) only state that Qatar may "bring the matter to the attention of the Committee"[422] and "refer the matter again to the Committee"[423], and Article 11(4) provides that "the Committee may call upon the States Parties concerned to supply any other relevant information"[424]. To date, the OHCHR has only invited Qatar to provide its observations on the UAE's submissions with regard to jurisdiction and admissibility[425]. If, on the other hand, the UAE is referring to the ICJ proceedings, Qatar need only note that Qatar did indeed furnish numerous third-party reports during the oral hearings before the ICJ documenting the discrimination committed by the UAE. Qatar would, of course, be willing to present even more evidence—whether before this Committee, a Conciliation Commission constituted under Article 12 of the CERD, or the ICJ—at the appropriate stage.

201. Moreover, the ICJ has already held that "some of the acts of which Qatar complains may constitute acts of racial discrimination as defined by the Convention"[426], and has even taken the extraordinary step of indicating provisional measures preserving such rights[427]. For the UAE to now say that Qatar's claims are "completely without merit on fact and law"[428] is not only inaccurate, but also displays unseemly disrespect towards the principal judicial organ of the United Nations.

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421 4 December Submission, para. 80; *see also* 15 January Submission, para. 42 ("Qatar has failed, despite many opportunities to do so, to present probative evidence of any ongoing discrimination by the UAE against Qatari nationals – still less, any discrimination actually falling within the scope of the CERD.").

422 CERD, Art. 11(1).

423 CERD, Art. 11(2).

424 CERD, Art. 11(4); *see also* CERD Committee Rules of Procedure, Rule 70.

425 Letter from OHCHR to Qatar (14 December 2018), para. 2.

426 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Order, para. 54.

427 *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Order, para. 79.

428 15 January Submission, para. 43; 4 December Submission, para. 81.

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202. In light of the above, there is no question that the UAE's attempts to have Qatar's Communication dismissed on grounds of inadmissibility are entirely futile. Article 11(3)'s exhaustion requirement does not bar Qatar's claims, the existence of concurrent proceedings before this Committee and the ICJ is perfectly permissible, and the Communication is not an abuse of rights and process.

V. THIS COMMITTEE'S CONSIDERATION OF QATAR'S COMMUNICATION WOULD NOT BE *ULTRA VIRES*

203. The UAE's 4 December and 15 January Submissions close with a poorly veiled threat against this Committee: the UAE argues that "any action taken by the Committee to further Qatar's complaint would be *ultra vires*"[429]. Qatar considers this argument an affront to this Committee, which is perfectly competent to decide for itself what it can and cannot do.

204. In any case, the UAE's argument here assumes its own conclusions. It relies entirely on the UAE's assertions that Qatar is engaging in an "abuse of process" and has "abandoned" the CERD procedures[430]. As explained above, these assertions are false and unsustainable. There can therefore be no question that the consideration of Qatar's Communication is well within the powers of this Committee.

VI. CONCLUSION

205. For the reasons stated above, the UAE's various objections to the Committee's ability to consider Qatar's claims have no merit. Qatar accordingly reiterates its request that the Committee determine that it has jurisdiction over the Communication, find the Communication admissible, and proceed with the formation of an *ad hoc* Conciliation Commission to consider this matter.

[429] 15 January Submission, para. 69. The UAE's 4 December Submission employs slightly different language: "Any action of the Committee to entertain further or progress Qatar's Article 11 Communication would be *ultra vires*." 4 December Submission, Section VI (some capitalization omitted).

[430] 4 December Submission, para. 86.

Annex 19

The Committee on the Elimination of Racial Discrimination (*State of Qatar v. United Arab Emirates*), UAE's Comments on Qatar's Response on Issues of Jurisdiction and Admissibility, 19 March 2019, together with Annex 4, Annex 5 and Subsequent Correspondence

In a matter before the
Committee on the Elimination of Racial Discrimination

ICERD-ISC-2018/2

COMMENTS ON QATAR'S RESPONSE ON ISSUES OF JURISDICTION AND ADMISSIBILITY

of the United Arab Emirates pursuant to the Decision adopted by the Committee on the Elimination of All Forms of Racial Discrimination during its 97th Session
(26 November – 14 December 2018)

to the request made by the State of Qatar
pursuant to Article 11 of the International Convention on the Elimination of all Forms of Racial Discrimination

submitted to the Office of the High Commissioner for Human Rights, United Nations Office, Geneva, Switzerland on

19 March 2019

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1. The Permanent Mission of the United Arab Emirates (the "**UAE**") to the United Nations Office and Other International Organizations in Geneva presents its compliments to the Secretariat of the United Nations (Office of the High Commissioner for Human Rights) (the "**Secretariat**") and refers to the Office of the High Commissioner's Note of 14 December 2018 (ICERD-ISC 2018/2) in which the Office of the High Commissioner transmits a decision taken by the Committee on the Elimination of All Forms of Racial Discrimination (the "**Committee**" or the "**CERD Committee**") at its 97th Session (the "**Decision**") concerning the Communication under Article 11 of the Convention on the Elimination of All Forms of Racial Discrimination ("**CERD**" or the "**Convention**"), submitted by the State of Qatar ("**Qatar**") to the Committee on 8 March 2018, and transmitted to the Permanent Mission of the UAE on 7 May 2018 (the "**Article 11 Communication**").

2. Pursuant to the *Note Verbale* from the Secretariat to the Permanent Mission of the UAE dated 19 February 2019, transmitting the Response of the State of Qatar of 14 February 2019 (the "**19 February Response**"), the UAE submits its comments on Qatar's 19 February Response. As directed by the Secretariat in its *Note Verbale*, the UAE will restrict its comments to issues raised in the 19 February Response.

I. INTRODUCTION

A. The CERD Should not be Used by Qatar to Pursue Political Ends

3. During the preparatory work of the Convention, and specifically in the discussion of the provisions related to measures of implementation, one of the delegates of the Third Committee of the General Assembly expressed concern that establishing "some machinery" within the Convention allowing one State to lodge a complaint against another State could lead some States to "resort to that organ less in order to succour the oppressed than to pursue political ends."[1] Another delegate feared that "[s]ome

[1] Third Committee, 1346th meeting, 17 November 1965, doc. A/C.3/SR.1346, p. 331.

Governments would no doubt find it impossible to resist the temptation of using the international machinery for political ends”.[2]

4. Over the period of nearly 50 years since the Convention entered into force, however, not a single State found it “impossible to resist the temptation” of using the CERD Committee to pursue political ends. That restraint ended abruptly on 8 March 2018 with the submission of Qatar’s Article 11 Communication, the first-ever communication filed by any State pursuant to the dispute resolution provisions of Article 11 of the CERD. And one year on since filing its communication, Qatar has made it more than obvious that far from having the purpose of giving “succour to the oppressed”, its purpose in submitting the Article 11 Communication was indeed to “pursue political ends”. In this case, the political ends Qatar appears to have in mind involve finding ways to attack the UAE for having exercised its sovereign right to break diplomatic relations with Qatar in June 2017 and impose economic sanctions against it in connection with the political dispute between the two countries over the UAE’s (and many other States’) contentions that Qatar has engaged in a practice of supporting, financing, tolerating and giving safe harbor to extremist and terrorist groups and individuals, threatening lives and regional stability.

5. There can be no other explanation for Qatar’s repeated lack of candour, theatrics and manoeuvring in presenting its case before this Committee, and the International Court of Justice (the “**ICJ**” or the “**Court**”), than that it perceives the CERD Article 11 procedures as a tool to be used to achieve these political objectives. Moreover, its unrestrained willingness to assert false or exaggerated factual claims, to conceal other relevant facts from the Committee and to rely on ever-changing, and often far-fetched or inapplicable, legal arguments to support its case, demonstrates an unfortunate tendency to say or do anything to present and progress its case to the next stage of proceedings at all costs.

6. For the same reasons that the drafters of the Convention cautioned against establishing a dispute resolution system which one State could use for “political ends”, as well as the other jurisdictional and admissibility grounds set forth in this submission, the Committee

[2] Third Committee, 1347th meeting, 18 November 1965, doc. A/C.3/SR.1347, p. 338.

is respectfully urged to use its authority to put an end to Qatar's cynical abuse of the Article 11 procedures in this case and cease to entertain the matter referred to it by Qatar through its Article 11 Communication.

B. Qatar's Procedural Antics are Politically-Motivated and Should not be Tolerated

7. Qatar's tactical manoeuvring in presenting and progressing its case furthermore highlights that it is guided not by concern for the human rights of its citizens but geopolitical goals. The Committee will have full appreciation for the procedural tactics, or antics, Qatar has used to launch and pursue its case. It initially filed the Article 11 Communication before this Committee on 8 March 2018 and its complaint was communicated to the UAE on 7 May 2018. Shortly thereafter (and before the Committee process had begun in earnest) on 11 June 2018 Qatar instituted proceedings before the ICJ on the same issues and complaints, along with a simultaneous application requesting provisional measures, resulting in a 27-29 June 2018 hearing and a decision by the ICJ issued on 23 July 2018. A few months later, on 29 October 2018, and before filing its memorial in the proceedings before the ICJ, Qatar confusingly renewed its request to the Committee to take up the dispute "again" pursuant to its procedures under Article 11. It thus asked the Committee to continue considering the same issues that were now also put before the ICJ.

8. It is revealing that Qatar has not so much as sought to explain the underlying reasons for reverting once again to the Article 11 procedures, whose recommendations are non-binding, after placing its dispute squarely before the ICJ (recognized as the "last resort" in the system of implementation of the CERD by its drafters[3]), whose decisions are binding, much less what benefit it seeks to achieve through the non-binding Article 11 procedures for those Qataris whose interests it purports to be protecting that it could not achieve through a binding decision of the ICJ. To justify its recommencement of the Article 11 procedures, Qatar limits itself to word games, in effect saying that the two pre-conditions for submitting a dispute to the ICJ under Article 22 of the CERD (bilateral negotiations and the procedures under Article 11) are alternative, not cumulative, and that

[3] Third Committee, 1344th meeting, 16 November 1965, doc. A/C.3/SR.1344, p. 319.

therefore "[t]he CERD procedures can thus be engaged independently of ICJ proceedings."[4] That is the entirety of its explanation.

9. This is of course incorrect. As further explained below, the two preconditions are cumulative, not alternative,[5] and both should have been complied with before Qatar made its application to the ICJ. But Qatar's argument also fails for other reasons.

10. Most obviously, it completely misses the point because even if (*quod non*) the two preconditions are alternative, and each precondition could therefore independently serve as a gateway to the ICJ, that doesn't alter the role of the ICJ within the broader measures of implementation of the CERD as the forum of "last resort". Not only does the text of the Convention lend itself to the self-evident conclusion that the procedures under Article 11 were meant to be used prior to, and only prior to, submitting a dispute to the ICJ, but the Convention's *travaux préparatoires* make it crystal clear that those drafting the Convention were under no misunderstanding that the CERD Committee procedures were designed to be used before reverting to the ICJ, not after having done so.

11. This conclusion clearly emerges from the *travaux préparatoires* of the Third Committee of the General Assembly, the final working group which discussed and debated the Convention, including its articles on measures of implementation, immediately prior to its adoption.[6]

12. Having in the first instance submitted its complaint to the Committee, and then having abruptly abandoned trust in the Committee as the starting point of its dispute with the UAE by prematurely bringing its case to the ICJ before the Committee could begin to exercise or exhaust the procedures under Article 11, Qatar cannot now go back to the Committee and request that it perform its functions under Article 11 anyway. This would not only be illogical and inconsistent in relation to the dispute resolution system established under CERD in which it was clearly envisioned that referral of a dispute to the ICJ would occur only as a "last resort", it would also engage the CERD Committee

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[4] 19 February Response, para. 178.

[5] *See infra* paras. 158-171.

[6] *See infra* para. 185.

and any Conciliation Commission which might be established to deal with the dispute in a wasteful, time-consuming and costly exercise whose non-binding findings would in any case be made redundant and of no purpose since the ICJ has already been seized of the same issues. Qatar's tactics thus cynically dishonor the Committee and abuse its processes.

13. Apart from these considerations, it must again be emphasized that what is most telling about Qatar's submissions in defense of its two-track litigation tactics is that in arguing its position Qatar, incredibly, does not even attempt to justify it as somehow of benefit to the Qataris whose human rights it says it seeks to protect. The fact is, those persons' rights do not appear to be foremost in Qatar's calculations. Its bringing the Article 11 procedures once again before the Committee after already bringing its dispute before the ICJ can only be seen as a cynical and heavy-handed litigation tactic, designed to create legal confusion and put the UAE on the defensive in two fora simultaneously while giving Qatar continuing and multiple public relations opportunities.

14. Whatever its intentions, the concocted legal reasoning Qatar asserts for justifying the pursuit of its claims against the UAE before the ICJ and this Committee simultaneously[7] cannot mask the self-evident conclusion that these two-track tactics make no reasonable or logical sense, whether as a matter of coherent procedure and dispute resolution or as an effective method for investigating the allegations Qatar has made, and can have no other apparent purpose than to harass its opponent or provide public relations opportunities for Qatar as it attempts to achieve its political objectives.

15. Qatar's other arguments in favor of its two-track tactics are frivolous and reflect, if anything, its desperation that its case is unwinding. Most clearly in this category is the cynical appeal to the Committee not to dismiss these proceedings because if it does so, and if the ICJ also dismisses the proceedings before it, then Qatar would be left with "no remedy whatsoever".[8] It should not be forgotten that Qatar chose to pursue its two-track

[7] *See infra* Section IV "The Existence of Concurrent Proceedings Before the CERD Committee and the ICJ Renders Qatar's Communication Inadmissible".

[8] 19 February Response, para. 197.

litigation strategy, and any resulting legal confusion which has arisen is therefore of its own making. The UAE has consistently maintained –in addition to its primary position that Qatar's claims are outside the scope *ratione materia*e of the CERD– that the claims brought by Qatar should not be subject to proceedings before both the ICJ and the CERD Committee simultaneously. Indeed, the UAE would go further and say that, in fact, the CERD Committee proceedings should have been exhausted before instituting proceedings before the ICJ. But Qatar has chosen to bring ICJ proceedings before exhausting the Article 11 procedures, and the ICJ is now seised of the case. Under those circumstances, and for the reasons articulated in this submission, it would be wholly inappropriate for the CERD Committee to proceed to entertain the case.

16. Finally, it should be noted that if the ICJ dismisses the case Qatar has brought before it – substantially the same case that Qatar has brought before this Committee – then it will be established by the highest judicial body of the United Nations that Qatar's case has no merit. Under those circumstances, a dismissal of these proceedings, leaving Qatar with no remedy under CERD for the disingenuous claims it has brought, would be entirely appropriate.

C. Qatar's Persistent Lack of Candour, Including About the Underlying Facts of the Dispute and the Availability of Remedies for its Nationals, Reveal its Disingenuous Intentions

17. The foundation of Qatar's Article 11 Communication is that in June 2017 the UAE "expelled all Qataris within its borders, without exception"[9] and banned entry of all Qataris to the UAE, "measures that remain in effect to this day."[10] In its relentless campaign of misinformation, Qatar never tires of repeating these lies, including by its

[9] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Application Instituting Proceedings, 11 June 2018, para. 3.

[10] *Id.*

Agent before the International Court of Justice.[11] Indeed, its own head of state, His Highness Sheikh Tamim Bin Hamad Al-Thani, the Emir of Qatar, lowered himself to repeat this nonsense in a widely-broadcast television interview,[12] and not to be outdone, Qatar's submissions to the Court and to this Committee are peppered throughout with this and other outrageous falsehoods.[13]

18. The UAE has submitted to this Committee documentary evidence establishing that thousands of Qataris (more than 11,000 and counting) have, uninterruptedly since June 2017, entered and exited the UAE,[14] and that more than 700 Qataris who continue to reside in the UAE hold UAE identification documents,[15] and that the number of Qataris

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[11] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (*Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Verbatim Record of the Public Sitting of 27 June 2018, at 10:00 a.m. (CR 2018/12), para. 4 ("The UAE expelled all Qataris within its territory, giving them only 14 days to leave and ordered Emiratis to leave Qatar or face civil and criminal sanctions. The UAE continues to prohibit Qataris from entering the UAE.") (emphasis added); *id.*, para. 8 ("The UAE's collective expulsion of Qataris and ban on their travel to the UAE has had and continues to have a devastating impact on Qataris and their families.") (emphasis added).

[12] All Qataris in the UAE "were ordered home", "patients were kicked out from hospitals". Interview of Emir Sheikh Tamim Bin Hamad Al-Thani by Charlie Rose, 29 October 2017, available at: https://www.cbsnews.com/news/qatars-emir-stands-defiant-in-face-of-blockade.

[13] "In particular, UAE has expelled all Qatari residents and visitors within its borders". Qatar's Article 11 Communication, 8 March 2018, para. 4 (emphasis added). "The UAE has enacted and implemented a series of discriminatory measures directed at Qataris based expressly on their national origin-measures that remain in effect to this day. In particular, on 5 June 2017 and the days that followed, the UAE: expelled all Qataris within its borders, without exception, giving them just two weeks to leave". *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Application Instituting Proceedings, 11 June 2018, para. 3 (emphasis added). "For the past twelve months, the UAE has enacted and enforced measures that, *inter alia*, collectively expelled Qataris from the UAE and prevented their re-entry into the UAE". Request for the Indication of Provisional Measures of Protection, 11 June 2018, para. 2 (emphasis added). "As a result, the UAE's sudden collective expulsion of Qataris-done arbitrarily and without any consideration of individual characteristics or the provision of even basic due process-and simultaneous imposition of discriminatory travel and entry restrictions on Qataris to prevent their return and entry-again without affording even basic due process". 19 February Response, para. 37 (emphasis added).

[14] UAE's Response of 7 August 2018, Annex 2 (Immigration - ID & Citizenship Authority Cover Letter Re Excel Immigration Status) (indicating that as of June 2018 the number of Qatari nationals in the UAE amounted to 2,194) and Annex 5 (Annex 5 - Immigration - Complete Entry-Exit Records) (showing movement of Qatari nationals entering and exiting the UAE in over 8,000 occasions). UAE's Supplemental Response of 14 January 2019, Annex 1 (Letter from the Federal Authority for Identity and Citizenship, dated 10 January 2019, summarizing statistics and attaching detailed records in tables in Excel files regarding those statistics), Annex 1.1 (Excel Redacted] Entrance and Exit for Qatari Nationals from 1 June 2018 until 31 December 2018) (showing that the actual registered entries and exits of Qatari nationals into and out of the UAE from 1 June through 31 December 2018 amounted to 2,876)

[15] UAE's Supplemental Response of 14 January 2019, Annex 1 (Letter from the Federal Authority for Identity and Citizenship, dated 10 January 2019, summarizing statistics and attaching detailed records in tables in Excel files regarding those statistics), Annex 1.3, ([Excel Redacted] Holders of UAE Resident Permits).

residing in or visiting the UAE is not substantially different than the number of Qataris who were present in the country prior to June 2017.[16]

19. The Committee is asked to take note that Qatar has not directly challenged that evidence with any credible rebuttal evidence, because it cannot. Instead, it now weakly questions details about the statistics reflected in the evidence. For example, rather than dispute the fact that thousands of Qataris have entered and exited the UAE since June 2017, it says that the cross-border movements of thousands of Qataris into and out of the UAE "appear" to show "a very large number, if not the majority" exiting rather than entering the country.[17] Given that, as Qatar itself has repeatedly pointed out, many Qataris routinely visit the UAE for business, family or shopping excursions, this revelation should not be surprising.[18]

20. It then complains that the UAE has not provided a "comparative set of data on the movements of Qataris during the period before the crisis" so as to determine whether following June 2017 Qatari visitors to the UAE may have declined.[19] As the allegation Qatar has insidiously thrown about is that there is a ban on all Qataris entering the UAE, this response, allowing that there are indeed large movements of Qatari nationals into and out of the UAE, does nothing to support Qatar's extreme, and false, contention, and in fact it directly contradicts it.

21. And with regard to the evidence the UAE has provided showing that, as of January 2019, over 700 Qatari nationals reside in the UAE and hold UAE identification documents,[20] Qatar attempts to question it by speculating that some of those Qatari nationals had travelled out of the country and not returned, and that "even accepting the UAE's submissions as true — and Qatar does not — there would apparently be a three-fold

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[16] *See*, *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Verbatim Record of Public Sitting of 28 June 2018, at 10:00 a.m.(CR 2018/13), p. 13, para. 14 (Alnowais).

[17] 19 February Response, para. 119, fn. 218.

[18] *See*, *e.g.*, 19 February Response, para. 36.

[19] 19 February Response, para. 121.

[20] UAE'S Supplemental Response of 14 January 2019, para. 10.

decrease in the number of Qataris residing in the UAE."[21] But, as Qatar well knows, this supposed "three-fold decrease" is another fabrication because it compares the number of Qatari nationals currently "residing" in the UAE with the number of Qatari nationals (residents and visitors) who were physically present in the UAE in June 2018.[22]

22. Qatar's statistical gymnastics cannot hide the obvious truth that after cutting away all of the rhetorical verbiage about "collective expulsions" and "entry bans", even Qatar cannot sustain the extreme falsehoods set out in its own submissions. Having effectively admitted the untruth of its essential allegations — that the UAE expelled Qataris from the UAE and banned their re-entry to the country — the credibility of Qatar's case evaporates.

23. Qatar's response to other important allegations are equally empty and evasive. Most importantly for the Committee's determination of whether Qatar's complaint should be dealt with any further pursuant to Article 11(3) of the CERD, the Committee should take note that in reply to the documentary evidence submitted by the UAE showing that, contrary to Qatar's allegations, Qatari nationals have continued to enjoy access to UAE courts and have appeared in judicial proceedings as plaintiffs or defendants in hundreds cases since June 2017,[23] all that Qatar can muster as a response is that this is not a relevant consideration as "the UAE has presented no cases in which Qataris have challenged the measures that form the subject of Qatar's Communication."[24] This response, and Qatar's other remarks concerning the access Qataris have to UAE courts and the corresponding availability of domestic remedies, requires a number of points to be made.

24. First, it must be noted that while it references the lack of challenges by Qataris to "the measures that form the subject of Qatar's Communication", Qatar does not indicate what specific <u>measures</u> it is referring to. The reason is both obvious and significant. It is so

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[21] 19 February Response, para. 124, fn. 232.

[22] UAE's Supplemental Response of 14 January 2019, para. 10 ("As of June 2018, the number of Qataris in the UAE amounted to 2,194.").

[23] UAE's Supplemental Response of 14 January 2019, para. 12 a.

[24] 19 February Response, para. 137.

because once the fabricated "collective expulsion" and "ban on entry" allegations are stripped away, there are in fact no "measures" to point to which have allegedly targeted Qatari nationals or deprived them of any rights. Far from imposing a ban, establishing ordinary entry requirements is the UAE's sovereign right and conforms with common state practice. Certainly Qatar does not point to any specific "measure" other than the procedures through the "hotline" established in June 2017 (available through a dedicated website since October 2018[25]) which Qatari nationals must follow in order to obtain a permit to enter the country. Qatar has made a sustained effort to portray these entry requirements as "discriminatory" and in violation of the CERD, but this is nonsense, and an affront to the human suffering which led the international community to create the CERD.[26] Indeed, Qatar should be ashamed to equate itself with those who have suffered such indignities, and to have done so for manifestly political ends.

25. Second, and once again, the Committee should note that Qatar does not actually challenge the evidence submitted by the UAE proving that, contrary to its persistent and fraudulent allegations ("As they cannot enter the UAE, Qataris are prevented from physical access to UAE courts and institutions"[27]), Qataris are parties in hundreds of ongoing cases before UAE courts (in many of which they are the claimants), and that Qatari nationals are not now, and have not ever been, impeded from accessing UAE courts or any judicial or administrative procedures available in the country.

26. Finally, Qatar's response reveals one of the more deceptive aspects of its claim before the Committee that Qataris have no access to judicial or other remedies. This relates to the so-called Compensation Claims Committee (the "**CCC**") established by the Qatari government just a few weeks after the break in relations between the UAE and Qatar. The members of the CCC are high Qatari government officials, including the Secretary General of the Qatari Ministry of Foreign Affairs and the Qatari Attorney General,

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[25] *See infra* para. 134.

[26] Further elaboration of the reasons why preferences based on current nationality do not constitute racial discrimination are set out in paras. 55-98, *infra*.

[27] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Application Instituting Proceedings, 11 June 2018, para. 46.

among others.[28] As described by the Secretary-General of the Qatari foreign ministry, the CCC receives the complaints which have been lodged with the National Human Rights Committee (the "**NHRC**") so that they can be "sorted and referred to the competent local and international courts", adding that "the compensation committee was divided into three sections: the first to examine citizens' complaints about violations of human rights or individual damage; the second for traders who were affected by the closure of land, sea and air borders; and the third for government institutions affected by the blockade such as the Ministry of Economy and Qatari Aviation."[29] He also confirmed that "the State is responsible for the cases fees and lawyers' fees" and that claims against Saudi or Emirati defendants are being brought in diverse tribunals, including in "the courts of their countries."[30]

27. A report published by the NHRC has confirmed that it refers all complaints it has received to the CCC, meaning that all of the complaints which Qatar has cited as the basis of its claims against the UAE under CERD are subject to the intervention and assistance of the CCC.[31] As the description published by the NHRC makes clear, the Qatari government established and designed the CCC so as to be in a position to control and orchestrate all legal claims of its citizens arising out of its dispute with the UAE. As noted by the NHRC:

> That Committee [the CCC] has been tasked with the following:
>
> 1. To receive complaints and claims for compensation from individuals, private organizations, and the public sector;
> 2. To investigate complaints from a legal point of view to ascertain whether it was the blockade that caused harm to the injured parties;

[28] Information Office, Ministry of Foreign Affairs, Doha, Qatar, Foreign Ministry Secretary General: "Compensation Claims Committee Receives 2,945 Individual Cases from NHRC", 25 July 2017, available at: https://mofa.gov.qa/en/all-mofa-news/details/2017/07/25/foreign-ministry-secretary-general-compensation-claims-committee-receives-2-945-individual-cases-from-nhrc.

[29] *Id*.

[30] *Id*. (emphasis added).

[31] National Human Rights Committee, Doha, Qatar, *6 Months of Violations*, The Fourth General Report on the Violations of Human Rights Arising from the Blockade, December 5, 2017 (Annex 9 to 19 February Response).

> 3. To instruct international law firms to investigate the possibility of initiating law suits against the blockading states to obtain compensation for the injured parties;
> 4. To supervise and coordinate among state authorities, the private sector, individuals, and law firms in order to ensure that they are furnished with the documentation they need; and
> 5. To closely monitor the claim filed by the State of Qatar to the World Trade Organization and provide the requirements thereof.
>
> A cooperative relationship exists between the NHRC and the Compensation Claim Committee, to which the NHRC refers all of the complaints it receives. Numerous meetings continue to be held with it in order to categorize the victims in order to redress injuries in accordance with the relevant international and regional treaties.[32]

28. The existence and role of the CCC shines a spotlight on Qatar's claims in various respects. Most crucially, it reveals that Qatar has all along been in a position to orchestrate and determine the nature, scope and forum of the legal remedies pursued (or which could be pursued) by its nationals in their alleged claims arising out of the break in relations between the UAE and Qatar, whether in UAE or other courts, through investment treaties or at a higher international level, including the Qatari citizens whose complaints against the UAE are noted in Qatar's submissions before the CERD Committee. It is a reasonable assumption, indeed an established fact (see paragraph 30, *infra*) that it has been doing just that.

29. Moreover, the fact that Qatar has not disclosed its direct handling, supervision and funding of its nationals' legal cases to the Committee, particularly as the availability of local remedies is a key element in the Committee's determination of whether to entertain a matter referred to it, is revealing, and speaks volumes about its disingenuous intentions in launching this CERD Committee proceeding. Indeed, its behaviour can only suggest that it all along intended to mislead the Committee into believing a false narrative in which Qatar's nationals have been left on their own, helpless, with no avenues to seek

[32] *Id*., p. 4 (emphasis added).

redress for their grievances. Qatar clearly knows otherwise. The Committee will appreciate that this disingenuous behavior is entirely unacceptable.

30. That Qatar has in fact orchestrated the legal claims of its nationals is established without doubt by the 200 or more notices of dispute, supported by the Qatari government, which have been filed by Qatari nationals under the *Agreement on Promotion, Protection and Guarantee of Investments Among Member States of the Organisation of the Islamic Conference* (the "**OIC Investment Agreement**"),[33] claiming damages against the UAE arising out of the break in relations between the two countries. These claims, which pursuant to the OIC Investment Agreement may be brought in UAE national courts or through a process of agreed conciliation and then arbitration, demonstrate not only that the Qatari government is funding and controlling the filing of claims by its nationals, but as each of these claims purports to seek a remedy through arbitration rather than through the UAE courts, they also reveal that the Qatari government is instructing its nationals to purposefully forego the pursuit of redress through UAE courts.

31. Thus, Qatar's claims that its nationals are unable to access UAE courts or lack remedies in those courts lack credibility on various counts. The evidence demonstrates that numerous Qatari nationals are in fact proceeding to seek remedies before UAE courts. And what's more, Qatar's conduct in supporting claims under the OIC Investment Agreement demonstrates that even where UAE courts are specifically designated as the forum of choice, Qatar has instructed its nationals not to proceed before those courts and instead to pursue arbitration.

32. In light of these considerations, and in view of the domestic remedies the UAE has identified in its previous submissions,[34] it would be highly unreasonable to conclude that

[33] The UAE has received notices of dispute from these alleged claimants in four batches. The first batch of 13 notices is dated 5 April 2018, and a second notice signed by 80 alleged investors is dated 16 April 2018. All of these claimants are represented by the law firms of Debevoise & Plimpton, and DLA Piper. A third notice signed by 105 alleged investors is dated 26 September 2018, and these claimants are represented by the law firms of Debevoise & Plimpton, and Carter-Ruck. Finally, on 19 December 2018, the UAE Ministry of Justice received a notice of dispute from Qatar Airways.

[34] UAE's Supplemental Response of 14 January 2019, paras. 52–62; UAE's Supplemental Response of 29 November 2018, paras. 65–70; UAE's Response of 7 August 2018, para. 85.

"all available domestic remedies have been invoked and exhausted in the case", a requirement for the CERD Committee to deal with a matter referred to it pursuant to Article 11 of the Convention. That the Qatari government has, for almost two years now, undertaken a process of categorizing, investigating, supervising and coordinating the claims of its nationals against the UAE or other parties arising out of the break in relations between the two states, and in certain cases supporting the initiation of proceedings, makes it abundantly clear that Qatar itself is fully aware of the availability of these remedies and of the judicial fora in which they may be pursued. Its claims to the contrary are simply not to be believed.

D. Qatar's Conspicuously Misleading Discussion Concerning its Support for Extremists and Terrorists Reveals its True Colors

33. In the 19 February Response, Qatar calls the allegations connecting it to extremist and terrorist groups as "wild and incorrect". Qatar says that such allegations are "pretextual" and an "attempt to cloak the UAE's true motivation" for breaking diplomatic relations with Qatar and taking the other measures it has taken in relation to Qatar, including establishing the entry requirements for Qatari nationals which are at the heart of Qatar's CERD complaint. The "true motivation" for having taken such actions is, according to Qatar, "to coerce Qatar into relinquishing sovereign control of its internal and external affairs."[35] Qatar's Emir, Sheikh Tamim Bin Hamad Al-Thani, echoes this narrative. When asked "why are they [the Quartet] doing it, for what purpose?", he replied "[t]hey don't like our independence, the way how we are thinking, our vision for the region. We want freedom of speech for the people of the region. And they're not happy with that. And so they think that this is a threat to them."[36] On the matter of "freedom of speech", Qatar claims that far from being a "spokespiece" for extremists as the UAE alleges,

[35] 19 February Response, para. 16.

[36] Interview of Emir Sheikh Tamim Bin Hamad Al-Thani by Charlie Rose, 29 October 2017, available at: https://www.cbsnews.com/news/qatars-emir-stands-defiant-in-face-of-blockade.

Qatar's state-owned broadcaster Al Jazeera is "a beacon of rigorous independent reporting".[37]

34. These remarks are ironic. As noted by *Reporters Without Borders*, Qatar has an "oppressive legislative arsenal and … draconian system of censorship. The government, the royal family, and Islam are off limits to reporters."[38] Thus, while Qatar claims to want "freedom of speech", it prohibits that within its own borders. Moreover, "when their coverage is deemed impermissible, non-Qataris face much tougher punishments, including 'termination, deportation, and imprisonment.'"[39] A recent report noted that "[e]ven professionals in compliance with the rules can be harassed, arrested, or denied entry into Qatar."[40]

35. As for Al Jazeera, and in particular its Arabic language channel, to refer to it as a "beacon of rigorous independent reporting" is perverse. Indeed, in an obvious attempt to mislead, the accounts of the professionalism of Al Jazeera which Qatar has cited in the 19 February Response all relate exclusively to its English language channel, not its Arabic language sister channel, which is the source of most of the objectionable broadcasts in support of extremist groups which the UAE and others have complained about.[41] The Arabic language channels of Al Jazeera would not be mistaken as a beacon of anything except possibly outrageous intolerance. For example, one of its most prominent journalists has openly expressed enthusiastic support for Al-Qaeda's ideology in a television broadcast, and an extended interview on Al Jazeera with the Al Nusra Front leader Muhammad Al-Jolani was reported as having been so favorable that it has been described as Qatar's "infomercial" for the terrorist group.[42] It is perhaps not surprising

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[37] 19 February Response, para. 16.

[38] Reporters Without Borders, "Qatar", available at: https://rsf.org/en/qatar.

[39] Freedom House, "Freedom of the Press 2017: Qatar", quoted in Ilan Berman (ed.), *Digital Dictators, Media, Authoritarianism, and America's New Challenge* (Rowan & Littlefield, 2018), p. 82.

[40] *Id*.

[41] 19 February Response, para. 16.

[42] Mohamed Fahmy, "The Price of Aljazeera's Politics", THE WASHINGTON INSTITUTE FOR NEAR EAST POLICY, 26 June 2015, available at: https://www.washingtoninstitute.org/policy-analysis/view/the-price-of-aljazeeras-politics.

that an on-air poll of Al Jazeera viewers revealed that over 81% of them support ISIS.[43] Al Jazeera has also regularly broadcast the sermons of Yusuf al-Qaradawi, the spiritual leader of the Muslim Brotherhood and someone who has referred to the holocaust as "divine punishment" of the Jews and has called on Muslims to become suicide bombers in Palestine and Iraq as a "legitimate right" and a "duty", among other outrages.[44]

36. As Mohamed Fahmy, former journalist of the channel who was imprisoned in Egypt in connection with his work for Al Jazeera, states in relation to his experiences in Egypt covering the *Arab Spring*:

> The more the channel was in coordination and got guidance from the Qatari government, the more it became a megaphone for Qatari intelligence. There are many biased satellite channels, but this is beyond bias. Al-Jazeera has already turned into the voice of high-risk terrorists.
>
> . . .
>
> When I started meeting with some members of the Muslim Brotherhood and their sympathizers, they told me specifically that that they were filming the fake protests and selling them to Al-Jazeera for broadcasting, and dealing seamlessly with the Al-Jazeera network and some Egyptian production companies related to the Qatari channel.[45]

37. Fahmy's account of Al Jazeera's policies in Egypt, and in support of the Muslim Brotherhood, is revealing. He says that "[m]y bosses also neglected to tell me that they had commissioned Muslim Brotherhood members to cover the Brotherhood's own antigovernment protests and sell the footage to the banned Arabic arms of the Aljazeera network." He later talked to some of the "activists" who "openly acknowledged receiving cameras and broadcast equipment from Aljazeera."[46]

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[43] AlJazeera, "Voting", available at http://www.aljazeera.net/votes/pages?voteid=5270.

[44] Antony Barnett, "Suicide Bombs are a Duty, says Islamic Scholar", THE GUARDIAN, 28 August 2005, available at: https://www.theguardian.com/politics/2005/aug/28/uk.terrorism.

[45] Elie Leik, "Al-Jazeera and the Muslim Brotherhood", ASHARQ AL-AWSAT, 25 June 2017, available at: https://aawsat.com/print/959986.

[46] Mohamed Fahmy, "The Price of Aljazeera's Politics", THE WASHINGTON INSTITUTE FOR NEAR EAST POLICY, 26 June 2015, available at: https://www.washingtoninstitute.org/policy-analysis/view/the-price-of-aljazeeras-politics.

38. Fahmy says that "[i]t is clear that Qatar uses Aljazeera as a tool of influence to advance the cause of the Muslim Brotherhood" and that "[c]urrent and former Aljazeera employees have repeatedly argued that the broadcasting network lacks impartiality and promotes a pro-Islamist narrative": "The network's slogan, 'The opinion and the other opinion,' represents a mirage, as the coverage fails to give voice to Qatar's opposition, which calls for the right to protest and form political parties and labor unions . . . Sadly, its leadership has instead manipulated the truth and has revealed itself as a mouthpiece for extremism."[47]

39. The false narrative promoted by Qatar that claims that its association with extremism and terrorism, including its support for such groups through its state-owned media networks, most prominently Al Jazeera, is "pretextual" is more or less repeated in every submission Qatar has made to the Committee and to the ICJ in connection with the dispute between it and its neighbors, including the UAE. This narrative is deceptive. But for purposes of the communication which is now before the Committee, it is important to focus on just a few fundamental points of relevance which emerge from the allegations which have been made against Qatar in this regard.

40. First, and in complete contradiction to the disingenuous utterances of Qatar's Emir when asked if he saw the Quartet's break in relations with Qatar coming (". . . it was a shock. It was a shock because a few weeks before that, we were meeting, all of us together, in one room, including President Trump. And we were discussing terrorism, financing terrorism. And nobody brought any concern from those countries. Nobody told me anything."[48]), the concerns about Qatar's support for extremists and terrorists, financial and otherwise, have been widely known and reported upon for many years.

41. Qatar, of course, denies its links to or support for such groups, but what it cannot deny is that it is a widely-held view the world over that these links and support exist, and that the UAE, along with other States of the Gulf Cooperation Council (the "**GCC**"), share this

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[47] *Id.*

[48] Interview of Emir Sheikh Tamim Bin Hamad Al-Thani by Charlie Rose, 29 October 2017, available at: https://www.cbsnews.com/news/qatars-emir-stands-defiant-in-face-of-blockade.

view and consider it a serious threat. The most obvious evidence of this reality, and of the alarm felt by the UAE and those other GCC States, are the efforts which were made by them over a number of years to persuade Qatar to cut its links with and cease its support for such groups. Thus, the UAE, along with the other States comprising the GCC, including most importantly Qatar, entered into a series of agreements, duly registered at the United Nations,[49] in 2013 and 2014 (the "**Riyadh Agreements**") in which Qatar undertook, among other commitments: not to interfere "in the internal affairs of the [other] GCC States, whether directly or indirectly"; not to support deviant/extremist groups, "antagonistic media" or "the Muslim Brotherhood or any of the organizations, groups or individuals that threaten the security and stability of the [GCC] States";[50] "not to support the Muslim Brotherhood with money or via media in the GCC Countries or outside" and to "approve the exit of Muslim Brotherhood figures [from Qatar], who are not citizens, within a time limit to be agreed upon"; not to support groups in Yemen, Syria or any destabilized area "which pose a threat to the security and stability of GCC Countries"[51]; to "support the Arab Republic of Egypt, and contribute to its security, stability and its financial support"; and "to cease all media activity directed against the Arab Republic of Egypt in all media platforms, whether directly or indirectly, including all the offenses broadcast on Al-Jazeera, Al-Jazeera Mubashir Masr, and to work to stop all offenses in Egyptian media."[52]

42. Importantly, the Riyadh Agreements also contain a crucial provision stating that "If any country of the GCC Countries failed to comply with this mechanism, the other GCC

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[49] First Riyadh Agreement, 23 and 24 November 2013, United Nations Registration Number 55378 ("First Riyadh Agreement"); Mechanism Implementing the Riyadh Agreement, 17 April 2014, United Nations Registration Number 55378 ("Mechanism Implementing the Riyadh Agreement"); Supplementary Riyadh Agreement, 16 November 2014, United Nations Registration Number 55378 ("Supplementary Riyadh Agreement"). The Parties to the Riyadh Agreements are: the UAE, Qatar, Bahrain, Kuwait, Oman and Saudi Arabia. The text of the Riyadh Agreements appears in: *Appeal Relating to the Jurisdiction of the ICAO Council under Article 84 of the Convention on International Civil Aviation* (Bahrain, Egypt, Saudi Arabia and United Arab Emirates v. Qatar), Joint Application, Annexes 2-4, available at: https://www.icj-cij.org/files/case-related/173/173-20180704-APP-01-01-EN.pdf.

[50] First Riyadh Agreement, November 2013.

[51] Mechanism Implementing the Riyadh Agreement, 23 November 2013.

[52] The Supplementary Riyadh Agreement, 16 November 2014.

Countries shall have the right to take any appropriate action to protect their security and stability."[53] This provision may be seen as a type of pre-agreed consent for the aggrieved State to take counter-measures.

43. The minutes of a number of the meetings held in implementation of the Riyadh Agreements provide a clear view of the difficulties the UAE and other GCC States had with Qatar, in particular its support for and harboring of extremist groups, including the Muslim Brotherhood, and the broadcasts of its state-owned "antagonistic media", most specifically Al Jazeera. The minutes also reflect the frustration felt with Qatar's failure to adequately comply with its obligations under the Riyadh Agreements. For instance, in a meeting in July 2014, the UAE representative complained that the "State of Qatar did not implement the basic provisions of the Riyadh Agreement . . . whereas the Muslim Brotherhood has not been deported, in fact they are being received, honored and provided with financial and moral support".[54]

44. The minutes from a subsequent meeting held a month and a half later following a successful round of diplomacy in which Qatar agreed to mend its ways confirmed the nature of the very core issues in dispute between Qatar and its GCC neighbors and that it was hoped that, unlike in previous occasions when Qatar's commitments were not implemented, Qatar would this time abide by its promises. Thus, as related by the Foreign Minister of Saudi Arabia:

> We presented during our meeting *with* His Highness Shaikh Tamim bin Hamad Al Thani all the points in conflict, such as the support for Islamists, Muslim Brotherhood, political policy, Libya and the issue of the media as well as the groups that work against the GCC and the consequential dangers that affect us all. We discussed this in detail and we found an acceptance by His Highness and that he is exerting efforts in resolving this problem, particularly that he ascended to the throne a year ago and that he is the first and last person responsible for all that happens in Qatar. He gave his promise to the Custodian of the Two Holy Mosques

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[53] Mechanism Implementing the Riyadh Agreement, p. 3 ("Thirdly: Compliance Procedures, 3. With regards to the internal security of the GCC Countries").

[54] **Annex 1**, Fourth Report of the Follow-up Committee on the Implementation of the Riyadh Agreement Mechanism, 15 July 2014 (Arabic original, English translation).

> and that he was committed to this promise. His Highness requested finding indisputable evidence for the implementation and said that he was prepared to cooperate in 'all that you want', adding that there is no problem without a solution.
>
> We informed *His* Highness that we would like him to stand by Egypt and not with the Muslim Brotherhood or encourage extremists. His Highness agreed to stop the media treatment against us, and, as you know, the media is part of the political policy of any country. His Highness said the media would be committed and will not taunt Egypt, but instead will stand by Egypt and support its efforts, adding that Qatar will not have a hand in supporting extremists or encouraging them, and that this is the policy that we want.
>
> . . .
>
> Proof is in implementation, and there are prior commitments that have not been implemented and we call for their implementation.[55]

45. It is plain that the Riyadh Agreements, and the minutes of just a few of the meetings held in connection with their implementation, show the existence of a serious disagreement between the UAE (and other GCC member States) and Qatar over its financial and other support for extremist and terrorist groups, with their "consequential dangers that affect us all", as well as with its politicized and antagonistic state media. Indeed, these documents reveal an outright admission by Qatar, and its head of state, that it was engaged in such practices and had promised to stop them.

46. However, since undertaking the commitments set out in the Riyadh Agreements reports too numerous to mention, from a wide array of sources: continue to link Qatar with support for Al-Qaeda,[56] the Al-Nusra Front,[57] ISIS,[58] the Muslim Brotherhood,[59] various

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[55] **Annex 2**, Summary of Discussions in the Sixth Meeting of their Highnesses and Excellencies the Ministers of Foreign Affairs, Jeddah, 30 August 2014 (Arabic original, English translation).

[56] United Nations, Security Council, Press Release, "Individuals Associated with Al-Qaida – Khalifa Muhammad Turki Al-Subaiy", available at: https://www.un.org/press/en/2015/sc11790.doc.htm.

[57] U.S. Department of the Treasury, "Remarks of Under Secretary for Terrorism and Financial Intelligence David Cohen before the Center for a New American Security on 'Confronting New Threats in Terrorist Financing'", 4 March 2014, available at: https://www.treasury.gov/press-center/press-releases/pages/jl2308.aspx ("But a number of fundraisers operating in more permissive jurisdictions – particularly in Kuwait and Qatar – are soliciting donations to fund extremist insurgents, not to meet legitimate humanitarian needs. The recipients of these funds are often terrorist groups, including al-Qa'ida's Syrian affiliate, al-Nusrah Front, and the Islamic State of Iraq and the Levant (ISIL), the group formerly known as al-Qa'ida in Iraq (AQI)." (emphasis added)).

Iranian-backed militias[60] and extremist groups operating in Syria, Libya, Egypt and other States;[61] reveal that Qatar has continued to give sanctuary to dangerous extremists listed on U.N. and other terrorist sanctions lists;[62] allege the distribution to extremist groups of millions of dollars raised by Qatar-located "charities";[63] and confirm the payment by Qatar of millions of dollars, possibly as much as a billion dollars, to terrorist and extremist groups as "ransom" (whether genuine or concocted) for the release of hostages.[64]

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[58] *Id*.

[59] Eric Trager, "The Muslim Brotherhood Is the Root of the Qatar Crisis", THE ATLANTIC, 2 July 2017, available at: https://www.theatlantic.com/international/archive/2017/07/muslim-brotherhood-qatar/532380/ ("The emir was infamously close with Egyptian-born cleric Yusuf al-Qaradawi, the de facto Brotherhood spiritual guide who had lived in Qatar since 1961, and Al Jazeera had long provided a platform for Qaradawi and other Brotherhood figures to promote the group's theocratic ideology.").

[60] Con Coughlin, "White House calls on Qatar to stop funding pro-Iranian militias", THE TELEGRAPH, 12 May 2018, available at: https://www.telegraph.co.uk/news/2018/05/12/white-house-calls-qatar-stop-funding-pro-iranian-militias/ ("senior members of the Qatari government are on friendly terms with key figures in Iran's Revolutionary Guard").

[61] "Egypt: Qatar is the Main Funder of Terrorism in Libya", ASHARQ AL-AWSAT, 28 July 2017, available at: https://aawsat.com/print/962246 (Original in Arabic, free translation: "Tarek al-Qouni, Egyptian ambassador and assisting the Egyptian Foreign Minister on Arab States Affairs affirmed that Qatar is the main funder to terrorist groups and organisations in Libya in addition to other countries that he did not name."); "New Human Rights Report Accuses Qatar of 'Harbouring Terrorism in Libya'", 24 August 2017, ASHARQ AL-AWSAT, available at: https://aawsat.com/print/1006966 (Original in Arabic, free translation: "The Libyan non-government organisation "Justice or Not" based in Cairo held Qatar accused in a report the State of Qatar for harbouring terrorism financially and logistically"); Khaled Mahmood, " National Libyan Army's Spokesperson: Qatar and Turkey Try to Change the Demographic Composition of Libya", ASHARQ AL-AWSAT, 27 July 2018, available at: https://aawsat.com/print/1344606https://aawsat.com/print/1344606 (Original in Arabic, free translation: "[The National Army's spokesperson] affirmed that the Army has evidence in the form of tapes and documents proving the support of Turkey and Qatar to extremist and terrorist groups in Benghazi, [Libya] … The Libyan National Army accused yesterday, Qatar and Turkey, once again, of trying to change the demographic composition of the Libyan State.)

[62] "'Wanted Terrorist' finished second in Qatar triathlon", 28 March 2018, THE WEEK, available at: https://www.theweek.co.uk/odd-news/92582/wanted-terrorist-finishes-second-in-qatar-triathlon; United Nations, Security Council, Press Release, "Individuals Associated with Al-Qaida – Khalifa Muhammad Turki Al-Subaiy", available at: https://www.un.org/press/en/2015/sc11790.doc.htm.

[63] Zoltan Pall, "Kuwaiti Salafism and Its Growing Influence in the Levant", CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE, 7 May 2014, available at: https://carnegieendowment.org/2014/05/07/kuwaiti-salafism-and-its-growing-influence-in-levant-pub-55514.

[64] Erika Solomon, "The $1bn hostage deal that enraged Qatar's Gulf rivals", THE FINANCIAL TIMES, 5 June 2017, available at: https://www.ft.com/content/dd033082-49e9-11e7-a3f4-c742b9791d43?mhq5j=e2; Christian Chesnot, Georges Malbrunot, NOS TRES CHERS EMIRS, 2016, at pp.141-143 (Original in French, free translation: "For a decade, in around ten cases of hostages, Qatar settled the bill at the benefit of the hostage takers. <u>The total amount of money hence transferred to al-Nosra may be around $ 150 million</u>." (emphasis added)).

47. Its support for extremist groups in Libya have been repeatedly pointed out by various sources including an Egyptian diplomat[65], local NGOs[66] and by parts of the Libyan army[67]. The latter even went further as it found evidence of Qatar's policy of harbouring terrorists resulting in a "change in the demographic composition of the State of Libya".[68] Likewise, Qatar has been repeatedly criticized – in particular by the United States – for funding and supporting extremist Iran-backed militias in the MENA region.[69] In Syria, Qatar's support for a range of extremist and terrorist groups, including ISIS and the Al-Nusra Front,[70] were all but acknowledged by Qatar's foreign minister as early as 2012 when he noted that "I am very much against excluding anyone at this stage, or bracketing

[65] "Egypt: Qatar is the Main Funder of Terrorism in Libya", ASHARQ AL-AWSAT, 28 July 2017, available at: https://aawsat.com/print/962246 (Original in Arabic, free translation: "Tarek al-Qouni, Egyptian ambassador and assisting the Egyptian Foreign Minister on Arab States Affairs affirmed that Qatar is the main funder to terrorist groups and organisations in Libya in addition to other countries that he did not name.").

[66] "New Human Rights Report Accuses Qatar of 'Harbouring Terrorism in Libya'", ASHARQ AL-AWSAT, 24 August 2017, available at: https://aawsat.com/print/1006966 (Original in Arabic, free translation: "The Libyan non-government organisation "Justice or Not" based in Cairo held Qatar accused in a report the State of Qatar for harbouring terrorism financially and logistically").

[67] Khaled Mahmood, " National Libyan Army's Spokesperson: Qatar and Turkey Try to Change the Demographic Composition of Libya", ASHARQ AL-AWSAT, 27 July 2018, available at: https://aawsat.com/print/1344606 (Original in Arabic, free translation: "[The National Army's spokesperson] affirmed that the Army has evidence in the form of tapes and documents proving the support of Turkey and Qatar to extremist and terrorist groups in Benghazi, [Libya]).

[68] *Id*., (Original in Arabic, free translation: "The Libyan National Army accused yesterday, Qatar and Turkey, once again, of trying to change the demographic composition of the Libyan State.").

[69] "The White House Invites Qatar to Stop Funding Militias", ASHARQ AL-AWSAT, 13 May 2018, available at: https://aawsat.com/print/1266656 (Original in Arabic, free translation: "After 13 days upon The Washington Post's revelations on secret exchanges demonstrating that Doha contributed $ 1 billion to extremist militias in Syria and Iraq, The Telegraph made yesterday public that the American Administration invited Doha to refrain from funding militias directly linked to Iran."); *See also*, "The Telegraph: The White House Asks Qatar to Stop Funding Iran-Backed Militias", ASHARQ AL-AWSAT, 12 May 2018, available at: https://aawsat.com/print/1266391 (Original in Arabic, free translation: The American President Administration urged Qatar to stop funding Iran-backed militias, and this after revelations regarding ties between Doha and terrorist organisations in the Middle East. American security expressed voiced their concerns regarding such ties, especially as they include links with militias backed by Iran that Washington deems as terrorists organisations and groups. The British newspaper *The Telegraph* affirmed the demands Washington made to Doha as regards refraining from supporting and funding terrorists groups came after the discovery of various e-mails sent by Qatari high-ranked officials to leaders from Hezbollah, a militia backed by Iran and based in South Lebanon, as well as to leaders of the Iranian Revolution (…) Many high officials in the State of Qatar enjoy firm relationships with high-profile Iran Revolution leaders such as Qasem Soleimani who is in charge of the Quds Force [a unit primarily responsible for extraterritorial military activities and clandestine operations] and Hassan Nasrallah, leader of Hezbollah.").

[70] "Al-Nosra, the Qatari Terrorist Arm in Syria", SKY NEWS ARABIA, 17 June 2017, available at https://www.skynewsarabia.com/video/957485.

them as terrorists, or bracketing them as Al Qaeda given Qatar's necessity of removing [Bashar] Al Assad at all costs."[71]

48. As certain as it is, based on the history surrounding the Riyadh Agreements and the overwhelming weight of reporting by both media and governmental sources since they were concluded, that the allegations of Qatar's continuing support for extremism and terrorism in the Middle East and North Africa are true, the UAE does not ask the Committee to reach a judgment on that question. Rather, the UAE has briefly recounted these matters in order to provide the Committee with "relevant information", in accordance with Article 11(4) of the CERD. This information is relevant for a number of reasons.

49. First, it frames for the Committee the circumstances in which the UAE and the other members of the Quartet severed diplomatic relations with Qatar and took the other measures in question, including the establishment of entry requirements for Qatari nationals wishing to visit the UAE, the only measure which Qatar (incorrectly) has in fact pointed to as an alleged violation of the CERD. Contrary to the misrepresentations of Qatar, the rupture in relations between the UAE and Qatar was not part of some attempt to subjugate Qatar and deprive it of its independence, a proposition for which Qatar provides absolutely no evidence or reasoning. Rather, it was due to the UAE's determination that Qatar had, notwithstanding its obligations under the Riyadh Agreements, continued to support extremism in the region, conduct which its neighbours, including the UAE, view as a grave and serious threat to stability. The brief and documented history recounted above should make this clear.

50. Second, the facts about the circumstances in which the UAE and other Quartet members severed relations with Qatar is relevant for the Committee because it may assist it in making determinations about the credibility of other factual and contrary allegations made by the parties in their submissions. The unfortunate truth is that Qatar has engaged in a pattern of misrepresentation in this case, for instance repeatedly claiming (although it

[71] Elizabeth Dickinson, "The Case Against Qatar", FOREIGN POLICY, available at: https://foreignpolicy.com/2014/09/30/the-case-against-qatar/.

knew it was untrue) that Qataris had been collectively expelled from the UAE and that Qataris have been banned from entering the country. The further piece of Qatar's narrative – that its neighbors sought to isolate it after it refused to succumb to a loss of independence and sovereignty – is simply another fabrication whose purpose is to avoid acknowledging the obvious reality that it was its continuing support for extremism and terrorism which brought about its isolation. When considering other factual disagreements between the parties, the Committee is asked to keep these examples, and Qatar's demonstrated lack of credibility, in mind.

II. LACK OF JURISDICTION: QATAR'S ARTICLE 11 COMMUNICATION FALLS OUTSIDE THE SCOPE *RATIONE MATERIAE* OF THE CERD

51. While Qatar repeatedly insists that the alleged acts of the UAE constitute discrimination on the basis of "national origin", it is clear that Qatar's Article 11 Communication goes only to differentiated treatment on the basis of nationality, a matter falling wholly outside the scope *ratione materiae* of the CERD.[72] Indeed, in the 19 February Response, Qatar once again reiterates, accompanied by a lengthy analysis, that Qatar's position is that the CERD prohibits "nationality-based discrimination" as a form of racial discrimination proscribed by the Convention.[73]

52. Contrary to the claims of Qatar, the CERD does not prohibit a State from treating individuals differently based on their current nationality. Article 1(1) of the CERD does not contain nationality as a prohibited ground of discrimination. The inclusion of "national . . . origin" within the definition of "racial discrimination" in Article 1(1) does not extend the notion of racial discrimination to differences of treatment based solely on present nationality.

53. The Qatari claims are based on a misrepresentation of the ordinary meaning of the words of Article 1(1) of the CERD and on a misleading recitation of the *travaux préparatoires*.

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[72] In its first submission before this Committee Qatar expressly stated that "In imposing the Coercive Measures, UAE has unlawfully targeted Qatari citizens solely on the basis of nationality" Qatar's Article 11 Communication, 8 March 2018, para. 58.

[73] *See, e.g.*, 19 February Response, para. 22.

As detailed below, the ordinary meaning of the words "national origin" in the CERD read in their context and in light of the object and purpose of the Convention make it plain that current nationality is not a basis of discrimination under the CERD. Furthermore, the *travaux préparatoires*, when not distorted, confirm the unequivocal intention of its drafters that the CERD should not cover differentiation based on current nationality. Accordingly, the acts alleged by Qatar do not fall within the provisions of the CERD nor the jurisdiction of the Committee (**Section A**).

54. Qatar's new argument that the UAE's measures would fall within the scope of the CERD irrespective of whether "national origin" in Article 1(1) encompassed current nationality because the measures "have an unjustifiable negative impact on persons who are of Qatari national origin in the historical-cultural sense . . . : on the basis of characteristics such as 'heritage' or their ability to 'trace' their origin to Qatar",[74] a last-minute attempt to overcome the obvious flaws of its primary argument, also fails (**Section B**).

A. The CERD Does Not Prohibit Differentiated Treatment Based on Current Nationality

55. Under the customary international law rules of treaty interpretation codified in the Vienna Convention on the Law of Treaties (the "VCLT"), treaties are to be interpreted in good faith and in accordance with the ordinary meaning to be given to their terms in their context and in light of the their object and purpose.[75] The interpretation of the CERD follows the same rules. In accordance with these rules, the CERD cannot apply to the acts which form the basis of Qatar's claims, namely, discrimination on the basis of current nationality.

56. Article 1(1) of the CERD provides:

> In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or <u>national or ethnic origin</u> which has the purpose or effect of nullifying or impairing the recognition, enjoyment or

[74] 19 February Response, para. 55.

[75] Vienna Convention on the Law of Treaties, concluded on 23 May 1969, entered into force 27 January 1980, 1155 UNITED NATIONS TREATY SERIES 331 (1980), Article 31(1).

> exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.[76]

57. The ordinary meaning of "national . . . origin", read in its context and in light of the object and purpose of the Convention does not equate with an individual's current nationality. This is confirmed by the *travaux préparatoires* of the CERD. The CERD does not prohibit the alleged discrimination of individuals of which Qatar complains, since such differentiation, as Qatar admits, is based on current nationality.

1. The Ordinary Meaning of "National Origin" Does Not Encompass Current Nationality

58. As expressed by the International Law Commission when codifying the customary international law rules on treaty interpretation, "the text [of the Treaty] must be presumed to be the authentic expression of the intentions of the parties; and . . . in consequence, the starting point of interpretation is the elucidation of the meaning of the text".[77]

59. Qatar resorts to the dictionary definitions of "origin" and "national" but draws the wrong conclusions as to what the phrase "national . . . origin" means in Article 1(1). The UAE agrees that the dictionary definition of "origin" concerns "a person's social background or ancestry",[78] even "the country from which [a] person comes"[79]. With respect to "national", it is used in its adjectival form of nation, which is defined as "the people living in, belonging to, and together forming, a single state" or "a <u>race</u> of people of common descent, history, language or culture, etc, but not necessarily bound by defined

[76] CERD, Article 1(1) (emphasis added).

[77] *ILC Yearbook* 1966, vol. II, p. 220.

[78] 19 February Response, para. 24, citing to definition of "origin" in *Oxford Dictionaries*, available at: https://en.oxforddictionaries.com/definition/origin.

[79] 19 February Response, para. 24, citing to definition of "origin" in *Cambridge Dictionar*y, available at: https://dictionary.cambridge.org/us/dictionary/english/origin.

territorial limits of a state."[80] When taken with "origin", the second sense of "nation" is the most appropriate.

60. "National origin", then, in its ordinary meaning, cannot be equated to nationality.[81] Nationality is a legal relationship between an individual and a state.[82] An individual can acquire a nationality or lose it; he can even hold more than one nationality at once. But one's origin is immutable and inherent to the individual. Whilst one might migrate to another State and be naturalized there, that cannot rewrite the history of the individual and cannot be said to have any effect on the individual's origin. Although a person's nationality may coincide with his national origin, it is just that: a coincidence.[83] Thus,

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[80] *The Chambers Dictionary*, definition of "nation," available at: https://chambers.co.uk. (emphasis added). In one of the dictionary definitions of "nation" that Qatar refers to, that of the Cambridge Dictionary, Qatar conveniently omits reference to the second sense of "nation" therein defined as: "a large group of people of the same <u>race</u> who share the same language, traditions, and history, but who might not all live in one area." *Cambridge Dictionary*, definition of "Nation," available at: https://dictionary.cambridge.org/dictionary/english/nation (emphasis added).

[81] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Provisional Measures, Order of 23 July 2018, Joint Declaration of Judges Tomka, Gaja and Gevorgian, para. 4 ("When the Convention considers 'national origin' as one of the prohibited bases for discrimination, it does not refer to nationality"); *id*., Dissenting Opinion of Judge Salam, para. 5 ("This question of the distinction between 'nationality' and 'national origin' should not, in my view, admit of any confusion. They are two different notions"); *See also id*., Dissenting Opinion of Judge Crawford, para. 1 ("Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) distinguishes on its face between discrimination on grounds of national origin (equated to racial discrimination and prohibited *per se*) and differentiation on grounds of nationality (not prohibited as such)").

[82] Karin de Vries, *Integration at the Border: The Dutch Act on Integration Abroad and International Immigration Law* (Hart Publishing 2013), p. 304 ("From a legal perspective the distinction made above [between nationality as "a politico-legal term, denoting membership of a state" and as a "historico-biological term, denoting membership of a nation"] is significant because, as is submitted here, nationality as a legal status is not included in the definition of 'racial discrimination' provided in Article 1(1) of the CERD. <u>While this definition mentions 'national origin', this term does not refer to the legal bond between a person and a state</u>. Instead, it follows from the *travaux préparatoires* of the Convention that the term 'national origin' should be understood in conjunction with 'descent' and 'ethnic origin' to indicate nationality in the ethnographical sense.") (emphasis added). The 1955 *Oppenheim's International Law*, current at the time of the drafting the CERD, provides this definition: "'Nationality' in the sense of citizenship of a certain state must not be confused with 'nationality' as meaning membership of a certain nation in the sense of race. Thus, according to international law, Englishmen and Scotsmen are, despite their different nationality as regards race, all of British nationality as regards their citizenship. Thus further, although all Polish individuals are of Polish nationality qua race, for many generations there were no Poles qua citizenship." Lassa Oppenheim, *International Law*, (8th ed., Longmans, Green & Co. 1955), p. 645.

[83] For example, a person born in Canada to Canadian parents would be considered as having a Canadian national origin. His nationality may also incidentally be Canadian. If he later migrates to Brazil and lives there for some time, Brazil may grant him Brazilian nationality. But this in no way affects his national origin. He would be a national of Brazil with Canadian national origin.

national origin and nationality are distinct concepts,[84] and the ordinary meanings of the words do not permit the interpretation on which Qatar relies.

2. Taken in Context, "National Origin" Cannot Encompass Current Nationality

61. The ordinary meaning of a treaty term "is not to be determined in the abstract but in the context of the treaty."[85] The immediate "context" includes the remaining terms of the provision, the entire article, the preamble of the treaty and any annexes.[86]

62. The context of the term "national . . . origin" in the CERD confirms that it cannot mean nationality. The ordinary meaning of "national . . . origin" is necessarily informed by the link with the concept of "ethnic origin" in Article 1(1) and immediately follows the other bases of racial discrimination under the CERD, which are race, colour and descent. These three characteristics, together with ethnic origin are all immutable. "National . . . origin," read in this context, is no different. Thus, the CERD prohibits discrimination based on those characteristics which, like one's national origin, are inherent and unchanging. Nationality, by contrast, is not an inherent quality but can change over time. The context of Article 1 precludes national origin meaning nationality.

63. Furthermore, if it did mean nationality, the drafters could easily have used that word. Elsewhere in the CERD, and in the same Article even, "nationality" is used.[87] That the drafters did not use the term "nationality" in Article 1(1) thus suggests a deliberate choice. "National origin", not nationality, was *le mot juste* to define the prohibited grounds of discrimination in a convention concluded with the aim of eliminating "all forms of racial discrimination" (emphasis added).

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[84] Other examples that show the two concepts are different include: a person could have Zulu national origin but South African nationality, or Aymaran national origin but nationality of the Plurinational State of Bolivia, or Inuit national origin but Canadian, Danish or American nationality.

[85] *ILC Yearbook* 1966, vol. II, p. 221.

[86] Vienna Convention on the Law of Treaties, concluded on 23 May 1969, entered into force 27 January 1980, 1155 UNITED NATIONS TREATY SERIES 331 (1980), Article 31(2).

[87] CERD, Article 1(3).

64. Other provisions of the CERD confirm this delimitation of Article 1(1) to national orign as indicating immutable qualities. Article 1(2), which forms part of the immediate context of Article 1(1) expressly recognizes and carves out from the scope of application of the Convention, the right of States to make distinctions between "citizens and non-citizens". This provision therefore in fact permits differential treatment on the basis of nationality. Similarly, Article 1(3) expressly uses the word "nationality" when providing that the CERD may not be interpreted "as affecting in any way the legal provisions of States Parties concerning nationality, citizenship or naturalizations, provided that such provisions do not discriminate against any particular nationality."[88]

65. The conclusion that nationality does not fall within the scope of discrimination on the basis of "national origin" in Article 1(1) is also confirmed by Article 5. This provision enumerates protected rights, amongst them the right to vote and stand for election, and requires States Parties to guarantee equality before the law in the enjoyment of those rights "without distinction as to race, colour, or national or ethnic origin." It would be absurd to interpret "national origin" as meaning "nationality" in that context. On Qatar's interpretation of "national origin", a State that conferred on nationals of certain States the right to vote or the right to be a public servant would be obliged to confer such rights on nationals of *all* States. This cannot be the meaning of the CERD.

66. The other rights protected in Article 5 confirm that "national origin" cannot mean nationality. The rights include the right to own property, the right to work, the right to public health, medical care, social security and social services, and the right to education. These are just the kind of rights for which States Parties to the CERD customarily differentiate between nationals and non-nationals, as further elaborated below.[89] If Qatar is correct, then such widely accepted practice would be in breach of Article 5. Against this background, the only tenable interpretation is that "national origin" does not mean "nationality".

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[88] CERD, Article 1(3).

[89] *See infra* paras. 89-93.

3. The Object and Purpose of the CERD Confirms That "National Origin" Does Not Encompass Current Nationality

67. The conclusion that current nationality does not fall within the scope of the grounds of prohibited discrimination in Article 1(1) is confirmed by the object and purpose of the CERD. In the absence of a clause specifically stating the purpose of a treaty, the title of that treaty may provide helpful guidance.[90] Similarly, "the preamble of a treaty is regularly a place where the parties list the purposes they want to pursue through their agreement."[91] As the name of the Convention indicates, its object and purpose is to eliminate *racial* discrimination. The Preamble reinforces this aim in the following terms:

> Reaffirming that discrimination between human beings on the grounds of race, colour or ethnic origin is an obstacle to friendly and peaceful relations among nations and is capable of disturbing peace and security among peoples and the harmony of persons living side by side even within one and the same State.
>
> . . .
>
> Resolved to adopt all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines and practices in order to promote understanding between races and to build an international community free from all forms of racial segregation and racial discrimination.[92]

68. Other parts of the Preamble equally reinforce the overall aim of putting an end to racial discrimination with no indication of any intention to prohibit discrimination on the basis

[90] Oliver Dörr & Kirsten Schmalenbach (eds.), *Vienna Convention on the Law of Treaties: A Commentary* (Springer Science & Business Media 2011), p. 546.

[91] *Id*.

[92] CERD, Preamble (emphasis added).

of present nationality.[93] The substantive provisions also reveal the overarching object and purpose of the Convention.[94]

69. Thus, taking the ordinary meaning of "national origin" in its context, and in light of the object and purpose of the CERD to stamp out racial discrimination, "national origin" is an individual's permanent association with a particular nation of people. It does not equate to nationality. Whereas a "national origin" is perpetual and links the individual to a nation of people, nationality is a legal relationship with a State, a relationship which can come or go. The two concepts are not the same; and whilst the CERD prohibits discrimination on the basis of national origin, it does not prohibit it on the basis of present nationality.

4. The Ordinary Meaning of "National Origin" Is Confirmed By the *Travaux Préparatoires*

70. The *travaux préparatoires* confirm the interpretation arrived at by applying the "general rule of interpretation" codified in Article 31(1) of the VCLT, *i.e.*, that the inclusion of "national . . . origin" in Article 1(1) does not extend the definition of racial discrimination to include differences of treatment based on present nationality.[95] The drafters of the Convention had in mind two distinct concepts.[96]

71. The drafting of the CERD took place in three stages: in the Sub-Commission on Prevention of Discrimination and Protection of Minorities (the "**Sub-Commission**"), then

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[93] CERD, Preamble ("Convinced that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere") (emphasis added); *id*. ("Convinced that the existence of racial barriers is repugnant to the ideals of any human society") (emphasis added); *id*. ("Alarmed by manifestations of racial discrimination still in evidence in some areas of the world and by governmental policies based on racial superiority or hatred, such as policies of apartheid, segregation or separation.") (emphasis added).

[94] *See*, *e.g.*, CERD, Article 2(1) (obligation to pursue a "policy of eliminating racial discrimination in all its forms and promoting understanding among all races"); *id*., Article 4 (condemning and obliging States to eradicate "all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin").

[95] Recourse may be had to the preparatory works of a treaty to confirm its meaning. Vienna Convention on the Law of Treaties, concluded on 23 May 1969, entered into force 27 January 1980, 1155 UNITED NATIONS TREATY SERIES 331 (1980), Article 32.

[96] *See*, *e.g.*, the Chairman at the 411th meeting of the Sub-Commission. *See infra* para. 78.

the Commission on Human Rights, and finally the Third Committee of the General Assembly. Once this process was complete, the General Assembly passed a resolution approving the final text of the CERD and opening it for signature and ratification.[97] At all three stages of drafting, the delegates were aware of the distinction between "national origin" and "nationality" and were keen to avoid any overlap between the two terms.

72. In the 19 February Response, Qatar quotes and cites selectively from the *travaux préparatoires* to support its conclusion that the CERD applies to discrimination on the basis of present nationality. This is not tenable. Looking at the *travaux préparatoires* more broadly it is clear that, whilst some delegates recognised "national origin" might encompass present nationality, they were eager to avoid that interpretation.

73. The *travaux préparatoires* confirm what is apparent from the ordinary meaning of the words, their context and the purpose of the CERD. "National origin" does not encompass present nationality. Subsequent practice of States Parties to the CERD confirm that it cannot be otherwise.[98]

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[97] International Convention on the Elimination of All Forms of Racial Discrimination, Adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965.

[98] *See infra* paras. 90-92.

a) The Travaux Within the Sub-Commission on Prevention of Discrimination and Protection of Minorities

74. Three working drafts were initially prepared in the Sub-Commission. In two of those three drafts, the definition of "racial discrimination" included discrimination based on an individual's "national origin".[99]

75. The Sub-Commission never intended "national origin" to mean nationality. This is made clear in the debates within the Sub-Commission about proposals to remove "national origin" from the draft convention or whether to include the word "nationality" in Article 1. The consensus was that the latter term would overstep the remit of a convention on racial discrimination and that "national origin" as a basis of prohibited racial discrimination should be retained, on the grounds that it was clear that "national origin" did not mean nationality.[100] This view was expressed by the representative for Finland, Mr Saario, who commented that:

> [E]veryone understood what was meant by the term "national origin", and he would not object to its use in the definition. . . .
>
> [T]he difference between the terms "nationality" and "national origin" was clear. In international law, the term "nationality" was

[99] Sub-Commission on Prevention of Discrimination and Protection of Minorities, Draft International Convention on the Elimination of All Forms of Racial Discrimination by Messrs Ivanov and Ketrzynski, 15 January 1964, doc. E/CN.4/Sub.2/L.314, Article 1(1) ("the term 'racial discrimination' shall mean any differentiation, ban on access, exclusion, preference or limitation based on race, colour, national or ethnic origin"); Sub-Commission on Prevention of Discrimination and Protection of Minorities, Suggested Draft for United Nations Convention on the Elimination of All Forms of Racial Discrimination by Mr Abram, 13 January 1964, doc. E/CN.4/Sub.2/L.308, Articles 1 ("the term racial discrimination includes any distinction, exclusion or preference made on the basis of race, colour, or ethnic origin, and in the case of States composed of different nationalities or persons of different national origin, discrimination based on such differences") and 2(1) ("No State Party shall make any discrimination whatsoever against persons, groups of persons or institutions on the grounds of race, colour, or ethnic origin, or where applicable, on the basis of 'nationality' or national origin."). The third draft, submitted by Mr Calvocoressi, omitted any reference to "national origin", prohibiting only racial discrimination based on "race, colour, or ethnic origin". Sub-Commission on Prevention of Discrimination and Protection of Minorities, Draft Convention on the Elimination of All Forms of Racial Discrimination by Mr Calvocoressi, 13 January 1964, doc. E/CN.4/Sub.2/L.309, p. 1 (Article 1).

[100] A minority of members opposed the use of "national origin" due to concerns that it might be misinterpreted to mean nationality, whereas that was not the intention. *See*, *e.g.*, Mr Capotorti, Sub-Commission on Prevention of Discrimination and Protection of Minorities, 411th meeting, 16 January 1964, doc. E/CN.4/Sub.2/SR.411, pp. 5-6.

> frequently used to mean "citizenship" ... the use of the term "national origin" would avoid ambiguity".[101]

76. Accordingly, the Sub-Commission did not consider it necessary to adopt an amendment proposed by Mr Krishnaswami, the delegate from India, which included "nationality", but only in quotation marks and only in a special sense explained in an important footnote:

> "Nationality" as the term is used in this convention, is different from the meaning of the term in public international law where it indicates a recognized link between an individual and a State to which he owes allegiance and which has an international responsibility for him. It is for that reason that this term is within quotation marks. Its meaning in the present context is that which it has in the case of States composed of groups of different origin.[102]

77. The delegate from India went on to explain that: "With that explanatory footnote, the article could not be interpreted as denying to a State its right to make special provisions regarding aliens within its territory."[103] The rejection of the inclusion of this amendment and the explanation of delegates for doing so shows that in order to avoid using "nationality" in a special sense, the term "national origin" was preferable.[104]

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[101] Sub-Commission on Prevention of Discrimination and Protection of Minorities, 411th meeting, 16 January 1964, doc. E/CN.4/Sub.2/SR.411, pp. 6, 12.

[102] Sub-Commission on Prevention of Discrimination and Protection of Minorities, 411th meeting, 16 January 1964, doc. E/CN.4/Sub.2/SR.411, p. 4.

[103] Sub-Commission on Prevention of Discrimination and Protection of Minorities, 411th meeting, 16 January 1964, doc. E/CN.4/Sub.2/SR.411, p. 4.

[104] Mr Cuevas Cancino, the delegate from Mexico, was opposed to the *use* of a special meaning of "nationality" and the use of a footnote to explain that meaning. He was not opposed to the meaning *itself*, or to the content of the footnote, which excluded current nationality as a basis of discrimination. Furthermore, to avoid using "nationality" in a special sense, he preferred "national origin" to the exclusion of "nationality" as a basis of discrimination. *See*, Sub-Commission on Prevention of Discrimination and Protection of Minorities, 411th meeting, 16 January 1964, doc. E/CN.4/Sub.2/SR.411, pp. 9-10. The Chairman speaking in his personal capacity took the position of Mr Cuevas Cancino and "agreed that the term 'national origin' was preferable to 'nationality', and he would certainly not be in favour putting that word in quotation marks or using a footnote. Such a procedure would not make for clarity, a primary requirement in the convention." *Id.,* p. 10. One lone voice in this meeting of the Sub-Commission would have preferred "nationality" as a base of discrimination over "national origin." Mr Calvocoressi said that he "had some doubts about the use of the term 'national origin' and preferred the term 'nationality'." *Id.* Without knowing his misgivings, however, and in the face of the overwhelming consensus for excluding the term "nationality", such a statement is of little weight.

78. This tension between a special meaning of "nationality" and "national origin" continued in the discussions in the Sub-Commission. In fact, the draft text of Article 1 eventually adopted unanimously by the Sub-Commission and proposed to the Commission on Human Rights defined "racial discrimination" as "any distinction, exclusion, restriction or preference based on race, colour, national or ethnic origin (and in the case of States composed of different nationalities discrimination based on such difference)".[105] However, this was accompanied by an interpretative article, Article 8, which clarified that the term "nationalities" was being used in this draft Article 1 with a special meaning.[106] The Chairman of the Sub-Commission explained that this interpretive article was intended to indicate that the draft convention "did not change the *status quo ante* with respect to the political rights of non-nationals".[107] The representative of the United States of America considered that the text of Article 8 served "to prevent anything from being read into the term 'nationality' in article 1 which that term was not intended to mean".[108] The delegate for Sudan, Mr Mudawi, also expressed his opinion in a similar way by indicating that the text of Article 8 would prevent a "misinterpretation" between "national origin" and "nationality" and would clarify that "nationality" did not refer to an individual's legal relationship to a State.[109]

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[105] Sub-Commission on Prevention of Discrimination and Protection of Minorities, 414th meeting, 17 January 1964, doc. E/CN.4/Sub.2/SR.414, p. 10; Report of the Sixteenth Session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, 11 February 1964, doc. E/CN.4/873, p. 46.

[106] "Nothing in the present convention may be interpreted as implicitly recognizing or denying political or other rights to non-nationals nor to groups of persons of a common race, colour, ethnic or national origin which exist or may exist as distinct groups within a State Party." Report of the Sixteenth Session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, 11 February 1964, doc. E/CN.4/873, p. 49 (emphasis added).

[107] *See*, Sub-Commission on Prevention of Discrimination and Protection of Minorities, 427th meeting, 28 January 1964, doc. E/CN.4/Sub.2/SR.427, p. 5.

[108] *See*, Sub-Commission on Prevention of Discrimination and Protection of Minorities, 427th meeting, 28 January 1964, doc. E/CN.4/Sub.2/SR.427, p. 5.

[109] Sub-Commission on Prevention of Discrimination and Protection of Minorities, 427th meeting, 28 January 1964, doc. E/CN.4/Sub.2/SR.427, p. 3 ("[T]he object of [Draft Article 8] was to remove the difficulty arising from the terms 'nationality' and 'national origin' in article I as adopted (E/CN.4/Sub.2/L.322). The terms 'nationality', as used in the draft convention, referred to membership in a group within a nation. Because, however, in public international law that term referred to the relationship between a citizen and his country, the provisions of the draft convention might be interpreted as implying that nationals and non-nationals must be put on the same footing.").

79. Draft Article 8 therefore also confirms that Article 1 of the Sub-Commission's draft convention was not intended to include present nationality as a basis of racial discrimination.

b) The Travaux Within the Commission of Human Rights

80. Discussions in the Commission tell the same story, *i.e.*, that the members of the Commission agreed that racial discrimination should not include differentiation on the basis of nationality. Qatar cites the Summary Record of the 809th Meeting of the Commission to support the proposition that delegates felt "national origin" could be interpreted as inclusive of nationality.[110] This is not the complete picture. Some delegates were indeed concerned that "national origin" could be construed to mean present nationality, but that is not to say that the Commission actually intended that meaning. On the contrary, delegates at that meeting desired the Convention to exclude current nationality as a basis of racial discrimination.[111]

81. This debate over the risk of misinterpretation of "national origin" surfaced in the Commission after the Commission decided to delete the text included in parenthesis in Article 1 of the Sub-Commission's draft[112] (which read "in the case of States composed of different nationalities, discrimination based on such difference"[113]) and to delete draft Article 8 of the Sub-Commission's draft, which had been designed to indicate that

[110] 19 February Response, para. 46, citing to Commission on Human Rights, 809th meeting, 13 March 1964, doc. E/CN.4/SR.809.

[111] For example, the delegate from France, worried that "national origin" might mean "current nationality", certainly did not desire that meaning, nor did he desire "current nationality" to be a base for discrimination; and therefore the delegate voted to retain draft article 8 which precluded that meaning. Commission on Human Rights, 809th meeting, 13 March 1964, doc. E/CN.4/SR.809, p. 4. The delegate from the USSR agreed that current nationality should not be a base of discrimination. He argued that "it was sufficiently clear from the context of article I that the reference to national origin, which was a key element of the definition of racial discrimination, bore no relation to questions of citizenship." *Id.*, p. 4. The delegate from the United Kingdom, despite the ambiguity of "national origin", was convinced that the term "could not be equated with nationality because in that event, States would be prohibited from distinguishing between nationals and non-nationals in the matter of political rights." *Id.*, p. 5 ("If it meant the country of origin of nationals further ambiguities arose which would make it impossible for some States to undertake the obligations inherent in the convention.").

[112] Commission on Human Rights, 786th meeting, 26 February 1964, doc. E/CN.4/SR.786, p. 3 (indicating that the deletion of the phrase in parenthesis was adopted by 14 votes to 2 with 5 abstentions). *See supra* para. 78.

[113] Report of the Sixteenth Session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, 11 February 1964, doc. E/CN.4/873, p. 46.

"national origin" was not the same as "nationality".[114] Without Article 8 to qualify the term "national origin", the delegate from France believed the draft convention was no longer acceptable and so proposed deleting the word "national" before "or ethnic origin."[115] He believed "it was unnecessary to refer to nationality in a convention on the elimination of racial discrimination."[116]

82. The responses of the delegate from the USSR and from India are both revealing. In spite of the USSR delegate's grave discomfort with "national origin", he felt that to delete the word in the Russian text "would mean that discrimination was tolerated when the victim belonged to a different national group."[117] It is telling that he was concerned for victims of different "national groups" — not different nationalities. More explicitly, the delegate from India was in favour of keeping the phrase "since the Sub-Commission had in mind the plight of persons of Indian and Pakistani origin in the Republic of South Africa".[118] The nationality, in a strict legal sense, of victims is irrelevant.

83. The meeting which followed reflects this conclusion. The Danish delegate proposed a compromise amendment to Article 1 which included the word "national" in square brackets and part of what had been draft article 8 in the Sub-Commission to be added at the end of the definition of racial discrimination, also in square brackets.[119] This proposal read as follows:

> In this Convention the term 'racial discrimination' shall mean any distinction, exclusion, restriction or preference based on race, colour, [national] or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public

[114] Commission on Human Rights, 808th meeting, 12 March 1964, doc. E/CN.4/SR.808, p. 17 (indicating that article 8 was deleted by 12 votes to 2, with 7 abstentions).

[115] Commission on Human Rights, 809th meeting, 13 March 1964, doc. E/CN.4/SR.809, pp. 4, 6, 7.

[116] Commission on Human Rights, 809th meeting, 13 March 1964, doc. E/CN.4/SR.809, p. 8 (emphasis added).

[117] Commission on Human Rights, 809th meeting, 13 March 1964, doc. E/CN.4/SR.809, p. 7.

[118] Commission on Human Rights, 809th meeting, 13 March 1964, doc. E/CN.4/SR.809, (emphasis added) p. 8.

[119] Commission on Human Rights, 810th meeting, 15 May 1964, doc. E/CN.4/SR.810, p. 5.

> field. [In this paragraph the expression 'national origin' does not cover the status of any person as a citizen of a given State.]"[120]

84. The Commission adopted this wording unanimously[121] and this was the text that was elevated to the Third Committee of the General Assembly,[122] with this phrase in square brackets that indicated that "national origin" did not cover "nationality".

c) The Travaux Within the Third Committee of the General Assembly

85. Qatar also mischaracterizes the *travaux préparatoires* of the Third Committee of the General Assembly by claiming that "the delegates expressed the view that the term 'national origin' could be interpreted in a number of different ways, including to encompass nationality in the sense of citizenship as well as in the sense of an individual's historical-cultural connections to a State."[123] Qatar cites the delegate of France as one who saw "national origin" as encompassing the above two meanings.[124] Qatar passes over, however, that the delegate of France, with the United States, suggested an amendment precisely to avoid that double meaning. The amendment suggested read:

> In this Convention the expression 'national origin' does not mean 'nationality' or 'citizenship', and the Convention shall therefore not be applicable to distinctions, exclusions, restrictions or preferences based on differences of nationality or citizenship.[125]

86. Other delegates, whilst recognising the potential ambiguity of "national origin", also intended the phrase to exclude current nationality. These include the following:

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[120] Report of the Commission on Human Rights on the Twentieth Session (1964), in *Official Records of the Economic and Social Council, Thirty-seventh session*, Supplement No. 8, doc. E/CN.4/874, p. 111 (emphasis added).

[121] Commission on Human Rights, 810th meeting, 15 May 1964, doc. E/CN.4/SR.810, p. 6.

[122] Report of the Commission on Human Rights on the Twentieth Session (1964), in *Official Records of the Economic and Social Council, Thirty-seventh session*, Supplement No. 8, doc. E/CN.4/874, pp. 108-114.

[123] 19 February Response, para. 44.

[124] 19 February Response, para. 44, citing to Third Committee, 1304th meeting, 14 October 1965, doc. A/C.3/SR.1304, p. 84.

[125] Report of the Third Committee – Draft International Convention on the Elimination of All Forms of Racial Discrimination, doc. A/6181, para. 32.

- The delegate from Poland believed the phrase "national origin" was to capture those situations "in which a politically organised nation was included within a different State and continued to exist in the social and cultural senses even though it had no government of its own. The members of such a nation within a State might be discriminated against, not as members of a particular race or as individuals, but as members of a nation which existed in its former political form."[126]

- The delegate from Austria, seeing no ambiguity in "national origin", was keen to see it stay. It was clear to him what the phrase aimed to eliminate: "For half a century the terms 'national origin' and 'nationality' had been widely used in literature and in international instruments as relating, not to persons who were citizens of or held passports issued by a given State, but to those having a certain culture, language and traditional way of life peculiar to a nation but who lived within another State."[127]

- A delegate whom Qatar quotes, Mr Gueye of Senegal, also used the phrase "national origin" as a concept distinct from current nationality. Noting the potential ambiguity, he believed that the "expression should nevertheless be retained, since it would offer protection to persons of foreign birth who had become nationals of their country of residence and who in some cases suffered from discrimination, as well as foreign minorities within a State which might also be subjected to persecution".[128]

- The delegate from Hungary had the same concern when he raised the "need to find a clear formulation prohibiting discrimination against persons who were full citizens of a State but had a different nationality, in the sense of another mother tongue, different cultural traditions, and so forth".[129] Again, there can be no discrimination of such citizens based on their current nationality (in the legal sense). The CERD, the delegate hoped, would rather eliminate discrimination based on their national origin, a social-cultural concept.

- The delegate from the United States of America said: "National origin differed from nationality in that national origin related to the past – the previous nationality or geographical region of the individual or of his ancestors – while nationality related to present

[126] Third Committee, 1304th meeting, 14 October 1965, doc. A/C.3/SR.1304, para. 5 (emphasis added).

[127] Third Committee, 1304th meeting, 14 October 1965, doc. A/C.3/SR.1304, para. 13.

[128] Third Committee, 1304th meeting, 14 October 1965, doc. A/C.3/SR.1304, para. 16 (emphasis added).

[129] Third Committee, 1304th meeting, 14 October 1965, doc. A/C.3/SR.1304, para. 21 (emphasis added).

> status. The use of the former term in the Convention would make it clear that persons were protected against discrimination regardless of where they or their ancestors had come from. National origin differed from citizenship in that it related to non-citizens as well as to citizens".[130]

87. Admittedly, as Qatar points out, the U.S. and France did withdraw their amendment which clarified in specific terms that current nationality was not a basis of discrimination prohibited by the Convention.[131] However, they withdrew it in favour of a compromise amendment by nine States which ultimately became the provisions of Article 1 of the CERD.[132] When withdrawing the U.S-France amendment, France's representative explained that the nine-State amendment was "entirely acceptable to his delegation and to that of the United States of America which therefore withdrew their own amendments".[133] France and the United State of America would only have so proceeded if it was without doubt that "national origin" did not include current nationality.

88. Therefore, this fairly detailed description of the *travaux préparatoires* at the various stages of drafting confirm what derives from the ordinary meaning of the words "national origin" read in good faith in their context and in light of the object and purpose of the Convention, *i.e.*, that the term "national origin" in Article 1(1) is not to be read as encompassing present "nationality."

5. Subsequent Practice of States Parties to the CERD

89. Subsequent practice of States Parties to the CERD confirms that differentiation based on nationality in the exercise of several of the rights recognized in the CERD does not constitute "racial discrimination" prohibited by the CERD. In accordance with

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[130] Third Committee, 1304th meeting, 14 October 1965, doc. A/C.3/SR.1304, para. 23.

[131] 19 February Response, para. 49, citing to Report of the Third Committee – Draft International Convention on the Elimination of All Forms of Racial Discrimination, doc. A/6181, para. 32, containing the text of the U.S.-France amendment: "In this Convention the expression 'national origin' does not mean 'nationality' or 'citizenship', and the Convention shall therefore not be applicable to distinctions, exclusions, restrictions or preferences based on differences of nationality or citizenship." Text of the amendment cited also *supra* at para. 85.

[132] This amendment was proposed jointly by Ghana, India, Lebanon, Mauritania, Morocco, Nigeria, Poland, Senegal and Kuwait. Report of the Third Committee – Draft International Convention on the Elimination of All Forms of Racial Discrimination, doc. A/6181, para. 37.

[133] Third Committee, 1307th meeting, 18 October 1965, doc. A/C.3/SR.1307, para. 8 (emphasis added).

Article 31(3)(b) of the VCLT, "any subsequent practice in the application of the treaty which establishes the agreement of the parties regarding its interpretation" "shall be taken into account, together with the context" in the interpretation of a treaty.[134] As explained by an authoritative commentary on the VCLT:

> Subsequent practice may also serve as a means to determine the scope of application of a treaty, and then even to establish that the latter does not apply. Thus, under lit b, the interpreter may just as well consider the practice of parties in the "non-application of the treaty", i.e. draw conclusions from the fact that the parties did not apply their treaty when treaty provisions might have been thought to be applicable.[135]

90. States Parties to the CERD often favour nationals of one State over nationals of another and have enacted legislation differentially treating nationals of different foreign Sates in respect of the specific rights listed in Article 5 of the CERD. This has never been considered by those States Parties to the CERD — Qatar and the UAE included — as "racial discrimination" in breach of the CERD.

91. By way of example, States Parties to the CERD do not grant equal enjoyment of the following rights listed in Article 5 of the CERD:

- Freedom of movement, Article 5(d)(i): Australia requires nationals of other States to obtain a visa to enter Australia — apart from nationals of New Zealand who may enter without one.[136]
- Political rights, Article 5(c): The United Kingdom grants voting rights to nationals of the Republic of Ireland and of some Commonwealth States but not to other nationalities.[137]
- Right to education and training, Article 5(e)(v): members of the South African Development Community treat nationals of other

[134] Vienna Convention on the Law of Treaties, concluded on 23 May 1969, entered into force 27 January 1980, 1155 UNITED NATIONS TREATY SERIES 331 (1980), Article 31(3)(b).

[135] Oliver Dörr & Kirsten Schmalenbach (eds.), *Vienna Convention on the Law of Treaties: A Commentary* (Springer Science & Business Media 2011), p. 557 (emphasis added).

[136] Migration Act (Cth), s 42.

[137] Representation of the Peoples Act 2000, ss 1-2.

members as home students for the purposes of fees and accommodation.[138]

- Right to work, Article 5(e)(i): Jamaica does not require nationals of other CARICOM States to possess a permit to work in the country — a permit which nationals of other States do need.[139]

92. Qatar, no less, under its domestic legislation treats nationals of different foreign States differently. This practice would be inconsistent with the interpretation of "national origin" on which Qatar relies. Either "national origin" does not include current nationality, or Qatar itself falls foul of the CERD:

- Nationals of only some States may enter Qatar without a visa.[140]
- Nationals of Gulf Cooperation Council members enjoy greater rights in land ownership,[141] access to medicine,[142] ability to practise certain professions,[143] and admission and fees in higher education than nationals of other States.[144]
- Jobs in government agencies are given in priority to Qatari nationals and their offspring and next to "the nationals of the Gulf Cooperation Council, nationals of the Arab World and then to nationals of other countries."[145]

93. Qatar's actions are not consistent with the interpretation of "national origin" which it presents in these proceedings. That interpretation, which is in any case farfetched,

[138] Protocol on education and training in the Southern African Development Community, Article 7(A)5.

[139] Foreign Nationals and Commonwealth Citizens (Employment) Act, s 3.

[140] State of Qatar, Ministry of Interior, "Qatar Visas", available at: https://portal.moi.gov.qa/qatarvisas/index.html; Qatar Airways, "Qatar Waives Entry Requirements for Citizens of 80 Countries", 9 August 2017, available at: https://www.qatarairways.com/en/press-releases/2017/Aug/qatar-waives-entry-visa-requirements-for--citizens-of-80-countri.html.

[141] Law No. 17 of 2004 Regarding Organization and Ownership and Use of Real Estate and Residential Units by non-Qataris, Articles 2-4.

[142] Law No. 7 of 1996 Organizing Medical Treatment & Health Services within the State, Article 2; Law No. 8 of 1989 Concerning the Treatment as Qatari Citizens of Citizens of the Gulf Cooperation Council (GCC) States at Health Centres, Clinics and Public Hospitals, Article 1.

[143] Law No. 23 of 2006 regarding Enacting Code of Law Practice, Article 13; Law No. 6 of 1983 on the Commencement of the Steps to Implement the Unified Economic Agreement between the States of the Cooperation Council for the Arab States of the Gulf CCASG, Article 2.

[144] Law No. 11 of 1988 on the Equality of Students of the States of the Cooperation Council for the Arab States of the Gulf (GCC) in the Institutions of Higher Education, Articles 1 and 2.

[145] Law No. 8 of 2009 on Human Resources Management 8/2009, Article 14.

evidently is a desperate fabrication, aimed at bringing the present complaints within the jurisdiction of the Committee. Qatar's own practice, however, and the widespread practice of other States Parties to the CERD (of which the above examples were only illustrative[146]), reveal the real meaning of the phrase as a prohibited ground of discrimination in the CERD. The acts Qatar complains of, as differentiation based on current nationality, do not fall within the jurisdiction of the Committee.

6. General Recommendation XXX

94. In the 19 February Response, Qatar also relies on General Recommendation XXX (2004) of the CERD Committee to support its argument that nationality-based discrimination does not fall outside the ambit of the Convention.[147] The Recommendation does no such thing. Furthermore, such recommendations are not binding and do not constitute subsequent practice or agreement of the States Parties to the CERD regarding the interpretation of the Convention.[148]

95. Qatar relies on paragraph 4 of General Recommendation XXX, which reads:

> Under the Convention, differential treatment based on citizenship or immigration status will constitute discrimination if the criteria for such differentiation, judged in the light of the objectives and purposes of the Convention, are not applied pursuant to a legitimate aim, and are not proportional to the achievement of this aim. Differentiation within the scope of article 1, paragraph 4, of the Convention relating to special measures is not considered discriminatory.[149]

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[146] *See*, Oliver Dörr & Kirsten Schmalenbach (eds.), VIENNA CONVENTION ON THE LAW OF TREATIES: A COMMENTARY (Springer Science & Business Media 2011), p. 557 ("Even though lit b requires the practice to establish the agreement of 'the parties', meaning all the parties, that does not mean that every party must have individually engaged in practice. The ILC omitted the word 'all', which had been contained in an earlier draft, from this phrase precisely in order to avoid the misconception that the practice must be actively performed by all the parties.").

[147] 19 February Response, paras. 29-33.

[148] Vienna Convention on the Law of Treaties, concluded on 23 May 1969, entered into force 27 January 1980, 1155 UNITED NATIONS TREATY SERIES 331 (1980), Article 31(3)(b). *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Provisional Measures, Order of 23 July 2018, Dissenting Opinion of Judge Salam, para. 8.

[149] *Official Records of the General Assembly, Fifty-ninth session,* Supplement No. 18, doc. A/59/18, pp. 93-97 (emphasis added).

96. On the basis of this paragraph, Qatar argues that "even to the extent that States *may* differentiate between particular nationalities in implementing visa or immigration policies, the CERD does not allow for differential treatment that disproportionately negatively impacts the individual concerned, for example where it results in the denial of *fundamental human rights* to non-citizens."[150]

97. In making this assertion, Qatar omits any reference to the part of paragraph 4 underlined above, *i.e*., the fact that differential treatment must be scrutinized "judged in the light of the objectives and purposes of the Convention". The Committee was clearly not purporting to suggest that all differential treatment based on citizenship (or immigration status) is impermissible under the Convention; any such approach would have been inconsistent not only with the clear terms of Article 1(2), but with widespread State practice, for instance, in denying or restricting entry of the citizens or nationals of specific States. The Committee's aim was to make clear that differential treatment on the basis of citizenship or immigration status is prohibited in so far as, "judged in light of the objectives and purpose of the Convention", the criteria used are a vehicle for disguised racial discrimination. The UAE, however, did not hide behind non-citizenship in order to racially discriminate (as defined in the CERD) against Qataris. The Recommendation has no bearing on the present case.

98. Thus on all counts the CERD does not cover differential treatment based on nationality. The words themselves, their context, and the object and purpose of the CERD all reflect the discussions which went into the making of the Convention and which reveal the clear intention of the drafters to exclude current nationality as a basis of racial discrimination. Since ratification, the practice of States, amongst them Qatar, has (rightly) assumed that interpretation. Current nationality is not a basis of racial discrimination as defined in the CERD; and the acts Qatar complain of do not, therefore, fall within the jurisdiction of the Committee.

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[150] 19 February Response, para. 33 (emphasis in original).

B. Qatar's New Argument that the UAE's Measures Would Fall Within the Scope of the CERD Irrespective of Whether "National Origin" in Article 1(1) Encompassed Current Nationality Fails

99. Qatar's new argument, obviously concocted when it realized that its "present nationality" argument was bound to fail, is that measures taken by the UAE would fall within the scope of the CERD irrespective of whether "national origin" in Article 1(1) encompassed current nationality because such measures "have an unjustifiable negative impact on persons who are of Qatari national origin in the historical-cultural sense . . . : on the basis of characteristics such as 'heritage' or their ability to 'trace' their origin to Qatar".[151]

100. This argument, presented without a shred of evidence and on the basis of a somewhat amateurish understanding of Gulf history and sociology, appears to maintain that (i) "Qatari" denotes a distinct "historical-cultural community" identifiable based on characteristics such as their "dialect and dress",[152] (ii) such identifying characteristics are evident in persons who do not have Qatari nationality, including certain individuals holding UAE nationality but one of whose parents or ancestors came from Qatar, and (iii) by taking measures which affect persons of Qatari nationality (e.g., establishing entry requirements), the UAE may have also impacted non-Qatari individuals of Qatari heritage,[153] thus violating CERD by "discriminating" against persons of Qatari national origin. Qatar goes as far as saying that "the punitive nature of the UAE's actions . . . suggests that these effects are also by design"[154] and that such actions "have in fact had a severe impact on the historical-cultural community of Qataris."[155]

101. There are a number of obvious problems with this argument. First, it is, simply as a factual matter, difficult to associate the scenario envisioned by the argument with any plausible reality. The one example provided by Qatar where it maintains that such "discriminatory effects" might occur – where the Emirati children of a mixed Emirati-

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[151] 19 February Response, para. 55.

[152] 19 February Response, para. 57.

[153] 19 February Response, para. 62.

[154] 19 February Response, para. 63.

[155] 19 February Response, para. 62.

Qatari family living in the UAE who, it is presumed, identify themselves as "Qatari" in the "historical-cultural sense", are somehow adversely affected by the entry requirements on Qatari nationals – have been shown not to be a plausible occurrence in light of the virtually automatic access to the UAE which is afforded to the members of any mixed Emirati-Qatari family. The hypothetical situation Qatar has in mind is untenable.

102. Second, Qatar's attempt at defining "Qatari national origin in the historical-cultural sense" is artificial and does not engage the basis of discrimination "national . . . origin" in the CERD, which necessarily entails discrimination on the basis of "race", an immutable concept, as explained above.[156] Given the geographical proximity, the common cultural and social background, common language and the close ties and interconnectedness of the populations of Qatar and the UAE,[157] any allegation that they belong to two different "races" would be unsustainable.

103. Finally, if this argument were accepted, it would mean that all measures associated with any break of diplomatic relations would engage the CERD if those measures impacted on one or more national or ethnic groups living in the country with which diplomatic relations have been severed. In fact, if one were to follow Qatar's argument to its ultimate logic, Qatar should also be alleging that the measures taken by the UAE on the basis of Qatari nationality also impact or have effect on Qatari citizens of other national or ethnic origins. It is not doing so nor could it. Article 1(1) reads:

> In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.[158]

[156] *See supra* paras. 58 *et seq*.

[157] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Verbatim Record of Public Sitting of 27 June 2018, at 10:00 a.m. (CR 2018/12), p. 15, para. 2 (Al-Khulaifi).

[158] CERD, Article 1(1) (emphasis added).

104. From this text, it is clear that "effect" under Article 1(1) refers to the consequence of the measure in question, not with the definition of "racial discrimination". Therefore, the fact that a measure has an "effect" on persons of one or more national or ethnic origin is insufficient to bring the measure within the scope of the CERD if there is no discrimination "based on" national or ethnic origin.

III. THE COMMITTEE MUST DECLINE TO HEAR QATAR'S ARTICLE 11 COMMUNICATION BECAUSE QATAR HAS FAILED TO ESTABLISH THAT LOCAL REMEDIES HAVE BEEN INVOKED OR EXHAUSTED UNDER ARTICLE 11(3) OF THE CERD

105. In accordance with the clear text of Article 11(3) of the CERD, the exhaustion of domestic remedies is a necessary precondition for consideration by the Committee of a matter referred to it in accordance with Article 11(2). The requirement of exhaustion of domestic remedies seeks to ensure that, before a claim is brought on the international plane, "the State where the violation occurred should have an opportunity to redress it by its own means, within the framework of its own domestic legal system."[159] This principle requires that each injured person first seeks relief from the damage or harm alleged to have been incurred as a result of the State conduct in violation of the CERD pursuant to the legal remedies available from judicial or administrative courts or bodies, including administrative remedies.[160]

106. The UAE has demonstrated in its previous submissions that Qatar has failed to establish that any Qatari nationals who have allegedly been aggrieved by some action of the UAE in violation of the CERD have invoked, let alone exhausted, any available and effective domestic remedies in the UAE as required under Article 11(3) of the CERD.[161] As a

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[159] *Interhandel* (Switzerland v. United States of America), I.C.J. Reports 1959, p. 6, at p. 27; *see also*, *Ambatielos* (Greece v. United Kingdom), (1956), RIAA, vol. XII, p. 83 at p. 120: "[i] is the whole system of legal protection, as provided by municipal law, which must have been put to the test before a State, as the protector of its nationals, can prosecute the claim on the international plane."

[160] Articles on Diplomatic Protection, Article 14(2). Articles on Diplomatic Protection, Commentary to draft Article 14, para. 5, *ILC Yearbook 2006*, vol. II(2), p. 45. *See also*, *Ahmadou Sadio Diallo* (Republic of Guinea v. Democratic Republic of the Congo), Preliminary Objections, I.C.J. Reports 2007, p. 582, at p. 601, para. 47 (the remedies which must be exhausted "include all remedies of a legal nature, judicial redress as well as redress before administrative bodies").

[161] UAE's Supplemental Response of 14 January 2019, paras. 47-67; UAE's Supplemental Response of 29 November 2018, paras. 56-71; UAE's Response of 7 August 2018, paras. 81-85.

consequence, the Committee should declare inadmissible Qatar's Article 11 Communication.

107. Despite this admissibility hurdle as evidenced from the clear language of Article 11(3), confirmed in the *travaux préparatoires* of the Convention and expressly recognized by Qatar as applicable under the inter-state procedure of Articles 11-13,[162] in its 19 February Response, Qatar argues that the "[e]xhaustion requirement does not bar Qatar's claims."[163] Qatar is wrong. First, none of the arguments relied upon by Qatar bar the application of the rule of exhaustion of domestic remedies to Qatar's Article 11 Communication (**Section A**). Second, the UAE has discharged its burden to indicate the existence of effective and reasonably available remedies that have not been exhausted (**Section B**).

A. None of the Grounds Relied upon by Qatar Bar the Application of the Rule of Exhaustion of Domestic Remedies to Qatar's Claims

108. Qatar first argues that reading Article 11(3) "in conformity with the generally recognized principles of international law" should lead the Committee to the conclusion that "the rule does not apply to claims of the kind before this Committee" and that "[t]he UAE's objection must therefore be dismissed."[164]

109. Qatar asserts that the phrase "generally recognized principles of international law" in Article 11(3) should be read as incorporating a series of principles, such as that "the local remedies rule does not apply in cases of widespread or generalized State policies and practices."[165] To the contrary, the phrase "in conformity with the generally recognized principles of international law" was discussed during the *travaux préparatoires* of the

[162] Qatar has recognized that the rule of exhaustion of local remedies applies both under the inter-state procedure of Articles 11-13 and under the individual communication procedure under Article 14 of the Convention. *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice, Response on behalf of the State of Qatar to the questions posed by Judge Cançado Trindade on Friday, 29 June 2018, 3 July 2018, para. 8.

[163] 19 February Response, Part IV.A.

[164] 19 February Response, para. 77.

[165] 19 February Response, para. 79. Besides, the assertion that the CERD must be interpreted taking into account the circumstances of a contemporary society does not affect the interpretation of the local remedies rule in Article 11(3).

Convention to encompass the two exceptions to the rule of exhaustion of domestic remedies. As explained by the delegate for the Netherlands:

> [T]he words "in conformity with the generally recognized principles of international law" in paragraph 3 [of what is now Article 11] were meant to refer to the two exceptions to the rule that available remedies must be exhausted before a case was taken to the international level. The exceptions in question were cases where numerous precedents showed that no redress was to be expected from the available remedies or where ... application of the remedies was unreasonably prolonged.[166]

110. Qatar argues that in no other case before the ICJ "has the local remedies rule been applied in circumstances involving widespread and systematic harms like those before this Committee".[167] This argument is misguided and unavailing. In the cases concerning the CERD before the ICJ that Qatar cites, Article 11(3) of the CERD was not engaged because the applicant States in those proceedings had not resorted to the CERD Committee.[168] In another of the cases that Qatar relies on as establishing such a principle under the CERD (*Armed Activities, Congo v Rwanda*), not only did the States concerned not submit an Article 11 communication to the CERD Committee, but in addition the Court manifestly lacked jurisdiction under the CERD because Rwanda had made a reservation to Article 22 concerning the Court's jurisdiction.[169] Since the Court had no jurisdiction to entertain the application in that case, it was not required to rule on issues of admissibility such as the exhaustion of local remedies.

111. Therefore, these cases are distinguishable from Qatar's Article 11 Communication, and indeed they are inapplicable. Qatar cannot escape the fact that it did choose to submit its Article 11 Communication to the CERD Committee and that one of the consequences of

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[166] Third Committee, 1353rd meeting, 24 November 1965, doc. A/C.3/SR. 1353, para. 42.

[167] 19 February Response, para. 81.

[168] *See*, *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Judgment, I.C.J. Reports 2011; *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination* (Ukraine v. Russian Federation), Provisional Measures, Order.

[169] *Armed Activities on the Territory of the Congo (New Application: 2002)* (Democratic Republic of the Congo v. Rwanda), Jurisdiction and Admissibility, Judgment, I.C.J. Reports 2006, paras. 74-79.

resorting to that procedure is that it is subject to the express requirement of exhaustion of local remedies.

112. With respect to Qatar's argument that human rights treaty bodies, notwithstanding the fact that the underlying treaty provisions require exhaustion of local remedies, "attach different consequences to systematic breaches", including the "non applicability of the rule of exhaustion of local remedies"[170], as the Committee will clearly appreciate, based on all the facts before it, that it is preposterous to assert that the UAE measures constitute a "generalized State polic[y] and practice[]".[171] Neither of the two constituent elements of such a practice, on the basis of the legal authorities relied upon by Qatar, are present in this case.[172]

113. As to the first element (the "repetition of acts"), in addition to the fact that the measures taken by the UAE were based on its legitimate right to impose immigration restrictions, Qatar merely presents a small number of unconfirmed and anonymous accounts of alleged harm suffered by Qatari nationals, some or many of which appear to be traceable to the failure of the persons involved to comply with certain objective requirements for the exercise of those rights.[173] When compared to the overwhelming general statistics reflected in the evidence the UAE has submitted (showing that Qatari nationals continue to enter and exit the UAE in their thousands, to access the UAE courts, have received or are receiving medical treatment at UAE medical facilities, continue to be enrolled at UAE

[170] 19 February Response, para. 86.

[171] 19 February Response, para. 80.

[172] European Court of Human Rights, *Case of Georgia v. Russia (I)*, Application No. 13255/07, Merits Judgment (3 July 2014), paras. 122-124 (defining an administrative practice as "compris[ing] two elements: the 'repetition of acts' and 'official tolerance'").

[173] *See*, *e.g.*, *infra* para. 152 discussing how Qatari students claiming they had not been provided with their educational records were shown to have been given such records, and the case of a Qatari student who was not allowed to re-enroll in university because he had failing grades. Similarly, allegations that two Qatari nationals were prevented from boarding aircraft inbound to the UAE despite allegedly having obtained authorization to travel to the UAE through the hotline do not constitute or prove a generalized State policy or practice as the commercial decisions of a private company are as a general principle not attributable to the State. DCL-004, para. 19; DCL-125, paras. 12-13. Draft Articles on Responsibility of States for Internationally Wrongful Acts, *ILC Yearbook 2001*, vol. II, Part Two, p. 47 (para. 1 of Commentary to Article 8), p. 52 (para. 2 of Commentary to Article 11). Moreover, as explained below at para. 125, there are certain legitimate reasons why airlines may refuse passage to a paying customer, including when, at the carrier's discretion, there are doubts that they meet the necessary entry requirements of countries in transit or their final destination.

educational institutions, own or are engaged in operating licensed businesses in the UAE and continue to enjoy their right to property in the UAE[174]), it is absurd to regard the evidence of Qatar as meeting the high threshold of a "repetition of acts".

114. Regarding the second element ("official tolerance" by the UAE of any practice alleged to be in violation of the CERD),[175] it should be noted that, faced with allegations that Qatari nationals had been expelled from the UAE and were being prevented from exercising rights under the CERD, the UAE Ministry of Foreign Affairs[176] and other UAE authorities issued clarifying announcements that expressly disavowed any such practice. Thus, for example, there was official confirmation that Qatari nationals who were resident in the UAE could freely remain living in the country and that Qatari nationals who were part of a mixed Qatari-Emirati family could enter and exit the UAE. A further example is with respect to access to education, where all UAE educational institutions were instructed to establish contact with any Qatari students who had interrupted their studies to advise them that they were welcome to return to the UAE.[177] The high number of Qatari students (over 700) that are now enrolled in UAE universities[178] strongly

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[174] UAE's Supplemental Response of 14 January, para. 12 (and evidence cited therein).

[175] European Court of Human Rights, *Case of Georgia v. Russia (I)*, Application No. 13255/07, Merits Judgment (3 July 2014), para. 124 (defining "official tolerance" as meaning that "illegal acts are tolerated in that the superiors of those immediately responsible, though cognisant of such acts, take no action to punish them or to prevent their repetition; or that a higher authority, in face of numerous allegations, manifests indifference by refusing any adequate investigation of their truth or falsity, or that in judicial proceedings a fair hearing of such complaints is denied.").

[176] "An Official Statement by the UAE Ministry of Foreign Affairs and International Cooperation", 5 July 2018, available at: https://www.mofa.gov.ae/EN/MediaCenter/News/Pages/05-07-2018-UAE-Statement-of-MoFAIC.aspx ("The UAE Ministry of Foreign Affairs and International Cooperation wishes to confirm that Qatari citizens already resident in the UAE need not apply for permission to continue residence in the UAE.").

[177] *See*, UAE's Response of 7 August 2018, Annex 10 (Education – Undersecretary of Academic Affairs E mail) (showing that instructions have gone out from the Office of the Undersecretary of Higher Education to the Directors of Higher Education Institutions declaring that "[b]y following up the information of the university students, it was noted that a number of students from the State of Qatar dropped out of university studies in the United Arab Emirates for non-academic reasons. Kindly communicate with the dropped out students immediately and check the reasons, stressing that studies are available to all students who meet the required conditions. Kindly provide a report about the results of communication and immediately send it to us.").

[178] *See*, UAE's 14 January 2019 Submission, para. 12.c, citing to Annex 3 (Letter from the Ministry of Education to the Ministry of Foreign Affairs and International Cooperation, dated 3 January 2019). *See also*, UAE's Response of 7 August 2018, para. 51, citing to Annex 11 (Immigration - Student Entry Records) and Annex 12 (Qatari Student Records).UAE's Response of 7 August 2018, Annex 10.

suggests that the "educational" cases referred to by Qatar in the 19 February Response are either isolated cases or simply inaccurate, and that there is absolutely no "official tolerance" by the UAE of some alleged practice to obstruct access to UAE educational institutions by Qatari students. To the contrary, the Committee should recall that it was Qatari authorities who asked Qatari students to leave the UAE.[179] The experience that the UAE has with respect to spurious claims by Qatari students before UNESCO also goes to show that in each of the instances where Qatari nationals have complained that they have been prevented from continuing their studies in the UAE or from obtaining copies of their transcripts, this was due to these students not complying with certain objective criteria required of any student (Emirati, Qatari or of any other nationality).[180] It had nothing to do with the fact that the student was Qatari.

115. Qatar's assertion that the present case is analogous to the case of *Georgia v. Russia* before the European Court of Human Rights is baseless.[181] As the passage highlighted by Qatar makes clear, the European Court in that case was dealing with a situation of a "coordinated policy of arresting, detaining and expelling Georgian nationals [which] was put in place in the Russian Federation."[182] In fact, as the Russian authorities acknowledged in that case, there had been over 4,000 "administrative expulsion orders . . . issued against Georgian nationals", with over 2,300 of those nationals "detained and forcibly expelled."[183] In the present case, Qatar has not cited a single

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[179] *See*, *e.g.*, **Annex 4**, Communications from Several UAE Universities, p. 1 (containing a letter from Zayed University to the Office of the Undersecretary for Academic Affairs of Higher Education, dated 15 March 2018, informing the Office of the Undersecretary that the Qatari students attending Zayed University were suspended from studying at the request of the Qatari embassy in UAE).

[180] *See infra*, para. 152, discussing the case of the three Qatari students who submitted communications to UNESCO alleging that the UAE had failed to comply with its obligations regarding their rights to education and the UAE's response showing that two of those students were terminated because their grades were lower than those required by the university, and that the third student recently graduated from the UAE university where the student was registered.

[181] 19 February Response, para. 89.

[182] European Court of Human Rights, *Case of Georgia v. Russia (I)*, Application No. 13255/07, Merits Judgment (3 July 2014), para. 159.

[183] European Court of Human Rights, *Case of Georgia v. Russia (I)*, Application No. 13255/07, Merits Judgment (3 July 2014), paras. 130-135 (referring to the statistical data provided by both parties and assessed by the European Court of Human Rights).

arrest, detention or expulsion of a Qatari national. Far from the circumstances present in the *Georgia v. Russia* case, Qatari citizens are able to enter and reside in the UAE upon prior application and they enjoy the same rights within the UAE as other foreign nationals. Qatar's entire case before this Committee plainly ignores the fact that the UAE did not take any steps to deport Qatari citizens and that the Ministry of Interior, which is the UAE government entity charged with regulating and altering the residence status of non-citizens, did not issue any orders deporting Qatari citizens, let alone arrest or detain them. Qatar's submissions before this Committee also conveniently ignore that the Qatari government itself issued instructions for its citizens to leave the UAE after the UAE made the 5 June 2017 announcement.[184]

116. Finally, the UAE notes that if Qatar genuinely believed or was concerned that the UAE measures constituted "a serious, massive or persistent pattern of racial discrimination"[185], it could have resorted to other mechanisms in the practice of the CERD that are more adequately tailored to those situations and that do not require the exhaustion of local remedies.[186] Similarly, Qatar has not raised in its most recent report to the Committee under Article 9 (submitted on 6 October 2017) any effects on its nationals of the alleged

[184] "Qatar Asks Citizens to Leave UAE Within 14 Days: Embassy", REUTERS, 5 June 2017, available at: https://www.reuters.com/ article/us-gulf-qatar-citizens-emirates-idUSKBN18W1FT?il=0. This was also the case for Qatari students, as evidenced in the letter from Zayed University reporting that the Qatari Embassy had requested the suspension of Qatari students. **Annex 4**, Communications from Several UAE Universities, pp. 1 ("please be aware that Qatari students' suspension from study and their departure to Qatar was at the request of the Qatari Embassy in the United Arab Emirates"), 21 (some students citing the Qatari Embassy's request as a reason for interrupting their studies).

[185] *Official Records of the General Assembly, Forty-eighth session,* Supplement No. 18, 15 September 1993, doc. A/48/18, Annex 3, para. 9 (a).

[186] *Id.*, Annex 3, paras. 9(a) and (b) (establishing an early warning and urgent mechanism instituted to prevent "a serious, massive or persistent pattern of racial discrimination" and indicating that "early warning concerns could include some of the following criteria: (i) The lack of an adequate legislative basis for defining and criminalizing all forms of racial discrimination, as provided for in the Convention; (ii) Inadequate implementation or enforcement mechanisms, including the lack of recourse procedures; (iii) The presence of a pattern of escalating racial hatred and violence, or racist propaganda or appeals to racial intolerance by persons, groups or organizations, notably by elected or other officials.").

breach of the Convention by the UAE, another avenue that Qatar had opened for which the requirement to demonstrate exhaustion of local remedies did not apply.[187]

117. Qatar's alternative argument as to why the local remedies rule would not apply in this case, *i.e.*, that it is asserting a direct injury to its own interests and that "such claims for direct injury are both interdependent with, and preponderant over, the claims Qatar has brought on behalf of its nationals"[188] also fails.

118. Contrary to Qatar's claims, as the Committee will appreciate from the evidence before it, it is clear that the preponderant objective and the true substance of Qatar's Article 11 Communication is not to vindicate a direct injury to the State, but rather to vindicate the alleged harm caused to Qatari individuals, and that its claim would not have been brought were it not for the claims of its nationals.[189] This is evident from Qatar's Article 11 Communication before this Committee[190] and was made absolutely clear in the speech of the Qatari Agent before the ICJ in Qatar's request for provisional measures when he stated that the "severe, lasting and continuing harms to Qataris are the reason Qatar

[187] CERD, Article 9. *See*, Committee on the Elimination of Racial Discrimination, Combined seventeenth to twenty-first periodic reports submitted by Qatar under article 9 of the Convention, due in 2015, 6 October 2017, doc. CERD/C/QAT/17-21. With respect to the reports to be submitted under Article 9 of the CERD and the Committee's Concluding Observations, it also bears noting that the CERD Committee in its September 2017 Concluding Observations on the UAE's periodic report did not make any reference at all to any possible impact of the 5 June 2017 measures taken by the UAE on the rights under the Convention. This evinces that the Committee did not think that the 5 June 2017 measures implicated any rights under the Convention. CERD Committee, Concluding Observations on the combined eighteenth to twenty-first periodic reports of the United Arab Emirates, 13 September 2017, doc. CERD/C/ARE/CO/18-21.

[188] 19 February Response, paras. 92-103.

[189] Draft Articles Diplomatic Protection with Commentaries (2006), *ILC Yearbook 2006*, vol. II(2), p. 46 ("Closely related to the preponderance test is the *sine qua non* or 'but for' test, which asks whether the claim comprising elements of both direct and indirect injury would have been brought were it not for the claim on behalf of the injured national. If this question is answered negatively, the claim is an indirect one and local remedies must be exhausted. There is, however, little to distinguish the preponderance test from the 'but for' test. If a claim is preponderantly based on injury to a national, this is evidence of the fact that the claim would not have been brought but for the injury to the national. . . . [L]ocal remedies are to be exhausted not only in respect of an international claim, but also in respect of a request for a declaratory judgment brought preponderantly on the basis of an injury to a national.") (emphasis added). In its 19 February Response Qatar tried to extend its original claim on the basis of Qatari nationality to individuals of Qatari origin who are not presently Qatari nationals and refers to this argument as a reason reinforcing the preponderant nature of Qatar's direct injury claim. 19 February Response, para. 101. For the reasons outlined *supra* at paras. 99-104, this new attempt of Qatar to place its claim under the scope *ratione materiae* of the CERD fails.

[190] Qatar's Article 11 Communication, para. 58 ("In imposing the Coercive Measures, the UAE has unlawfully targeted Qatari citizens solely on the basis of their nationality.").

determined it had no choice but to institute proceedings in this Court".[191] Moreover, in its response to questions posed by the ICJ in those same proceedings, Qatar recognized that the fact that the inter-state procedure under Articles 11 to 13 of the CERD "contain[ed] a local remedies requirement" (and Article 22 of the CERD did not[192]), was "consistent with the general proposition that the local remedies rule does not apply in cases involving a direct injury to the claimant State"[193], thus implying that the procedure under Articles 11 to 13 of the CERD does not concern a direct injury to the State.[194] In fact, the filing by Qatar of witness statements in these proceedings is a further confirmation that Qatar's claim is an indirect one and that, therefore, local remedies must be exhausted.

119. The preparatory work of Article 11(3) of the CERD shows that there was an overall consensus that domestic remedies should be exhausted before a case is taken to the international level. A proposal by the Tanzanian delegation to do away with the requirement of exhaustion of local remedies was emphatically opposed[195] and voted

[191] *See Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Request for the Indication of Provisional Measures: Verbatim Record of Public Sitting of 27 June 2018, at 10:00 a.m. (CR 2018/12), p. 16, para. 5 (Al-Khulaifi).

[192] The UAE maintains that Qatar is wrong with respect to its reading of Article 22 of the CERD and the exhaustion of local remedies but for the purposes of the present proceedings before the Committee, it is not necessary for the UAE to engage with this argument.

[193] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), International Court of Justice, Response on behalf of the State of Qatar to the questions posed by Judge Cançado Trindade on Friday, 29 June 2018, 3 July 2018, para. 8.

[194] Qatar equally recognized that the fact that human rights treaties may give rise to obligations *erga omnes* character was relevant for the proceedings before the ICJ under Article 22 and not to proceedings under Articles 11 to 13 or Article 14 of the CERD, to which "the local remedies requirement does apply." *Id*.

[195] Third Committee, 1353rd meeting, 24 November 1965, doc. A/C.3/SR.1353, para. 25 (Tanzania), explaining that "it would be an escape clause for any signatory which did not wish to apply the Convention in good faith";

against.[196] The *travaux préparatoires* also show that the implementation mechanism of inter-State communications under Article 11, modelled on the International Covenant on Civil and Political Rights,[197] was being conceived as a mechanism for the State to protect individuals and not to assert a direct injury to the State.[198]

120. Qatar's argument that its claims for harm of its own interests as a State Party to the CERD are interdependent with the violation of the rights of Qataris and that such interdependence precludes the applicability of the local remedies rule must also be rejected by the Committee.[199] While the CERD as a human rights convention has special characteristics that distinguishes it from other treaties, the special characteristics of the CERD do not allow it to be equated with the Vienna Convention on Consular Relations,

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[196] *See*, Third Committee, 1353rd meeting, 24 November 1965, doc. A/C.3/SR.1353, para. 57 ("[t]he Tanzanian proposal to delete paragraph 3 was rejected by 70 votes to 2, with 12 abstentions"). *See also, id*., para. 28 (Italy), stating, with respect to the exhaustion of local remedies: "States should be left as free as possible to deal with a case through domestic procedures, for it was a recognized international principle that all domestic remedies should be exhausted before a matter was referred to an international body."; *id*., para. 48 (Senegal), indicating that the requirement to exhaust local remedies would "prevent a proliferation of complaints at the international level". The comment by the Argentinean representative quoted by Qatar in its 19 February Response about the types of disputes that could be brought by States before the CERD Committee was an isolated comment, not shared by any of the other delegations and in any case would not be applicable to the claim brought by Qatar as Qatar's claim does not concern "failure to comply with certain provisions of the Convention which could be rectified by the adoption of new legislation." *See*, Third Committee, 1353rd meeting, 24 November 1965, doc. A/C.3/SR.1353, para. 54.

[197] *See*, Third Committee, 1353rd meeting, 24 November 1965, doc. A/C.3/SR.1353, paras. 20, 30 (indicating that the formula in Article 11 of the CERD was taken from the International Covenant on Civil and Political Rights and suggesting that the same wording in the latter should be borrowed for CERD).

[198] *See*, Third Committee, 1344th meeting, 16 November 1965, doc. A/C.3/SR.1344, para. 63 ("However useful that system might be, it was not entirely satisfactory, for intervention by states to redress violations of human rights was usually of a political nature, and its value and effectiveness suffered accordingly. "); Third Committee, 1346th meeting, 17 November 1965, doc. A/C.3/SR.1346, para. 13 ("The middle course that had been contemplated did not entitle individuals or organizations to address petitions direct to the permanent executive organ. It had the advantage of eliminating groundless complaints but at the same time it set a serious limitation. It left it to the State to deal with complaints, and left the rights of the individual a matter for high level political negotiation."). *Id*., p. 331 ("His delegation was not opposed in principle to the establishment of some machinery to deal with disputes between States. It was to be feared, however, that States might resort to that organ less in order to succour the oppressed than to pursue political ends."); The preparatory works of Article 41(1)(c), the equivalent provision of the International Covenant on Civil and Political Rights, show that the inter-state communication procedure was conceived as a mechanism to protect individuals and not seen as causing "immediate and direct injury" to the State. United Nations General Assembly, Tenth Session, Draft International Covenants on Human Rights. Annotation prepared by the Secretary-General, 1 July 1955, doc. A/2929, 1 July 1955, pp. 237-238.

[199] 19 February Response, paras. 96-98.

the specific treaty to which the ICJ has applied the doctrine of the interdependence of the rights of the State and of individual rights.[200]

121. It is clear, therefore, that none of the arguments relied upon by Qatar bar the application of the rule of exhaustion of local remedies, mandated by Article 11(3) of the CERD, to Qatar's Article 11 Communication.

B. There are Effective and Reasonably Available Remedies in the UAE that Have Not Been Exhausted

122. Qatar argues that even if the rule on exhaustion of local remedies applies to Qatar's Article 11 Communication, it would still not bar Qatar's claims because "the UAE has failed to prove the existence of any effective and reasonably available remedies that have not been exhausted."[201] Qatar misrepresents the position of the UAE on the allocation of the burden of proof with respect to the exhaustion of local remedies.[202] By reference to the customary international law position as reflected in the Draft Articles on Diplomatic Protection and the decision of the ICJ in the *Diallo* case, the UAE has explained that, in the words of the Court, "it is incumbent on the applicant [Qatar] to prove that local remedies were indeed exhausted or to establish that exceptional circumstances relieved the allegedly injured person whom the applicant seeks to protect of the obligation to exhaust available local remedies. . . It is for the respondent [UAE] to convince the Court

[200] *Avena and Other Mexican Nationals* (Mexico v. United States of America), Judgment, I.C.J. Reports 2004, p. 36, para. 40 (holding that the duty to exhaust local remedies did not apply to the Mexican claim that it had suffered "directly and through its nationals" injury as a result of the United State's failure to grant consular access to its nationals under Article 36(1) of the Vienna Convention on Consular Relations because of the "special circumstances of interdependence of the rights of the State and of individual rights"). In *LaGrand* (Germany v. United States of America)*,* Judgment, I.C.J. Reports 2001, p. 492, para. 74, the Court described the system of Article 36 of the Vienna Convention on Consular Relations as an "interrelated regime designed to facilitate the implementation of the system of consular protection." In order to achieve that aim, Article 36(1) of the Vienna Convention on Consular Relations provides for consular officers, who are representatives of the sending State in the receiving State, the freedom "to communicate with nationals of the sending State and to have access to them" as well as for the right of consular officers "to visit a national of the sending State who is in prison, custody or detention, to converse and correspond with him and to arrange for his legal representation." Vienna Convention on Consular Relations, concluded 24 April 1963, entered into force 19 March 1967, 596 UNITED NATIONS TREATY SERIES 261, Article 36(1).

[201] 19 February Response, para. 104.

[202] 19 February Response, para. 105.

that there were effective remedies in its domestic legal system that were not exhausted."[203]

123. The Committee itself has clarified in respect of individual communications that mere doubts on the part of the petitioner as to the effectiveness of domestic remedies do not absolve a petitioner from pursuing them.[204] Even Qatar agrees that a petitioner should pursue local remedies regardless of whatever doubts may exist as to their effectiveness.[205]

124. As the UAE has already explained, and further details below, the remedies available to aggrieved Qataris are both available and effective. Effectiveness does not mean, however, that the outcome must be the desired outcome, nor that every single case is perfectly decided, but rather that the remedy available is accessible and capable of providing adequate redress.[206]

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[203] *Ahmadou Sadio Diallo* (Republic of Guinea v. Democratic Republic of the Congo), Preliminary Objections, Judgment, I.C.J. Reports 2007, para. 44. UAE's Supplemental Response of 29 November 2018, para. 62; UAE's Supplemental Response of 14 January 2019, para. 65.

[204] Communication No. 19/2000, *Sarwar Seliman Mostafa v. Denmark*, Inadmissibility Decision of 10 August 2001, doc. CERD/C/59/D/19/2000, para. 7.4; Communication No. 21/2001, D.S v. Sweden, Inadmissibility Decision of 10 August 2001, doc. CERD/C/59/D/21/2001, paras. 4.2, 4.3; Communication No. 47/2010, *Kenneth Moylan v. Australia*, Inadmissibility Decision of 27 August 2013, doc. CERD/C/83/D/47/2010, para. 6.5 ("The Committee recalls that mere doubts about the effectiveness of domestic remedies, or the belief that the resort to them may incur costs, do not absolve a petitioner from pursuing them. In the light of the information before it, the Committee considers that the petitioner has not advanced sufficient arguments that no avenues exist in Australia to claim that a given piece of legislation has discriminatory effects on a person based on race. Notwithstanding the reservations that the petitioner may have on the effectiveness of the mechanism under section 10 of the Racial Discrimination Act in his particular case, it was incumbent upon him to pursue the remedies available, including a complaint before the High Court. Only after attempting to do so could the petitioner conclude that such a remedy was indeed ineffective or unavailable.") (emphasis added).

[205] 19 February Response, fn. 176, citing to the *Sarwar Seliman Mostafa v. Denmark* inadmissibility decision by the CERD Committee (cited *supra* at n. 204). Qatar qualifies this by saying that this is so only if there is a "'reasonable possibility' of success". *Id*. However, when declaring inadmissible the communication in the *Mostafa* case (or in the other cases cited *supra* at n. 204, the CERD Committee did not make that distinction.

[206] Draft Articles Diplomatic Protection with Commentaries (2006), *ILC Yearbook 2006*, vol. II(2), pp. 46-48 ("Article 15. Exceptions to the local remedies rule. Local remedies do not need to be exhausted where: (a) there are no reasonably available local remedies to provide effective redress, or the local remedies provide no reasonable possibility of such redress. . . . *Commentary* . . . In order to meet the requirements of paragraph (a), it is not sufficient for the injured person to show that the possibility of success is low or that further appeals are difficult or costly. The test is not whether a successful outcome is likely or possible, but whether the municipal system of the respondent State is reasonably capable of providing effective relief. This must be determined in the context of the local law and the prevailing circumstances. This is a question to be decided by the competent international tribunal charged with the task of examining the question whether local remedies have been exhausted.") (emphasis added).

125. Before going into Qatar's specific complaints about domestic remedies in the UAE, it bears noting that all of Qatar's allegations of CERD violations are premised on Qatar's flawed case that Qatari nationals have been the subject of a "collective expulsion" and that a travel ban for Qatari nationals was implemented. As demonstrated by the UAE, this is clearly not the case. There were no expulsion or deportation orders of Qatari nationals, nor was the Ministry of Foreign Affair's 5 June 2017 announcement ever interpreted as a mandate to remove Qataris from the UAE. All the UAE required of Qatari nationals after this statement was for them to request permission to enter the UAE through the hotline.

126. Qatar complains that the hotline's decisions are discretionary and ineffective and that, therefore, the hotline cannot constitute an effective remedy in the UAE. However, the fact that some Qatari nationals may be denied an entry permit does not mean the hotline is discretionary or ineffective. Rather, this is the normal ordinary consequence of measures of this type, as is the case for the many visa or entry permit applications that are denied by many other countries the world over. The UAE, as any other State, has the right to control the entry of non-nationals to its territory. One of the mechanisms used by the UAE to exercise that right is the hotline, which is available to Qataris that want to travel to the UAE.

127. Second, Qatar alleges that UAE courts are neither "reasonably available" nor "effective" — but fails to explain why in the face of overwhelming evidence submitted by the UAE that Qatari nationals do resort to UAE courts and do obtain favourable judgments. The UAE submits that the volume of cases that have been initiated by Qatari nationals since mid-2017 is evidence enough that Qatar's allegations in this respect are false.

128. Third, Qatar further alleges that other complaint procedures described by the UAE are also neither "reasonably available" nor "effective" for Qatari nationals because they could only "*conceivably* concern narrow subsets of activity implicated by Qatar's Communication."[207] However, the catalogue of procedures available for Qataris that was described by the UAE was merely illustrative of certain rights. The "substantial

[207] 19 February Response, para. 151 (emphasis in original).

grievance"[208] of Qatari nationals can be presented to the local courts in the forms available there for protection of various rights, including the right to property, the right to education, and the right to work.

1. The Hotline Is a Readily Available Remedy for Qatari Nationals That Want to Travel to the UAE and Is Consistent With International Practice

129. Qatar alleges that the UAE's hotline, which receives applications for entry permits from Qataris, is "not a legal remedy",[209] but rather "a 'police security channel'",[210] "ineffective"[211] and "only available for family-related matters".[212] Qatar concludes that therefore, there is no need for Qatari nationals to apply to the hotline for entry permits before it can submit its communication before the CERD Committee alleging that the establishment of entry requirements constitutes a violation of the CERD.

130. Qatar's argument effectively means that States have an international obligation to allow entry of all foreigners, that the process to issue entry visas or permits should exclude any police involvement, and implausibly, that if not all visas or permits are granted, the system is "ineffective". Qatar is mistaken on these three points, including its allegation that the hotline is only available for family-related matters.

131. From the outset, the UAE respectfully notes that "as a matter of well-established international law and subject to its treaty obligations, a State has the right to control the entry of non-nationals into its territory."[213] Indeed, as the UN Human Rights Committee itself has stressed, "[i]t is in principle a matter for the State to decide who it will admit to

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[208] James R. Crawford & Thomas D. Grant, *Exhaustion of Local Remedies*, *Max Planck Encyclopedia of Public International Law* (2007), para. 11. *See infra* para. 139.

[209] 19 February Response, para 115.

[210] 19 February Response, para 116.

[211] 19 February Response, para 118.

[212] 19 February Response, para 126.

[213] European Court of Human Rights, *Abdulaziz, Cabales and Balkandali v United Kingdom* (1985), Series A No. 94, para. 67.

its territory."[214] That is, States universally agree that barring the existence of a prohibitive rule to the contrary, it is fully within the prerogative of each member of the international community to regulate access to their territories.[215] In light of this, States only rarely object to each other's visa or entry requirements.[216]

132. States frequently require visas, entry permits, or some type of pre-clearance — like the UAE's hotline requirement for Qataris — prior to admitting foreign nationals into their territory. For example, the United States of America, the European Union, the Russian Federation and the People's Republic of China, all require visas or permits for nationals of foreign States, except when their State of nationality has entered into a visa waiver agreement.

133. Even States that have agreed to visa waivers for each other's nationals routinely require travel authorizations or pre-clearance. The United States of America is a good example.

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[214] UN Human Rights Committee, General Comment No. 15, The position of aliens under the Covenant, 11 April 1986, doc.1.HRI/GEN/1/Rev.9 (Vol. I), para. 5. *See also*, *Nishimura Ekiu v. United States* 142 US 651 (1892), 659 ("It is an accepted maxim of international law that every sovereign nation has the power, as inherent in sovereignty, and essential to self-preservation, to forbid the entrance of foreigners within its dominions, or to admit them only in such cases and upon such conditions as it may see fit to prescribe."); *Attorney-General for Canada v. Cain* [1906] AC 542, 546 ("One of the rights possessed by the supreme power in every State is the right to refuse to permit an alien to enter that State, to annex what conditions it pleases to the permission to enter it, and to expel or deport from the State, at pleasure, even a friendly alien, especially if it considers his presence in the State opposed to its peace order, and good government, or to its social or material interest."); *European Roma Rights Centre and others v. Immigration Officer at Prague Airport* [2004] UKHL 55, Lord Bingham of Cornhill, para. 11 ("The power to admit, exclude and expel aliens was among the earliest and most widely recognised powers of the sovereign State"); Malcolm Shaw, *International Law* (Cambridge University Press, 6th ed, 2008) p. 826 ("It is . . . unquestioned that a state may legitimately refuse to admit aliens or may accept them subject to certain conditions being fulfilled."); *Oppenheim's International Law* (8th ed. 1992), p. 897 ("By customary international law no state can claim the right for its nationals to enter into, and reside on, the territory of a foreign state. The reception of alien is a matter of discretion."); James Crawford, *Brownlie's Principles of Public International Law* (Oxford University Press, 8th ed., 2012), p. 608 ("[A] state may choose not to admit aliens or may impose conditions on their admission.").

[215] Human Rights Council, Resolution 35/17, (adopted on 22 June 2017 at its Thirty-fifth session 6–23 June 2017) Protection of the human rights of migrants: the global compact for safe, orderly and regular migration, doc. A/HRC/RES/35/17 (6 July 2017), p. 3 ("Recalling that each State has a sovereign right to determine whom to admit to its territory, subject to that State's international obligations"), para. 10 ("while States have the sovereign right to enact and implement migration and border security measures, they have a duty to comply with their obligations under relevant international law, including international human rights law and refugee law").

[216] Objections are raised, for example, when visas are denied contrary to a state's international obligations. *See*, *e.g.*, *Official Records of the General Assembly, Sixtieth session*, Supplement No. 26, Report of the Committee on Relations with the Host Country, 2005, doc. A/60/26, pp. 8-13 (documenting instances of representatives of several States objecting to the obstacles imposed by the US in granting entry visas for travel to the UN Headquarters in New York, contravening the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success, on 26 June 1947).

Although nationals of countries with a visa waiver agreement with the U.S. — for example, Germany or France — do not require a visa to enter the U.S., they do need to obtain travel authorization through the U.S.'s Electronic System for Travel Authorization ("**ESTA**") before being allowed to travel to the U.S.[217] As a consequence, although German or French nationals are able to travel to the U.S. without a visa, they do need to apply for an ESTA authorization before traveling there, an application which is filed online.[218] Needless to say, no allegations have been raised that the ESTA program is in breach of CERD.

134. The UAE's hotline is similar to the U.S.'s ESTA. The hotline, established on 11 June 2017, is the UAE's travel authorization program for Qatari nationals that want to travel to the UAE. The UAE Ministry of Interior — and not the Abu Dhabi police as misleadingly alleged by Qatar —[219] operates the hotline and conducts any applicable security screenings with respect to the applications — much like ESTA is operated by U.S. Customs and Border Protection, a federal law enforcement agency of the U.S. Department of Homeland Security. Originally established as a telephone number one needed to call, operators would provide callers with information regarding the UAE travel requirements and provide them with a number to a WhatsApp account. The applicants would then need to forward the necessary documents to that WhatsApp account based on which a decision would be made whether to issue the required entry permit. In the second part of 2018, a dedicated website was added to the hotline, which continues to operate, for ordinary Qatari citizens' convenience. Contrary to Qatar's assertions, the hotline has never been limited to those traveling for family reasons but

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[217] *See*, U.S. Customs and Border Protection, "Official ESTA Application Website", available at: https://esta.cbp.dhs.gov/esta/.

[218] *See*, U.S. Department of State, "Visa Waiver Program", available at: https://travel.state.gov/content/travel/en/us-visas/tourism-visit/visa-waiver-program.html.

[219] In fact, the same Annex to which Qatar cites expressly provides that "the Ministry of Interior has set up a toll-free hotline". UAE's Response of 7 August 2018, Annex 4, p. 1 (emphasis added).

instead is available to "all Qatari citizens" seeking permission to travel to the UAE, as the UAE expressly confirmed on 5 July 2018.[220]

135. If an applicant is granted authorization to travel to the UAE, then the applicant is issued a letter of authorization permitting entry.[221] A copy of the letter should be presented upon request by the applicant when traveling to the UAE.

136. If an application is not granted, there is nothing impeding the aggrieved party from submitting another application, as several of the very witnesses presented by Qatar in fact did.[222] This is also consistent with international practice: for example, if an application for a U.S. visa is refused by a consular officer, the affected traveler may, if desired, try again. To the extent that any Qatari nationals claim to have been affected by not being allowed to travel to the UAE, then they should have availed themselves of remedies, in particular that offered through the hotline, otherwise they cannot be said to have exhausted local remedies.

137. Notwithstanding any of the foregoing, as explained above, in principle, there is no international obligation binding on the UAE — or on any other State for that matter — requiring a State to allow the entry of foreign nationals into its territory.[223] The substance of Qatar's real issue with this refusal is that Qataris were discriminated against in that

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[220] "An Official Statement by the UAE Ministry of Foreign Affairs and International Cooperation", 5 July 2018, available at: https://www.mofa.gov.ae/EN/MediaCenter/News/Pages/05-07-2018-UAE-Statement-of-MoFAIC.aspx. *See also*, **Annex 3**, Federal Authority for Identity and Citizenship, Federal Authority for Identity and Citizenship, Requests for Entry or Exit of Qatari Nationals from 9 July 2018 until 31 December 2018. A prior version of this Annex in smaller format was submitted with UAE's Response of 14 January 2019, para. 8 as Annex 1.2. The revised version accompanied herewith as Annex 1 is a larger format version and the English translation has been revised for completeness. This document contains illustrative examples of entry/exit data processed through the hotline that did not involve family reunification and include entries for "business", "treatment", "ownership of a property", "business/work", "study" and "others". The UAE notes that although the table submitted in this Annex was prepared for purposes of these proceedings, the statistics themselves were extracted from the database maintained by the Ministry of the Interior and other than for formatting purposes, they were not otherwise altered by the UAE.

[221] UAE's Response of 7 August 2018, Annex 4, Part 1 Report of Abu Dhabi police on Hotline, Real Estate, Funds, Licenses and Immigration, p. 6.

[222] 19 February Response, DCL-004, paras. 19-20; *id.*, DCL-135, paras. 7-8, 16, 18-19.

[223] *Supra* para. 131, and notes 213-215.

they were not allowed entry to the UAE, but the UAE had no obligation to permit them to enter.

138. Regardless, entry and exit records which have been provided to the Committee show that between 5 June 2017 and 31 December 2018, approximately 11,000 movements by Qatari citizens across UAE borders took place, all of which were facilitated by the work of the hotline.[224] This shows that the hotline was effective in that Qatari nationals were in fact allowed to enter the UAE.

2. Other Available and Effective Remedies in the UAE Which Have Not Been Exhausted

139. The UAE gave examples in its previous submissions of a significant number of instances in which Qatari nationals have resorted to the UAE courts after the break in diplomatic relations between Qatar and the UAE. Other than the fact that, as demonstrated above, there are no specific discriminatory measures that Qataris could complain about as there has been no expulsion or travel ban imposed on Qataris, there is no specific form of local remedy that the UAE would need to provide for Qataris to present their complaints for violation of the CERD before the UAE authorities and courts. The "substantial grievance" of Qatari nationals can be presented to the local courts in the forms available there for protection of various rights[225], including amongst others, the right to property, the right to education, and the right to work.[226] However, as demonstrated further below, the Qatari nationals who claim that their CERD rights have been affected by the UAE did not even need to resort to any of these remedies or deliberately chose to ignore any possible redress to be obtained in the UAE and have resorted directly to international *fora*.

[224] UAE's Supplemental Response of 14 January 2019, para. 8, and Annex 1.2. The UAE is accompanying a revised version of this Annex for the Committee's ease of reference. The tables have been printed in larger format and we have revised the English translation for completeness. Annex 1.

[225] James R. Crawford & Thomas D. Grant, *Exhaustion of Local Remedies*, *Max Planck Encyclopedia of Public International Law* (2007), para. 11.

[226] *See*, *e.g.*, UAE's Response of 7 August 2018, para. 85; UAE's Supplemental Response of 29 November 2018, paras. 61-71; and UAE's Supplemental Response of 14 January 2019, paras. 53-62.

140. Qatar further alleges that the ICJ has expressly found that Qataris appear to have been denied equal access to tribunals and other judicial organs in the UAE.[227] But Qatar cites misleadingly to the ICJ's Order on Provisional Measures, suggesting that the ICJ made final findings of fact[228] when instead, the ICJ was careful to point out that "at this stage of the proceedings relating to a request for the indication of provisional measures, the issue of exhaustion of local remedies need not be addressed by the Court",[229] and that "[t]he Court is not called upon, for the purposes of its decision on the request for the indication of provisional measures, to establish the existence of breaches of CERD . . . It cannot at this stage make definitive findings of facts".[230] For this reason alone, Qatar's arguments premised on the ICJ making "findings" of fact[231] are not credible.

a) There are Local Remedies Available Against the Alleged Actions of Emirates Airlines and Etihad Airways

141. Qatar also suggests that the UAE is responsible for breaches of the CERD as a result of the refusal by Emirates Airlines ("**Emirates**") and Etihad Airways ("**Etihad**") to fly certain passengers of Qatari nationality to the UAE. Qatar's argument, however, again fails for multiple reasons. First, effective local remedies exist in the applicable jurisdictions. Second, the actions of both airlines were consistent with international practice, and in fact, seem fully in accordance with their contracts of carriage. Third, Qatar must show that the actions of Emirates and Etihad are attributable to the UAE.

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[227] 19 February Response, para. 129.

[228] 19 February Response, para. 71.

[229] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Provisional Measures, Order, para. 42.

[230] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Provisional Measures, Order, para. 62. *See also*, *id*., Dissenting Opinion of Judge Crawford, para. 14 ("[T]he Court fails to identify any evidence to support the further statement that the situation of Qataris residing in the UAE prior to 5 June 2017 appears to remain vulnerable with regard to their rights under Article 5 of the CERD. Most importantly, the UAE's Statement of 5 July 2018 is not mentioned. The UAE's recent Statement clarifies the legal position of Qataris living in the UAE, namely that they "need not apply for permission to continue residence in the UAE". The Statement further clarifies that Qataris can apply for entry clearance to the UAE via a hotline.").

[231] 19 February Response, paras. 129-130.

142. Qatar identifies two individuals who allege to have been refused boarding, one by Emirates,[232] the other by Etihad.[233] Qatar glosses over the fact that these individuals were refused boarding outside of the UAE and that under the contracts of carriage and applicable conflict of laws rules, the remedies that should have been exhausted by those individuals were not limited to UAE courts. Rather, they could have resorted to the courts of the place where they were denied boarding. One of the Qatari nationals was in Muscat when he was refused boarding.[234] To the extent that the city of origin was Muscat, under applicable conflict of laws rules, such individual had remedies available in Oman as he could have requested restitution or compensation from an Omani Court. Qatar has overzealously redacted the statement of the second witness who was allegedly refused boarding by Etihad,[235] and so the UAE cannot comment on the specifics but it follows that the individual was neither in Qatar nor the UAE when the incident occurred. Thus, it would be reasonable to presume that the conflict of law rules applicable in such third state would also permit that individual to bring a claim against Etihad before local courts.

143. For this reason alone, the Committee should consider these allegations inadmissible: Qatar needs to first identify the correct jurisdiction, *i.e.*, in what country should the local remedies exist, and then prove that they are unavailable or are ineffective.

144. Moreover, an airline's discretion to refuse to transport an individual who lacks the necessary documentation for travel is neither discriminatory nor a breach of international law. Qatar fails to mention that the contracts of carriage entered into by the individuals with Emirates and Etihad expressly permit the carriers to refuse boarding to any individual when "[they] appear, in [the carrier's] exclusive opinion, not to meet requisite

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[232] 19 February Response, DCL-125, para 12.

[233] 19 February Response, DCL-004, para 19.

[234] 19 February Response, DCL-004, para 19.

[235] 19 February Response, DCL-125, para 12.

visa requirements or not to have valid or lawfully acquired travel documents".[236] While Qatar may take issue with this practice, this is a standard practice followed by international carriers — including Qatar Airways[237] — and a reality of international travel. Upon check-in, passengers are requested to show their travel documents and airlines determine whether they may carry the passenger with such documents. In fact, the media often reports incidents of passengers who are not allowed to travel — rightfully or wrongly — as a result of these types of unpopular decisions by the carriers.[238] However, there are means of redress available to such aggrieved passengers. But in these proceedings, Qatar's argument is not that these passengers have been discriminated against as they were unable to claim compensation — it is a baseless argument — but that the refusal by Emirates and Etihad is tantamount to a breach of the CERD. For the foregoing reasons, this is mistaken.

145. The UAE notes further that Qatar cites two examples of Qatari nationals who, although faced with difficulties with private airline companies, were in fact allowed to fly into the UAE.[239] Their complaint is that in <u>one</u> of their multiple trips to the UAE, they were denied boarding, and they were questioned by airline personnel and immigration

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[236] Emirates Airlines, "Conditions of Carriage for Passengers and Baggage", 15 May 2006, available at: https://cdn.ek.aero/cn/english/images/coc-eng%202006_tcm27-141072_tcm322-247811.pdf, Article 7.1.12. *See also*, Etihad Airways, "Conditions of Carriage", available at: https://www.etihad.com/en-ae/legal/conditions-of-carriage/, Article 7.1.2 and 7.1.2.7 ("We may also refuse to carry you or your Baggage (without any obligation to give you prior notice) on any flight (even if you hold a valid Ticket and have a boarding pass) if one or more of the following have occurred or we reasonably believe may occur: . . . you do not appear to have valid or lawfully acquired travel documents or you appear in our opinion not to meet requisite visa requirements").

[237] Qatar Airways, "Conditions of carriage", available at: https://www.qatarairways.com/en/legal/conditions-of-carriage.html, Article 8.1.6 ("We may refuse carriage of a Passenger or a Passenger's Baggage for reasons of safety or if, in the exercise of our reasonable discretion, we determine that: . . . You do not <u>appear</u> to be properly documented") (emphasis added).

[238] Anna Tims, "BA staff humiliated me by refusing to let me fly", THE GUARDIAN, 16 January 2019, available at: https://www.theguardian.com/money/2019/jan/16/humiliated-by-british-airways-staff-border-checks; Simon Calder, "easyJet kicks couple off Turkey holiday flight for not printing visas", INDEPENDENT, 2 April 2018, available at: https://www.independent.co.uk/travel/news-and-advice/easyjet-kick-couple-off-visas-denied-boarding-stansted-airport-turkey-london-a8284951.html; Simon Calder, "Qantas bans British couple from flight for not having visa they didn't need", INDEPENDENT, 4 April 2018, available at: https://www.independent.co.uk/travel/news-and-advice/qantas-british-couple-visa-flight-ban-wrong-australia-china-compensation-beijing-a8287991.html.

[239] 19 February Response, DCL-004, and DCL-125.

authorities.[240] But this is also not uncommon when visas or additional entry requirements exist in the destination. In fact, carriers flying into the U.S., Russia, China, the European Union, Canada, and other States, are invariably required to verify that passengers meet the applicable entry requirements, and when airline personnel have doubts, further questioning is undertaken. It would also not be uncommon for airlines to request signed waivers from passengers releasing the airline of any liability in case they are refused entry into their destination,[241] as happened in the case misleadingly cited by Qatar.[242] This is not discriminatory, but rather standard commercial practice by international airlines that would otherwise incur fines or potential expenses.

146. Finally, Qatar needs to explain how and why the denial of boarding by these commercial companies is attributable to the UAE, not just why this action was contrary to the CERD.[243] The customary international law rules codified in the Articles on State Responsibility adopted by the International Law Commission make clear that "the only conduct attributed to the State at the international level is that of its organs of government, or of others who have acted under the direction, instigation or control of those organs, *i.e.*, as agents of the State."[244] "As a general principle, the conduct of private persons or entities is not attributable to the State."[245] However, Qatar does not explain in any way whatsoever under which test should the actions of Emirates and Etihad be attributed to the UAE.

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[240] 19 February Response, DCL-004 (explaining that he was impeded from boarding an Etihad flight once, but indicating he had taken multiple trips to the UAE), and DCL-125 (noting the single incident when he was impeded from boarding an Emirates flight).

[241] The International Air Transport Association (IATA), which represents some 290 airlines, estimated in 2016 that fines averaged USD 3,500 per passenger transported with improper documentation, and that without the additional cost of returning the incorrectly documented passenger back to their country of origin. Airlines IATA, "Document Verification Travel Trouble", 13 October 2016, available at: https://airlines.iata.org/analysis/document-verification-travel-trouble.

[242] 19 February Response, DCL-125, para. 14 (statement of a banker explaining he was required to sign a waiver releasing the airline of any liability in case he were not admitted into the UAE).

[243] 19 February Response, para. 119 and fn. 222.

[244] Draft Articles on Responsibility of States for Internationally Wrongful Acts, *ILC Yearbook 2001*, vol. II, Part Two, p. 38.

[245] *Id.*, p. 47.

147. For the foregoing reasons, Qatar's allegations that the actions by the two private carriers are demonstrable breaches of CERD lacks any credibility.

b) Qatari Students Who Have Not Continued Their Studies in the UAE Did So On Their Own Choice and Have Complained to International Organizations Instead of Addressing Their Complaint to the Educational Institutions Concerned

148. Qatar has alleged that Qatari students have been unable to continue their studies in the UAE or that they have not been provided with academic records as a result of discrimination by the UAE authorities and takes issue with the fact that the UAE has pointed to local remedies available within an Emirate (Abu Dhabi) rather than measures available at the federal level.

149. Qatar continues to make broad generalizations, that Qatari students were not allowed to continue their studies or that they were not provided with their educational records.

150. Qatar did finally identify two students who were allegedly refused reenrolment in UAE universities, or refused copies of their transcripts. The first example cited by Qatar is a student who was enrolled in the Emirates Aviation University and who continued his studies in Coventry University in the UK.[246] There is no clear evidence on record as to why he chose not to continue his studies in the UAE, but in any case the academic records of this student were clearly available as he was able to continue his studies in Coventry University with credits for courses already completed in the UAE.[247]

151. Regarding the second student, Qatar has chosen to redact both the University and the student's name, and so the UAE is unable to meaningfully address these specific allegations.

152. However, if the conduct of other Qatari students is considered, then the Committee will see a pattern. Three Qatari students submitted communications to UNESCO alleging that the UAE had failed to comply with its obligations regarding their rights to education. But

[246] 19 February Response, DCL-073.

[247] *See*, *e.g.*, 19 February Response, DCL-073, Exhibit J at 1 (where Coventry University is fully aware that this student "and [his] fellow independent Qatari students have already completed 3 of the modules with EAU").

in that proceeding, the UAE has submitted documentation which shows that two of the students were terminated because their grades were lower than those required by the university. Both were placed on academic probation three times. One of them was given one extraordinary chance to bring his grades up, whereas the second was given two extraordinary chances.[248] Regardless, in the case of the second student, the university considered certain extenuating medical circumstances and gave that student a sixth opportunity, and the registration department contacted the student on 26 September 2018, to provide the online registration link for the following studies.[249] The case of the third student is perplexing as that student was attending classes at the university on the dates when the UNESCO proceeding was ongoing[250] and the UAE understands from the university that the student recently graduated after successfully obtaining the degree.

153. None of those students had the need to go to UAE courts, as Qatar seems to suggest. Addressing their problems to their university was enough. To the extent that Qatar alleges that local remedies should have been available, the Committee should be mindful of the fact that the students could have resorted to UAE courts, but they opted not to. On the one hand, the Qatari Embassy itself requested the withdrawal of Qatari students.[251] On the other hand, students were contacted by the universities and reminded they could return.[252] Finally, the students that did seek remedies sought them directly at the international level, effectively waiving any claim they did not have access to local remedies. The burden is on Qatar to show that there was a deficiency in the UAE courts to the point that any attempt to resort to local remedies was futile.

[248] **Annex 5**, Communication from the UAE in Response to the UNESCO Proceedings Initiated by Three Qatari Students, p. 1.

[249] **Annex 5**, Communication from the UAE in Response to the UNESCO Proceedings Initiated by Three Qatari Students, pp. 2-3.

[250] **Annex 5**, Communication from the UAE in Response to the UNESCO Proceedings Initiated by Three Qatari Students, p. 3.

[251] **Annex 4**, Communications from Several UAE Universities, p. 1 ("please be aware that Qatari students' suspension from study and their departure to Qatar was at the request of the Qatari Embassy in the United Arab Emirates").

[252] **Annex 4**, Communications from Several UAE Universities (reporting the different communications between each university and their Qatari students and the responses received from such students).

c) ***Qatari Property Owners Have Resorted to Arbitration under the OIC Investment Agreement***

154. Qatar complains that Qatari nationals have been prevented from enjoying their right to property as a consequence of the 5 June 2017 measures by the UAE. Qatar in its 19 February Response has submitted no less than ten witness statements that relate in some form or another with economic harm arising from the alleged impossibility of Qatari nationals to manage their property or investments in the UAE.[253]

155. However, not only have Qatari nationals been able to travel to the UAE specifically to manage their property there,[254] but also Qatar has deliberately orchestrated the submission of hundreds of claims against the UAE under the OIC Investment Agreement, purposely foregoing the pursuit of redress through the UAE courts.[255]

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156. There can be no doubt that Qatar has failed to overcome the admissibility hurdle in Article 11(3) of the CERD. Because available domestic remedies have neither been invoked nor exhausted, Qatar has failed to meet the requirements of that provision.

157. For that reason alone the Committee must dismiss Qatar's Article 11 Communication and discontinue any further procedure addressing that communication.

IV. THE EXISTENCE OF CONCURRENT PROCEEDINGS BEFORE THE CERD COMMITTEE AND THE ICJ RENDERS QATAR'S COMMUNICATION INADMISSIBLE

158. Qatar's 19 February Response opposes the UAE's objection to the admissibility of Qatar's claim based on the existence of parallel proceedings before the ICJ arguing that,

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[253] *See*, *e.g.*, 19 February Response, DCL-108, *id*., DCL-113.

[254] **Annex 3**, Federal Authority for Identity and Citizenship, Federal Authority for Identity and Citizenship, Requests for Entry or Exit of Qatari Nationals from 9 July 2018 until 31 December 2018. A prior version of this Annex in smaller format was submitted with UAE's Response of 14 January 2019, para. 8 as Annex 1.2. The revised version accompanied herewith as Annex 1 is a larger format version and the English translation has been revised for completeness. This document contains illustrative examples of entry/exit data processed through the hotline that did not involve family reunification and include entries for "business", "treatment", "ownership of a property", "business/work", "study" and "others".

[255] *See supra* para. 30.

contrary to the UAE's view, Article 22 of the CERD "does not establish a 'hierarchical and linear' process" and that "neither *lis pendens* nor *electa una via* applies".[256]

A. The Consistency of the UAE's Arguments

159. In Qatar's view, the UAE has been inconsistent in its arguments.[257] To the contrary, the UAE has consistently argued that the CERD and the ICJ proceedings cannot be pursued in parallel. In its Response of 7 August 2018, the UAE stated: "Qatar should not be permitted to simultaneously initiate proceedings in relation to the same issues in the ICJ."[258] In its 29 November 2018 Supplemental Response the UAE consistently held that the fact that Qatar had seized the ICJ could not mean anything but that Qatar had abandoned the CERD proceedings because the continuation of two parallel proceedings "would jeopardise the systemic integrity of the system and risk resulting in fragmented jurisprudence"[259]. Again consistently, in its 14 January 2019 Supplemental Response the UAE argued that the existence of parallel proceedings would undermine the integrity of the dispute resolution provisions of the CERD and of the ICJ.[260]

160. Qatar wonders how could the UAE consider that Qatar had abandoned the CERD proceedings, when, invoking Article 11(2) of the CERD, it had referred the matter again to the Committee.[261] As a matter of fact, the invocation of Article 11(2) of the CERD Convention came as a surprise because, after Qatar had submitted the matter to the attention of the Committee and the UAE had sent its response under Article 11(1) of the CERD Convention, no attempt to "adjust" the situation by negotiation or by other procedures as envisaged by Article 11(2) had been made by Qatar. Moreover, Qatar had

[256] 19 February Response, para. 167.

[257] 19 February Response, paras. 163-167.

[258] UAE's Response of 7 August 2018, para. 93.

[259] UAE's Supplemental Response of 29 November 2018, para. 79.

[260] UAE's Supplemental Response of 14 January 2019, paras. 27-41.

[261] 19 February Response, para. 165 referring to the *Note Verbale* from Qatar to the CERD Committee, 29 October 2018, p. 2.

submitted the matter to the ICJ. The UAE was thus justified in assuming the abandonment of the CERD proceedings.

B. Qatar's Re-Submission to the CERD Committee Is Inadmissible

161. In any case, Qatar's "re-submission" of the matter to the Committee with its *Note Verbale* of 29 October 2018 is defective.

162. In its *Note Verbale* Qatar assumes that under Article 11(2) a State has the right to re-submit a matter to the Committee simply because the six-months time-limit has elapsed and just claiming that the matter has not been adjusted to its satisfaction.[262] Qatar's re-submission completely ignores the reference contained in Article 11(2) to bilateral negotiations or other procedures.

163. This reference, as all treaty provisions, must, however, have a meaning, an *effet utile*. If the reference simply meant, as Qatar assumes, that, as matter of fact, within the six months time limit no adjustment has been reached by negotiation or other procedures, it would add nothing to the simple requirement that six months must have elapsed.

164. To be meaningful, the provision requires that the claiming State has sought to engage in bilateral negotiations or in other procedures. In the present case, as mentioned, Qatar has made no attempt to engage in bilateral negotiations or other procedures. Referring to the UAE Response of 7 August 2018, it has simply assumed "that the United Arab Emirates is unwilling to engage constructively with the State of Qatar to settle the matter amicably".[263] It seems preposterous to look for the indication of a will to negotiate in a document in which the UAE, within a tight time limit, had to respond to a broad range of allegations.

165. It must be added that, if the seizure of the ICJ by Qatar were to be seen as resort to a procedure open to the parties, it would become absurd, and disrespectful to the Court, to consider the matter not adjusted before the ICJ procedure has run its full course.

[262] *Note Verbale*, from Qatar to the CERD Committee, 29 October 2018, p. 3.

[263] *Note Verbale*, from Qatar to the CERD Committee, 29 October 2018, p. 2.

166. Consequently, Qatar has abandoned the CERD Committee proceedings by seizing the ICJ, and not validly resumed them with its letter of 29 October 2018.

167. In light of the above, the UAE respectfully invites the Committee to find that the re-submission of the matter as set out in Qatar's letter of 29 October 2018 is inadmissible.

1. Qatar's Submission Is Inadmissible Because It Is Incompatible With The Hierarchical and Linear Dispute-Settlement System of the CERD

168. The submission of Qatar is, however, inadmissible also for other reasons set out in previous defences of the UAE[264] and to which Qatar responds in Chapter IV B of its 19 February Response.

169. The UAE objection to admissibility here considered is based on the contention that the CERD Committee proceedings cannot be pursued while proceedings between the same parties and concerning the same dispute are pending before the ICJ. The CERD Committee is duty bound to interpret and apply the Convention in such a way as to prevent a situation in which the system set out in Article 22 of the CERD Convention would be disrupted.

170. As indicated in the UAE's previous submissions, this system is "hierarchical and linear".[265] With these terms the UAE means that the CERD Committee proceedings have priority over those before the ICJ (hierarchical) and that no parallel competing proceedings are admitted (linear). Qatar disagrees, holding that Article 22 "offers a prospectus of alternatives".[266]

171. The hierarchical and linear character of the system emerges by considering Article 22 from the two different points of view of the ICJ and of the Committee.

[264] *See*, UAE's Supplemental Response of 14 January 2019, paras. 27-41.

[265] UAE's Supplemental Response of 14 January 2019, para. 33; UAE's Supplemental Response of 29 November 2018, para. 72.

[266] 19 February Response, para. 178.

a) The Hierarchical Character of the System

172. From the point of view of the ICJ, Article 22 is a compromissory clause.[267] It entitles States Parties to the CERD to submit unilaterally to the Court disputes concerning the interpretation or application of the Convention. It does not exclude recourse to other procedures "for settling disputes or complaints" applicable as between the parties.[268]

173. This compromissory clause can be resorted to provided that the dispute "is not settled by negotiation or by the procedures expressly provided for" in the Convention. After a detailed analysis, in its Judgment of 1 April 2011, the ICJ stated that with these terms the Convention establishes "preconditions to be fulfilled before the seisin of the Court"[269]. The Court later specified, in its Order of 23 July 2018, that these preconditions are "procedural".[270] The hierarchical character of the relationship between the procedures set out in Articles 11 to 13 and the proceedings before the Court is thus clearly established.

174. From the point of view of the CERD Committee and of the proceedings before it, Article 22 provides that seizing the ICJ is a "last resort", as it was argued by the Russian Federation and accepted by five dissenting judges in the *Georgia v. Russian Federation* case.[271] "Last resort" requires that the procedures set out in Article 11 have not succeeded in achieving a settlement of the dispute.

175. The hierarchical character of the Convention's system and the role of the ICJ as a "last resort" are confirmed by the *travaux préparatoires* at all the stages of drafting of the Convention. Recourse to the ICJ was considered as both an implementing measure and a

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[267] As stated by the ICJ in *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Judgment, I.C.J. Reports 2011, p.121, para. 118.

[268] CERD, Article 16.

[269] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Judgment, I.C.J. Reports 2011, p. 128, para.141.

[270] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Provisional Measures, Order, para. 29.

[271] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Judgment, I.C.J. Reports 2011, p. 129, para. 144; *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Joint dissenting opinion of President Owada, Judges Simma, Abraham and Donoghue and Judge ad hoc Gaja, I.C.J. Reports 2011, p. 156, para. 43.

final clause. In each case, the delegates anticipated that the mechanism would only be available once the CERD Committee proceedings had been exhausted.[272]

176. In its 19 February Response Qatar does not challenge the hierarchical character of the CERD Convention's system as it, grudgingly, acknowledges the ICJ's statement that "the procedures expressly provided for in this Convention" and "negotiation" are "procedural preconditions" to the seisin of the Court.[273] In so doing it accepts the hierarchical structure of the Convention's system.

b) The Linear Character of the System

177. Qatar's argument focuses on denying the "linear" character of the system. Such character would require that the two preconditions set out in Article 22 (negotiations and procedures provided for in the Convention) be cumulative, while in Qatar's view they are alternative. In Qatar's view, the consequences of such alleged alternative character would be that "a State Party may refer a dispute to the Court without any recourse to this

[272] At the stage of the Sub-Commission of Human Rights, Article 17 of the Proposed Measures of Implementation stated expressly that the ICJ will only be available when no solution has been reached under the inter-state communication procedure before the CERD Committee and the *ad hoc* conciliation commission. Sub-Commission on Prevention of Discrimination and Protection of Minorities, Proposed Measures of Implementation by Mr Ingles, 17 January 1964, doc. E/CN.4/Sub.2/L.321, p. 6 (Article 17). When these suggestions reached the Commission of Human Rights, they were met with general approval. *See e.g.*, Commission on Human Rights, 810th meeting, 15 May 1964, doc. E/CN.4/SR.810, p. 7 (recourse to the ICJ was in effect seen as a right "to appeal" after no solution could be reached at the committee). The General Assembly proposed its own measures of implementation. The clauses themselves and the discussion on them confirm that committee proceedings had to be attempted and had to fail before the ICJ was open to disputing parties. Third Committee, Articles relating to measures of implementation to be added to the provisions of the draft International Convention on the Elimination of All Forms of Racial Discrimination adopted by the Commission on Human Rights by the Philippines, 11 October 1965, doc. A/C.3/L.1221, Article 18; Third Committee, 1344th meeting, 16 November 1965, doc. A/C.3/SR.1344, para. 69 ("Under that system, the case might be referred to the International Court of Justice as a last resort."). As a final clause, the ICJ, again, was only available after committee proceedings had not provided a solution. Third Committee, Amendments to the suggestions for final clauses submitted by officers of the Third Committee (A/C.3/L.1237) by Ghana, Mauritania and the Philippines, 30 November 1965, doc. A/C.3/L.1313. The Ghanaian delegate makes that plain when explaining the so-called "three power amendment" (*i.e.*, the amendment by Ghana, Mauritania and Philippines introducing the phrase "or the procedures provided for in the Convention" in what later became Article 22) which was adopted unanimously: "[T]he three-Power amendment was self-explanatory. Provision had been made in the draft Convention for machinery which should be used in the settlement of disputes before recourse was had to the International Court of Justice. The amendment simply referred to the procedures provided for in the Convention." Third Committee, 1367th meeting, 7 December 1965, doc. A/C.3/SR.1367, paras. 29, 41.

[273] 19 February Response, para. 169.

Committee" and that "[t]he CERD procedures can thus be engaged independently of ICJ proceedings".[274]

178. The second consequence of the alleged alternative character of the preconditions in Article 22 is that the article states the obvious and goes nowhere. As regards the first consequence, it is based on the idea that, if the dispute is not settled by negotiation, it may be submitted to the ICJ without involving the Committee. But this idea is wrong because the reasons invoked by Qatar in favor of the alternative character of the two procedural conditions are unconvincing, as will be illustrated below.

179. Qatar starts its argument boldly bystating that the alternative character of the preconditions set out in Article 22 is a matter already decided by the ICJ:

> [T]he ICJ has repeatedly decided, on a *prima facie* basis, that for it to have jurisdiction under Article 22, it is sufficient that *only one* requirement is met before the seisin of the Court (i.e. that they are "alternative"). As a result, a State Party may have recourse to the ICJ after negotiations without engaging the CERD procedures at all.[275]

180. The first statement quoted is in stark contrast with the clear statements of the Court in the two most recent cases relied upon by Qatar, that "it need not make a pronouncement on the issue at this stage of the proceedings"[276].

181. The second statement is incompatible with the nature of *prima facie* findings in provisional measures cases. As the Court has stated repeatedly, and most recently:

> The Court may indicate provisional measures only if the provisions relied on by the Applicant appear, *prima facie*, to afford a basis on which its jurisdiction could be founded, but need not satisfy itself

[274] 19 February Response, para. 178.

[275] 19 February Response, para. 169 (emphasis in original).

[276] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Provisional Measures, Order, para. 39, referring to *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination* (Ukraine v. Russian Federation), Provisional Measures, Order of 19 April 2017, I.C.J. Reports 2017, para. 60, I.C.J. Reports, 2017, pp. 125-126, para. 60.

> in a definitive manner that it has jurisdiction as regards the merits of the case.[277]

182. Qatar then recognizes that "the ICJ has yet to definitively confirm that the two requirements are alternative rather than cumulative" but argues that "13 Judges of the Court have already opined that they are alternative".[278] The dissenting opinions referred to endorse with different nuances the thesis that the preconditions are "alternative". But the manner in which the point is made is misleading: many of these opinions do not come from judges presently sitting in the Court. Of the 13 Judges mentioned eight are not present members of the Court. Whatever the views expressed in some cases by judges (only a few of whom are still members of the Court), these opinions were included in dissents and in no case was a majority reached on the cumulative or alternative character of the preconditions set out in Article 22.

183. Qatar further argues that if the preconditions were cumulative this "would lead to the unreasonable result that some disputes subject to Article 22 could *never* be referred to the ICJ".[279] These would be disputes concerning the interpretation or application of provisions of the Convention different from those concerning situations in which one "State Party considers that another State Party is not giving effect to provisions of this Convention", such as disputes about the validity of a reservation or of a denunciation.[280] This argument is far from convincing for two alternative reasons. Firstly, such disputes, although concerning a "final clause", may still be held to be disputes about whether a State has given effect to a provision of the Convention. Secondly, and alternatively, it may be argued that Article 22 opens a "last resort" remedy only available for disputes having gone through negotiations and the procedures which are set out in the Convention but which are not available for other disputes for which access to the ICJ would depend on the existence of an agreement between the parties different from the compromissory

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[277] *Alleged violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights* (Islamic Republic of Iran v. United States of America), Provisional Measures, Order, para. 24, referring "for example", to *Jadhav* (India v. Pakistan), Provisional Measures, Order of 18 May 2017, I.C.J. Reports 2017, p. 236, para. 15.

[278] 19 February Response, para. 170.

[279] 19 February Response, para. 174 (emphasis in original).

[280] 19 February Response, para. 174.

clause of Article 22. There is no need to make a choice here between these two possible arguments, all of which could be reasonably made. The mere possibility of making them shows that, even when holding that the preconditions are cumulative, there would be no "unreasonable" consequences for disputes concerning the interpretation and application of provisions of the Convention different from those concerning the claim that one State Party is not giving effect to provisions of the Convention.

184. Qatar also argues that the *travaux préparatoires* support the view that the preconditions are alternative. It mostly relies on the assessment of the *travaux préparatoires* made in the Joint Dissenting Opinion of five judges to the 2011 *Georgia v. Russian Federation* preliminary objections judgment.[281] The Joint Dissenting Opinion recalls that the mention in what was to become Article 22 of the "procedures expressly provided for in this Convention" was introduced by a "Three Power Amendment" rather late in the negotiation and was unanimously approved with some States making brief statements in favour. After remarking that "[n]one of these statements is fully illuminating", the Joint Dissenting Opinion states that

> The clear impression nevertheless emerges that the three Powers' intent in proposing their amendment was not to impose a further condition resulting in more limited access to the Court than under the earlier text. There is nothing to indicate that the amendment was aimed at making resort to the special procedures under Part II mandatory where direct negotiations had failed. More likely, the amendment was intended to make clear that recourse to these special procedures figured among the possible avenues for negotiated settlement. That is why it was regarded by the delegates as merely a "useful addition or clarification" and was easily adopted, not as a change in the text to make it more restrictive but as a natural, and almost self-evident, clarification.[282]

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[281] 19 February Response, para. 176.

[282] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Joint dissenting opinion of President Owada, Judges Simma, Abraham and Donoghue and Judge ad hoc Gaja, I.C.J. Reports 2011, p. 157, para. 47.

185. These remarks are far from firm. They are based on an "impression" and on an assessment of a "likely" intention.[283] Moreover, looking at the *travaux*, one does not come to the same conclusion. When the drafters in the Sub-Commission first contemplated recourse to the ICJ, they expressly proposed to make it available only after Committee proceedings had been engaged and had failed.[284] The Commission agreed.[285] When the Third Committee proposed its own measures of implementation, the ICJ again was only available when the dispute could not be resolved by other means.[286] When the submission of disputes to the ICJ was considered as a final clause in the Third Committee of the General Assembly, the delegates were clear that the jurisdiction of the ICJ was only triggered when the dispute machinery of the Convention had failed to resolve the dispute.[287] Thus, the so-called "three power amendment" (*i.e.*, the amendment by Ghana, Mauritania and Philippines introducing the phrase "or the procedures provided for in the Convention" in what later became Article 22) which was adopted unanimously, was explained by the Ghanaian delegate as follows:

> [T]he three-Power amendment was self-explanatory. Provision had been made in the draft Convention for machinery which should be used in the settlement of disputes before recourse was had to the

[283] In any case, the Court in its judgment in the same case "leaves aside" the "question of whether the two modes of peaceful resolution are alternative or cumulative". *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Judgment, I.C.J. Reports 2011, p. 125, para. 133.

[284] Sub-Commission on Prevention of Discrimination and Protection of Minorities, Proposed Measures of Implementation by Mr Ingles, 17 January 1964, doc. E/CN.4/Sub.2/L.321, p. 6 (Article 17).

[285] Commission on Human Rights, 810th meeting, 15 May 1964, doc. E/CN.4/SR.810, p. 7 ("A State party which considered that another State party was not giving effect to the provisions of the convention would be able to bring the matter to the attention of that State by written communication. If after six months the matter was not adjusted to the satisfaction of both States, either State would have the right to refer the matter to the committee. In the event of no solution being reached, the States would be free to appeal to the International Court of Justice. He stressed the usefulness of that machinery" (emphasis added)).

[286] Third Committee, Articles relating to measures of implementation to be added to the provisions of the draft International Convention on the Elimination of All Forms of Racial Discrimination adopted by the Commission on Human Rights by the Philippines, 11 October 1965, doc. A/C.3/L.1221, p. 6 (Article 18).

[287] Third Committee, 1367th Meeting, 7 December 1965, doc. A/C.3/SR.1367, paras. 26, 29, 31, 38, 39, 40, 41. The Third Committee was concerned first and foremost with the question of whether all parties had to consent to bring the dispute before the ICJ; the members were less concerned with the question of whether the dispute machinery must first have failed to reach a solution. Members almost took that latter point as a given. *See*, *e.g.*, *id.*, para. 40 ("[Mr Cochaux] would support the three-Power amendment, which introduced a useful clarification."). The Three-Power Amendment was adopted unanimously.

> International Court of Justice. The amendment simply referred to the procedures provided for in the Convention.[288]

186. But the Court also remarked in the *Georgia v. Russia* judgment that:

> at the time when CERD was being elaborated, the idea of submitting to the compulsory settlement of disputes by the Court was not readily acceptable to a number of States . . . [I]t is reasonable to assume that additional limitations to resort to judicial settlement in the form of prior negotiations and other settlement procedures without fixed time-limits were provided for with a view to facilitating wider acceptance of CERD by States.[289]

187. These considerations make it easy to assume that the addition of the procedures expressly provided for in what was to become Article 22 was intended to make the Convention more acceptable to the then numerous States not favourable to compulsory judicial settlement of disputes. It can also be considered likely that the intent was not only "to make clear that recourse to these special procedures figured among the possible avenues for negotiated settlement"[290] but also to strengthen the role of these newly established procedures.

188. Qatar also argues that "[i]f the requirements were deemed cumulative, the negotiation requirement would be rendered redundant and deprived of any *effet utile*". This would be, in Qatar's view, the consequence of the fact that "negotiation constitutes an element of the CERD procedures" because "bilateral negotiations" are mentioned in Article 11(2). From this it would follow that, according to Qatar, "[i]f the two requirements were cumulative, there would be no reason to have an additional negotiation requirement in Article 22 on top of the negotiation requirement already stated in Article 11(2)".[291]

189. This argument is ill-conceived. The "negotiation[s]" mentioned in Article 22 are the very "bilateral negotiations" mentioned in Article 11(2).

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[288] Third Committee, 1367th meeting, 7 December 1965, doc. A/C.3/SR.1367, para. 29.

[289] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Judgment, I.C.J. Reports 2011, p. 129, para. 147.

[290] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Joint dissenting opinion of President Owada, Judges Simma, Abraham and Donoghue and Judge ad hoc Gaja, I.C.J. Reports 2011, p. 157, para. 47.

[291] 19 February Response, para. 173.

190. In the CERD system, as provided by Article 11(2), negotiation is a precondition to resort to the engagement of the Committee. The engagement of the Committee can be obtained only if negotiations have been held and have failed. Thus, in the CERD system there is only one procedure which starts with negotiations, and in case negotiations fail, continues with the engagement of the Committee. Article 22 must be read in light of Article 11 and of the role negotiations have in it. Negotiation and the other procedures are two steps of the same procedure. This procedure can stop if negotiations are successful but, before the "last resort" of seizing the ICJ can be utilized, it must be pursued up to an unsuccessful conclusion. In this sense, the preconditions are cumulative.

c) Lack of Negotiations Renders the Re-Submission Inadmissible

191. In the present case the discussion concerning the interpretation of Article 22 is, however, not as relevant as it is in cases before the ICJ. In those cases the issue is whether for the Court to have jurisdiction it is necessary that only one or both of the procedural preconditions is satisfied. In the present case the question is whether the dispute is validly before the CERD Committee. As there have been no negotiations, and not even an attempt by Qatar to set these negotiations in motion, the condition set out in Article 11(2) is not satisfied. Consequently the request of Qatar remains inadmissible.

192. Referring to the compromissory clause of Article 22 of the CERD Convention, in its 2011 Judgment on Preliminary Objections in the *Georgia v. Russian Federation* case, the ICJ clarified that:

> . . . to meet the precondition of negotiation in the compromissory clause of a treaty . . . negotiations must relate to the subject-matter of the treaty containing the compromissory clause. In other words, the subject-matter of the negotiations must relate to the subject-matter of the dispute which, in turn, must concern the substantive obligations contained in the treaty in question.[292]

193. In the present case there was no attempt by Qatar to engage in negotiation. Even less so in negotiations dealing with a dispute concerning alleged racial discrimination.

[292] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Georgia v. Russian Federation), Preliminary Objections, Judgment, I.C.J. Reports 2011, p. 133, para. 161.

2. The Risk of *Lis Pendens* and *Electa Una Via* Cannot Be Ignored

194. Qatar rejects the argument put forward by the UAE that Qatar's seizure of the ICJ creates a situation of *lis pendens* and that it contradicts the principle of *electa una via.* It criticizes the UAE for referring to a "situation" of *lis pendens* and not to a "doctrine" or principle" or "rule" of *lis pendens*.[293]

195. But this was the intention of the UAE. The UAE is fully aware that certain strict prerequisites – namely that the two disputes are between the same parties, have the same *causa petendi* and the same *petitum* – are sometimes required in order to deny the jurisdiction of a court based on *lis pendens*. It is also fully aware that different courts, tribunals and other dispute-settlement bodies are based on different treaties and that each of them is competent to decide on its jurisdiction. The UAE is, moreover, fully aware that the ICJ has declined to take a stand on this matter. In its Order of 23 July 2018 the Court stated that it did not "consider it necessary, for the present purposes, to decide whether any *electa una via* principle or *lis pendens* exception are applicable in the present situation".[294]

196. But the negative effects of a "situation" of *lis pendens*, in which the same parties and the same allegations based on the same facts are involved, or of a situation in which a party, while engaged in a dispute-settlement procedure, moves to another such procedure without abandoning the former, remain. These negative effects consist basically in the risk of conflicting decisions on the same issues of fact or law or both.

197. In the case of the procedures before the CERD Committee, as illustrated in previous submissions by the UAE,[295] which should be considered repeated here, there is the specific additional risk of creating the conditions for a clash between the Committee and the ICJ. Namely, between a respected specialized expert body competent for certain State-to-State disputes and the principal judicial organ of the United Nations.

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[293] 19 February Response, para. 180.

[294] *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* (Qatar v. United Arab Emirates), Provisional Measures, Order, para. 39.

[295] *See*, UAE's Supplemental Response of 14 January 2019, para. 31.

198. Contrary to what Qatar holds, the *MOX Plant* tribunal, notably did not rely on UNCLOS Articles 281 and 282 which, under strict conditions, deny the jurisdiction of UNCLOS dispute settlement bodies when the dispute is submitted to other procedures applicable between the parties.[296] It preferred to rely on two considerations based on the integrity of the judicial function.[297]

199. These are: (i) the "considerations of mutual respect and comity which should prevail between judicial institutions both of which may be called upon to determine rights and obligations as between two States"; and (ii) that "a procedure that might result in two conflicting decisions on the same issue would not be helpful to the resolution of the dispute between the Parties".[298]

200. It is to be noted that the Tribunal relied on "mutual respect and comity" as regards the *potential,* not actual, submission of the dispute (or of a dispute similar to the one pending before it) to another court. Moreover, the court deserving respect and comity was a regional court (the European Court of Justice), while the *MOX Plant* Arbitral Tribunal was instituted on the basis of an open multilateral treaty binding more than three quarters of the existing States.

201. In the present case, Qatar's submission of the dispute to the ICJ has created a real and concrete possibility of conflict of decisions and of a clash between the Committee and the principal judicial organ of the United Nations. Considerations of mutual respect and comity should apply in this case even more. As illustrated in previous submissions by the UAE, the procedure before the Committee also disrupts the exercise of the procedural rights of the parties by compelling them either to restrain their arguments in one

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[296] 19 February Response, para. 186. *MOX Plant Case* (Ireland v. United Kingdom), Order No. 3, Suspension of Proceedings on Jurisdiction and Merits, and Request for Further Provisional Measures, 24 June 2003, available at in www.pca-cpa.org, mentions Article 281 and 282 of UNCLOS in paras. 18 and 23 but not for the purpose of justifying its decision to suspend proceedings.

[297] *MOX Plant Case* (Ireland v. United Kingdom), Order No. 3, Suspension of Proceedings on Jurisdiction and Merits, and Request for Further Provisional Measures, 24 June 2003, available at in www.pca-cpa.org, para. 28.

[298] *MOX Plant Case* (Ireland v. United Kingdom), Order No. 3, Suspension of Proceedings on Jurisdiction and Merits, and Request for Further Provisional Measures, 24 June 2003, available at in www.pca-cpa.org, para. 28.

procedure or to "show their hand" for later pleadings before the other dispute-settlement body.[299]

202. It is humbly submitted that, before allowing Qatar to continue the procedure before it, the Committee should consider the dangerous implications just illustrated. These dangerous implications should encourage the Committee to rely on the legal arguments for declaring Qatar's re-submission inadmissible, which have been illustrated above.

203. In a final attempt to dismiss the UAE's arguments, Qatar states that, if the Committee were to declare its submission inadmissible and if the ICJ were to decide that it has no jurisdiction, this "would then lead to the result that Qatar has no remedy whatsoever – neither before this Committee nor the ICJ".[300] The question of jurisdiction and the admissibility of a claim is for each dispute-settlement body to decide. If in our case both the Committee and the ICJ were to decline entertaining Qatar's case, it would mean that in both cases the requirements set out in the relevant international law instrument are not satisfied.

V. CONCLUSION

204. For the reasons set out herein and in the UAE's 7 August 2018 Response, the 29 November 2018 Submission and the 14 January 2019 Supplementary Submission, the UAE respectfully urges the Committee to dismiss Qatar's Article 11 Communication for lack for jurisdiction and/or lack of admissibility.

205. The UAE once again takes this opportunity to reaffirm its unwavering commitment to eliminating racial discrimination in all of its forms and to combating hate speech.

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[299] *See*, UAE's Supplemental Response of 14 January 2019, paras. 36-39.

[300] 19 February Response, para. 197.

[Page 1 of the PDF]

Zayed University

Office of the Vice President

No. M M J/77/2018

Date: 15 March 2018

Messrs. Office of Undersecretary for Academic Affairs of Higher Education,

Ministry of Education

Greetings,

Subject: Qatari Students at the University of Zayed, and the reason of their study interruption

It is my pleasure to send you my sincere greetings and appreciation. I would like to refer to your letter dated 8 March 2018, about your request to receive the information related to the reason of the interruption of the Qatar's students from studying at Zayed University without an academic reason.

In this regard, please be aware that Qatari students' suspension from study and their departure to Qatar was at the request of the Qatari Embassy in the United Arab Emirates. Attached is the requested information for the students.

Please accept our best regards,

[Signature]

Dr. Riad Al-Muhaideb

The Director of Zayed University

[Page 2 of the PDF]

Student No.	Name in Arabic	Gender	Email	Communication Method	Campus	Specialization	The Last Attended Semester	Date of Communication
[the Number of the Student]	[the name of the student in Arabic]	[the gender of the student]	[the email of the student]	[the phone numbers that were used to contact the student]	[the Campus where the student used to study]	[the study field]	[Spring semester 2017; for all of the mentioned students]	[5 June 2017; for all of the mentioned students]

[Page 3 of the PDF]

University of Sharjah

Office of the Chancellor

No. 224/2017-2018

Date: 19 March 2018

Messrs. Office of Undersecretary of Academic Affairs,

Peace upon you,

In response to your electronical circulation on the directors of higher education institutions in the country, about the interruption of the Qatar's students from studying without an academic reason; and your invitation to contact these students, and to clarify the reasons of such interruption, and to assert that the education is available for everyone who meets the requirements.

We are pleased to provide you with the attached statement summarizing all measures taken by the concerned personnel at the University of Sharjah in this regard. Kindly, review it and decide the appropriate.

Thanks and regards,

[Signature]

Dr. Hamid Majol Al-Nuaimi

The Director of Sharjah University

[Page 4 of the PDF, this page is in English]

[Page 5 of the PDF]

United Arab Emirates University

Admission and Registration Department

A statement about a postgraduate student who is registered in the University

	Name	**University ID**	**Specialization**	**The Last Attended Semester**	**Phone Number**	**Date of Communication**	**Date of Reply**	**Comments**
	[the name of the student]	201670201	Master in Social Service	Second Semester 2016/2017	[Telephone number]	March 11	The student was contacted by Email, and she expressed her desire to recommence her education at the University. She has only 15 Credited hours left.	

[Page 6 of the PDF]

The list of the Qatari Student for the Academic Year 2016/2017

Institutions	Name	Specialization	University ID	The Last Attended/ admitted Semester	Communication Method	Date of Communication	Date of Reply	Summary
[Paris-Sorbonne University Abu Dhabi]	[the name of the student]	[the Specialization of their study]	[the student number]	[the last attended semester by the student, or the semester in which the student was admitted to the University]	[this column includes the email of the students]	[this column includes the dates when the students were contacted]	[No reply; or a dates of the received respond]	[No reply; or no intention to attend the University]

[Page 7 of the PDF]

[An email that includes correspondences between "the Office of the Undersecretary for Academic Affairs of Higher Education" and "The Mohammed Bin Rashid School of Government"]

Page 1 of 6

Re: Urgent/ the Interrupted Students for no Academic Reasons

Hayatham Shukri [Hayathem.shukri@mbrsg.ac.ae]

Sent on 14 March 2018, 05:13 PM

Messrs. Office of Undersecretary for Academic Affairs of Higher Education,

Greetings,

We have contacted the interrupted student from the State of Qatar at "The Mohammed Bin Rashid School of Government". The report is as the following:

Student Number	00130338
Student Name	[the name of the Student]
Specialization	Executive Master of Public Administration
The Last Attended Semester	Spring Semester 2017 (March 2017)
Communication Method	WhatsApp
Date of Communication	The final week of June 2017
Date of Reply	The final week of July 2017
Summary of the Reply	She was not able to attend

Please accept out regards,

[Page 8 of the PDF]

[An email that includes correspondences between “the Office of Undersecretary for Academic Affairs of Higher Education” and “The Mohammed Bin Rashid School of Government”]

Page 2 of 6

Best Regards,

Hayathem Shukri

Student Affairs Manager

Mohammed Bin Rashid School of Government

[The School logo]

From: Office of Undersecretary for Higher Education

Date: March, 2018 at 11:15:17 AM GTM+4

To: undisclosed recipient,

Subject: Urgent/ the Interrupted Students for no Academic Reasons

Messrs. Managers of the High Education Institutions,

[Page 9 of the PDF]

[An email that includes correspondences between "the Office of the Undersecretary for Academic Affairs of Higher Education" and "The Mohammed Bin Rashid School of Government"]

Page 3 of 6

Greetings,

By following up on the information about the university students, It was noted that a number of Qatari students had been cut off from university studies in the United Arab Emirates without an academic reason.

Please contact the interrupted students, and verify the reasons of the interruption, and to assert that the education is available to all students who meet their requirements.

Also, please provide us with a report about the conclusion of the communications, and to be sent to us as soon as possible, which shall include the following:

Student Number	
Student Name	
Specialization	
The Last Attended Semester	
Communication Method	
Date of Communication	
Date of Reply	
Summary of the Reply	

Thank you for your cooperation,

[Page 10 of the PDF, this page is in English]

[An email that includes correspondences between “the Office of the Undersecretary for Academic Affairs of Higher Education” and “The Mohammed Bin Rashid School of Government”]

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Islamic and Arabic Studies College

The Qatari's Students Information

Student No.	Student Name	Level	Specialization	The Last Attended Semester	Communication Method	Date of Communication	Summary of Reply
[the Number of the Student]	[the name of the student in Arabic]	Four	Islamic studies	Second Semester 2016/2017	[the phone number and the email]	December 2017/2018	She suspended her enrollment at the school but she will return in the year 2018/2019.
[the Number of the Student]	[the name of the student in Arabic]	Two	Islamic studies	Second Semester 2016/2017	[the phone number]	14 September 2017	she suspended her enrollment for an entire one year which was 2017/2018
[the Number of the Student]	[the name of the student in Arabic]	First	Islamic studies	Second Semester 2016/2017	[the phone number]	October 2017/2018	- The student is a Qatari Citizen. - The Student was cut off from education since the commencement of this academic year; she does not answer our calls.

[Page 12 of the PDF, this page is in English]

[Page 13 of the PDF]

The name of the non-registered Qatari Students - Emirate School for Technology

	Student's ID	Student's Name	Specialization	The Last Semester that was studied	The Means of Communication	The date of Communication	Date of Reply	Summary of Reply
1	[the number of the Student]	[the name of the Student]	[the specialty of the academic program attended by the student]	did not sign for any courses	By phone	10 March 2018	10 March 2018	her husband replied that, she does not want to finish her studies due to family conditions
2				First Academic semester 2015/2016	By phone	10 March 2018	10 March 2018	She postponed her enrolment due to family conditions and she will register in the coming first summer semester 2017/2018.
3				First Academic semester 2017/2018	By phone	10 March 2018	10 March 2018	She postponed her enrolment due to family conditions and she may register in the coming first summer semester 2017/2018.
4				Second Academic semester 2016/2017	By phone	10 March 2018	10 March 2018	Her husband said that she postponed her enrolment for health conditions, and she may register in the first coming summer semester 2017/2018.
5				Second Academic semester 2013/2014	By phone	10 March 2018	The phone is out of service	The available phone numbers are out of service
6				Second Academic semester 2016/2017	By phone	10 March 2018	10 March 2018	He delayed his enrolment because of financial obligations (Building a family home), and he will continue his education after finishing these financial obligations.

[Page 14 of the PDF, this page is in English]

[Page 15 of the PDF]

[An email that includes correspondences between "the Office of the Undersecretary for Academic Affairs of Higher Education" and "the University of Al-Ain for technology"]

Page 1 of 4

Re: Urgent/ the Interrupted Students for no Academic Reasons

Documentation Office [doc@aau.ae]

To help you in protecting your privacy, some content of this message will be banned, if you are sure that this letter was sent from a trustworthy sender, and that you want to show the banned contents, please press here.

Sent on: 13 March 2018, 10:18 AM

To: Office of Undersecretary for Higher Education [undersec_he@moe.gov.ae]

Cc: [various emails]

Messrs. Office of Undersecretary for Academic Affairs of Higher Education,

Greetings,

Please see the table below, which contains the Qatari student data that have been interrupted from studying at the University of Al-Ain for Technology and Science, which includes only one student.

Please accept out regards,

University ID	**Student's Name**	**Specialization**	**The Last Semester that was studied**	Phone No.	**The date of Communication**	**Summary of Reply**
[Student No]	[Student Name]	Law	[illegible]	[phone numbers]	11 and 12 March 2018	The phone is out of service

Forwarded message

From office of Undersecretary for Higher Education,

Date 8 March 2018, 11:15 GMT +04:00

Subject: Urgent/ the Interrupted Students for no Academic Reasons

Messrs. Managers of the High Education Institutions,

[Page 16 of the PDF]

[An email that includes correspondences between "the Office of the Undersecretary for Academic Affairs of Higher Education" and "the University of Al-Ain for technology"]

Page 2 of 4

Greetings,,

By following up on the information about the university students, It was noted that a number of Qatari students had been cut off from university studies in the United Arab Emirates without an academic reason.

Please contact the interrupted students, and verify the reasons of the interruption, and to assert that the education is available to all students who meet their requirements.

Also, please provide us with a report about the conclusion of the communications, and to be sent to us as soon as possible, which shall include the following:

Student Number	
Student Name	
Specialization	
The Last Attended Semester	
Communication Method	
Date of Communication	
Date of Reply	
Summary of the Reply	

Thank you for your cooperation,

[Logo]

[Page 17 of the PDF, this page is in English]

[An email that includes correspondences between “the Office of the Undersecretary for Academic Affairs of Higher Education” and “the University of Al-Ain for technology”]

Page 3 of 4

[Page 18 of the PDF]

[An email that includes correspondences between "the Office of the Undersecretary for Academic Affairs of Higher Education" and "the University of Al-Falah in Dubai"]

Page 1 of 5

The Interrupted Students for no Academic Reasons

quality@afu.ac.ae [quality@afu.ac.ae]

Sent on: 11 March 2018, 21:37 PM

To: office of Undersecretary for Higher Education

Copy: [email]

Messrs. Office of Undersecretary for Academic Affairs of Higher Education,

Greetings,

Upon your request for a report on Qatari students who were interrupted due to non-academic reasons, we would like to inform you that there is one Qatari student at the University of Al-Falah in Dubai. It should be noted that the student was cut off from studying for an academic reason, because he did not get the TOFEL Degree.

Please see the student information,

Student Number	201610187
Student Name	[the name of the Student]
Specialization	Business Management\ Accounting
The Last Attended Semester	Second Semester of the Academic year 2016
Communication Method	Phone and Email
Date of Communication	8 March 2018
Date of Reply	No response
Summary of the Reply	We did not receive any reply

It should be noted that the student had studied 15 credited hours from the required courses.

Regards,

Dr. Yasser Ahmed Altayeb

Director Quality Assurance and Institutional,

Effectiveness Center (QAIEC)

[Page 19 of the PDF, this page is in English]

[Page 20 of the PDF, this page is illegible]

[Page 21 of the PDF]

[A table that includes a summary of the communications with the Universities in UAE]

	University Name	Student's Number	Student's name	Major	The Last Semester that was studied	The Means of Communication	The date of Communication	Date of Reply	Summary of Reply
	[University of Al-Falah in Dubai; Dubai University; United Arab Emirates University; Paris-Sorbonne University Abu Dhabi; American University in Sharjah; Emirate School for Technology; the University of Al-Ain for Technology and Science; Islamic and Arabic Studies College; Abu Dhabi University; The Mohammed Bin Rashid School of Government; Zayed University; Sharjah university]	[the Student University number]	[the name of the student in Arabic]	[the major that the student has attended]	[the last attended semester]	[phone or Email]	[date of communication]	[date of the reply]	[No reply; showed an intention to recommence their studies; phone number is out of service; no intent to recommence do to family conditions; the phone number was closed; the student voluntarily suspended their registration; was not able to attend; by the request of the Qatar Embassy; the interruption due to financial obligations; "blank"; or "Illegible"]

[Page 22 of the PDF, this page is in English]

[Page 23 of the PDF, this page is in English]

[Page 24 of the PDF, this page is in English]

OFFICE OF THE VICE PRESIDENT

مكتب مدير الجامعة

الرقم: م م ج 77/ 2018
التاريخ: 15/3/ 2018

السادة/ مكتب وكيل الوزارة للشؤون الأكاديمية للتعليم العالي المحترمون
وزارة التربية والتعليم

تحية طيبة وبعد،

الموضوع: الطلبة القطريون في جامعة زايد وسبب انقطاعهم عن الدراسة

يطيب لي أن أبعث إليكم بخالص التحية والتقدير. وأود الإشارة إلى رسالتكم بتاريخ 8/مارس/2018. بشأن طلب موافاة حضرتكم بسبب انقطاع طلبة دولة قطر عن الدراسة الجامعية في جامعة زايد دون سبب أكاديمي.

وفي هذا الصدد، أرجو التفضل بالإحاطة علماً بأنه تم توقيف الطلبة القطريين عن الدراسة والمغادرة إلى قطر بناء على طلب السفارة القطرية في دولة الإمارات العربية المتحدة. مرفق طيه المعلومات المطلوبة الخاصة بالطلبة.

وتفضلوا بقبول فائق الاحترام والتقدير...

أ.د. رياض المهيدب
مدير جامعة زايد

ص.ب 144534، أبو ظبي، الإمارات العربية المتحدة، هاتف رقم: 97125993351+، فاكس رقم: 4452510 9712+
ص.ب 19282، دبي، الإمارات العربية المتحدة، هاتف رقم: 4021202 9714+، فاكس رقم: 4021001 9714+
P.O. Box 144534, Abu Dhabi - United Arab Emirates, Tel: +9712 5993351 Fax: +9712 4452510
P.O. Box 19282, Dubai - United Arab Emirates, Tel: +9714 4021202, Fax: +9714 4021001
E mail: Vice President@zu.ac.ae, Web: www.zu.ac.ae

رقم الطالب	NAME_ARABIC	GENDER	EMAIL	[illegible]	الحرم الجامعي	اسم التخصص	[illegible]	تاريخ التخرج
M80007435					AUM campus	بكالوريوس العلوم في الإدارة تخصص إدارة الموارد البشرية	ربيع 2017	05-Jun-17
M80007265				/0097444699543 /0097455855525	DXB Campus	بكالوريوس العلوم في الإدارة تخصص التمويل	ربيع 2017	05-Jun-17

OFFICE OF THE CHANCELLOR

مكتب مديـــر الجامـعـة

الرقم: 224/ 2017 - 2018

التاريخ: 2018/03/19

السادة مكتب وكيل وزارة التربية والتعليم للشؤون الأكاديمية ،،، المحترمين

السلام عليكم ورحمة الله وبركاته:

تلبية لتعميمكم الإليكتروني على مديري مؤسسات التعليم العالي بالدولة، المتعلق بانقطاع طلبة دولة قطر عن الدراسة الجامعية في الدولة دون سبب أكاديمي، ودعوتكم للتواصل مع هؤلاء الطلبة والتحقق من أسباب هذا الانقطاع والتأكيد عليهم بأن الدراسة متاحة لجميع من يستوفي شروطها.

يسعدنا أن نرفق لكم الكشف المرفق والذي يلخص كل التدابير المتخذة من قبل المتخصصين لدى جامعة الشارقة بهذا الشأن راجين أن تتفضلوا بالاطلاع واتخاذ ما ترونه مناسبا.

مع جزيل الشكر والتقدير.

أ.د. حميد مجول النعيمي

مدير جامعة الشارقة

هاتف ٥٥٨٥١٨٠ (٦ ٩٧١+)، فاكس ٥٥٨٥١٨٥ (٦ ٩٧١+)، ص.ب ٢٧٢٧٢، الشارقة - الإمارات العربية المتحدة
Tel: (+971 6) 5585180, Fax: (+971 6) 5585185, P.O. Box: 27272, Sharjah - United Arab Emirates

NO.	STUDENT ID الرقم الجامعي	STUDENT NAME اسم الطالب	ST LEVEL المستوى الدراسي	STUDENT STATUS الوضع الأكاديمي للطالب	In TERM	COLLEGE الكلية	MAJOR التخصص	YEAR سنة الدراسية للطالب	E-mail البريد الإلكتروني	CONTACTS No أرقام التواصل	Communicate by وسيلة التواصل	Communication Date تاريخ التواصل	Reply Date تاريخ الرد	Student Reply ملخص الرد
1	U00031765		Undergraduate	Academic Withdrew	Spring 2017-2018	Law	Law	Fourth Year			Phone Call	[illegible]	No response	-
2	U00038991		Undergraduate	Academic Withdrew	Spring 2017-2018	Engineering	Architectural Engineering	Fourth Year			Phone Call	[illegible]	[illegible]	Would like to complete the study (according to the mother's statement)
3	U00041756		Undergraduate	Academic Withdrew	Spring 2017-2018	Arts Humanities & Social Sci	History & Islamic Civilization	Third Year			Phone Call	[illegible]	[illegible]	Would like to complete the study (according to the mother's statement)
4	U00042373		Undergraduate	Academic Withdrew	Fall 2017-2018	Law	Law	Third Year			Phone Call	[illegible]	No response	-
5	U14122018		Undergraduate	Academic Withdrew	Spring 2017-2018	Law	Law	Third Year			Phone Call	[illegible]	No response	-
6	U14123384		Undergraduate	Academic Withdrew	Spring 2017-2018	Communication	Public Relation	Fourth Year			Phone Call	[illegible]	[illegible]	Would like to complete the study
7	U14220301		Undergraduate	Academic Withdrew	Spring 2017-2018	Arts Humanities & Social Sci	Sociology	Second Year			Phone Call	[illegible]	No response	-
8	U14220337		Undergraduate	Academic Withdrew	Spring 2017-2018	Law	Law	Second Year			Phone Call	[illegible]	[illegible]	Would like to complete the study (according to the mother's statement)
9	U15100608		Master	Compulsory Withdrew	Fall 2017-2018	Law	Private Law	Master			Phone Call	[illegible]	No response	-
10	U15104075		Undergraduate	Academic Withdrew	Spring 2017-2018	Communication	Public Relation	Third Year			Phone Call	[illegible]	[illegible]	-
11	U16100843		Undergraduate	Academic Withdrew	Spring 2017-2018	Arts Humanities & Social Sci	Sociology	First Year			Phone Call	[illegible]	No response	-
12	U16103297		Undergraduate	Academic Withdrew	Spring 2017-2018	Sciences	Applied Physics	First Year			Phone Call	[illegible]	No response	-
13	U16108423		Undergraduate	Optional Withdrawal	Spring 2017-2018	Arts Humanities & Social Sci	History & Civilization Tourist	Second Year			Phone Call	[illegible]	[illegible]	Would like to complete the study
14	U16200387		Undergraduate	Academic Withdrew	Spring 2017-2018	Law	Law	First Year			Phone Call	[illegible]	No response	-

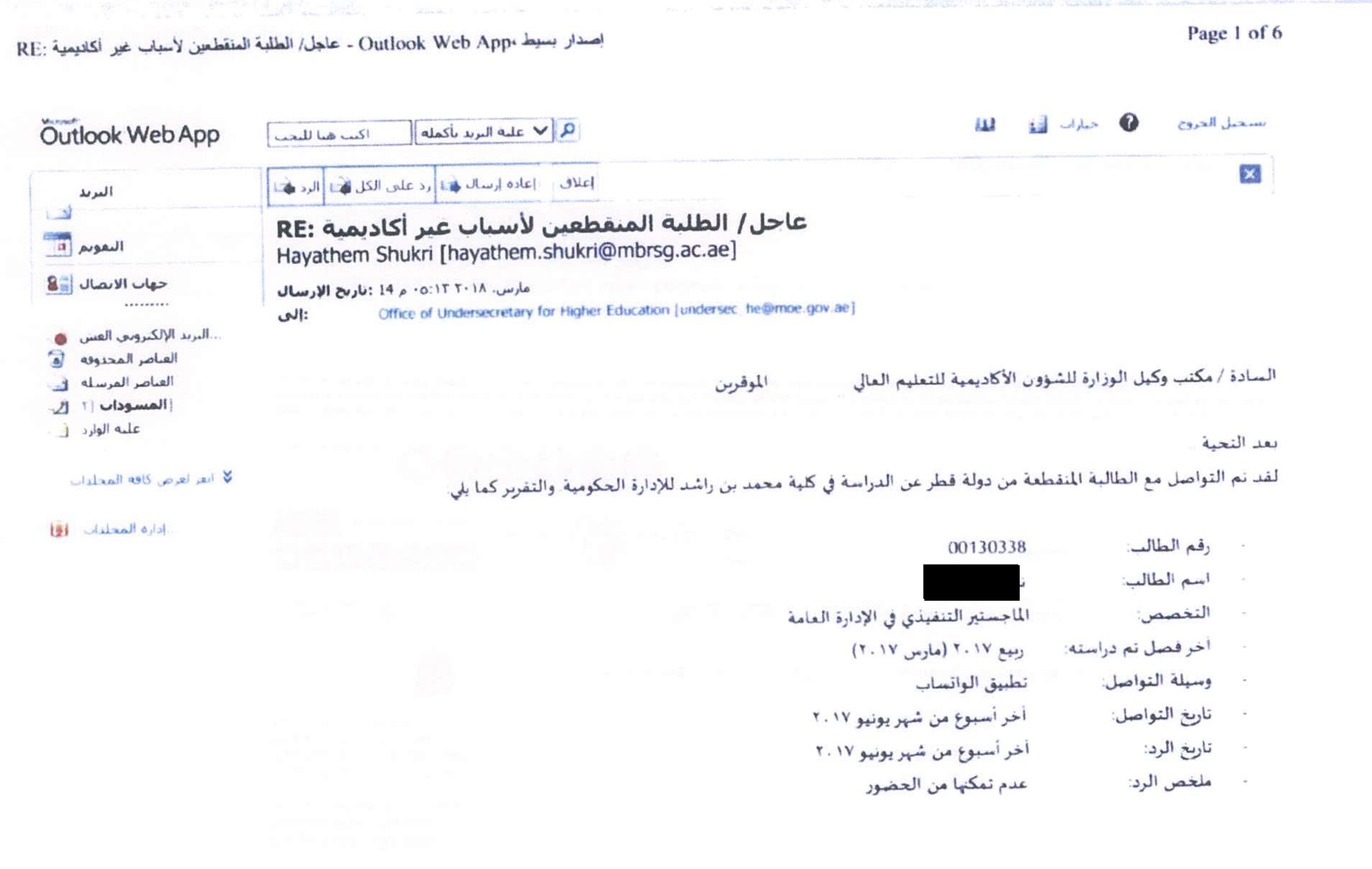
جامعة الإمارات العربية المتحدة
عمادة القبول والتسجيل

كشف باسم طالبة الماجستير من دولة قطر المقيدة في الجامعة

م	الاسم	الرقم الجامعي	التخصص	اخر فصل تم دراسته	الهاتف	تاريخ التواصل	تاريخ الرد	ملاحظات
1	[redacted]	201670201	ماجستير الخدمة الاجتماعية	الفصل الثاني ٢٠١٦/٢٠١٧	[redacted]	11 مارس	تم التواصل مع الطالبة عن طريق البريد الإلكتروني وأبدت رغبتها في استكمال المتبقي لها في الجامعة، حيث تبقت لها ١٥ ساعة دراسية فقط	

قائمة الطلبة القطريين للعام الأكاديمي ٢٠١٦-٢٠١٧

ملخص الرد	تاريخ الرد	تاريخ التواصل	وسيلة التواصل	آخر فصل تم دراسته / القبول	رقم الطالب	التخصص	الاسم بالعربي	المؤسسة
لا يوجد رد	لا يوجد رد	05.10.2017	[redacted]	الفصل الثاني من العام الأكاديمي ٢٠١٦/٢٠١٥	A00015673	بكالوريوس في التاريخ	[redacted]	جامعة باريس السوربون - أبوظبي
لا يوجد رد	لا يوجد رد	05.10.2017	[redacted]	الفصل الثاني من العام الأكاديمي ٢٠١٦/٢٠١٥	A00015389	بكالوريوس في الاقتصاد والإدارة	[redacted]	جامعة باريس السوربون - أبوظبي
لا يوجد رد	لا يوجد رد	05.10.2017	[redacted]	الفصل الثاني من العام الأكاديمي ٢٠١٦/٢٠١٥	A00012374	بكالوريوس في الفلسفة وعلم الاجتماع	[redacted]	جامعة باريس السوربون - أبوظبي
[illegible]	تم دفع رسوم التسجيل بتاريخ [illegible]	تم إرسال رسالة قبول 09.05.2017 للطالب بتاريخ	[redacted]	تم قبول الطالب في الجامعة للعام الأكاديمي ٢٠١٨/٢٠١٧	A00018403	ماجستير في القانون الدولي والعلاقات الدبلوماسية والدولية	[redacted]	جامعة باريس السوربون - أبوظبي
تم تسجيلها في الالتحاق بالجامعة	13.09.2017	تم إرسال رسالة قبول 03.04.2017 للطالبة بتاريخ	[redacted]	تم قبول الطالبة في الجامعة للعام الأكاديمي ٢٠١٨/٢٠١٧	A00018024	ماجستير في اقتصاديات الصناعة [illegible]	[redacted]	جامعة باريس السوربون - أبوظبي
لا يوجد رد	لا يوجد رد	تم إرسال رسالة قبول 14.12.2016 للطالبة بتاريخ	[redacted]	تم قبول الطالبة في الجامعة للعام الأكاديمي ٢٠١٨/٢٠١٧	A00017993	[illegible]	[redacted]	جامعة باريس السوربون - أبوظبي



Outlook Web App

اكتب هنا للبحث | علبة البريد بأكملها

خيارات | تسجيل الخروج

البريد
التقويم
جهات الاتصال

البريد الإلكتروني العس...
العناصر المحذوفة
العناصر المرسلة
المسودات [1]
علبة الوارد

انقر لعرض كافة المجلدات
إدارة المجلدات

الرد | رد على الكل | إعادة إرسال | إغلاق

RE: عاجل/ الطلبة المنقطعين لأسباب غير أكاديمية

Hayathem Shukri [hayathem.shukri@mbrsg.ac.ae]

تاريخ الإرسال: 14 مارس، ٢٠١٨ ٠٥:١٢ م

إلى: Office of Undersecretary for Higher Education [undersec_he@moe.gov.ae]

السادة / مكتب وكيل الوزارة للشؤون الأكاديمية للتعليم العالي الموقرين

بعد التحية

لقد تم التواصل مع الطالبة المنقطعة من دولة قطر عن الدراسة في كلية محمد بن راشد للإدارة الحكومية والتقرير كما يلي

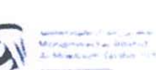
- رقم الطالب: 00130338
- اسم الطالب: [blacked out]
- التخصص: الماجستير التنفيذي في الإدارة العامة
- أخر فصل تم دراسته: ربيع ٢٠١٧ (مارس ٢٠١٧)
- وسيلة التواصل: تطبيق الواتساب
- تاريخ التواصل: أخر أسبوع من شهر يونيو ٢٠١٧
- تاريخ الرد: أخر أسبوع من شهر يونيو ٢٠١٧
- ملخص الرد: عدم تمكنها من الحضور

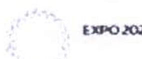
وتقبلوا فائق الاحترام والتقدير...

Best Regards,

Hayathem Shukri
Student Affairs Manager
Mohammed Bin Rashid School of Government

Level 13, Convention Tower
P.O. Box 72229, Dubai, UAE
Phone: +9714-3175645
Fax: +9714-3293291





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From: Office of Undersecretary for Higher Education <undersec_he@moe.gov.ae>
Date: March 8, 2018 at 11:15:17 AM GMT+4
To: Undisclosed recipients:;
Subject: عاجل/ الطلبة المنقطعين لأسباب غير أكاديمية

سعادة/ مدراء مؤسسات التعليم العالي   الموقرين

تحية طيبة وبعد.

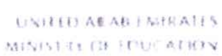
من خلال تتبعنا لمعلومات الطلبة الجامعيين، لوحظ أن عدد من طلبة دولة قطر قد انقطع عن الدراسة الجامعية في دولة الإمارات العربية المتحدة دون سبب أكاديمي

الرجاء التواصل مع الطلبة المنقطعين بشكل فوري والتحقق من أسباب الانقطاع والتأكيد على أن الدراسة متاحة لجميع من يستوفي الشروط المطلوبة.

كما يرجى توفير تقرير عن نتائج التواصل وموافاتنا به عاجلاً. على أن يتضمن التالي:

- رقم الطالب
- اسم الطالب
- التخصص
- أخر فصل تم دراسته
- وسيلة التواصل
- تاريخ التواصل
- تاريخ الرد
- ملخص الرد

شاكرين لكم حسن تعاونكم معنا



مكتب وكيل لوزارة للشوون الاكاديمية للتعليم العالي

Undersecretary for Academic Affairs of Higher Education Office

TEL: +971 2 6428000 هاتف:
DIR: +971 2 6951418 مباشر:

P.O. Box: 45253 صندوق بريد:
أبوظبي، الإمــارات العـربيـة المتـحدة
Abu Dhabi, United Arab Emirates

www.moe.gov.ae

تنبيه:
هذه الرسالة الالكترونية و اي من مرفقاتها قد تحتوي على معلومات سرية وهامة موجهه للشخص/الاشخاص المعنيين وعليه يرجى
الرسالة الإلكترونية عن طريق الخطا ولم يكن المعني بها ، اخطار المرسل وحذفها من بريده الالكتروني و كذلك إتلاف اي نسخ
يحظر عليه قراءة ونسخ ونشر او توزيع او استخدام هذه الرسالة الكترونية و اي من مرفقاتها باي شكل من الأشكال علما بان القو
توضيحه انفا يعرض المخالف للمساءلة القانونية.

s confidential information and is intended only for the addressee. If you are not the addressee you should

Islamic and Arabic Studies College

بيانات الطلبة القطريين

رقم الطالب	اسم الطالب	المستوى	التخصص	آخر فصل تم دراسته	وسيلة التواصل	تاريخ التواصل	ملخص الرد
٢١٣٠٨٣٩		الرابعة	الدراسات الإسلامية	الفصل الثاني ٢٠١٧/٢٠١٦		شهر ١٢ للعام ٢٠١٨/٢٠١٧	الطالبة أوقفت قيدها الدراسي على أن تكمل الدراسة في العام الجامعي ٢٠١٨-٢٠١٩م.
٢١٦٠٠٥٧		الثانية	الدراسات الإسلامية	الفصل الثاني ٢٠١٧/٢٠١٦		٢٠١٧-٠٩-١٤	الطالبة أوقفت قيدها لمدة سنة دراسية كاملة وهي ٢٠١٨/٢٠١٧
٢١٦٠١٤٢		الأولى	الدراسات الإسلامية	الفصل الثاني ٢٠١٧/٢٠١٦		شهر ١٠ للعام ٢٠١٨/٢٠١٧	. الطالبة من أبناء المواطنات الجنسية قطرية. . الطالبة منقطعة عن الدراسة من بداية السنة الدراسية الحالية، ولا ترد على الاتصال.

Gulf Medical University, Ajman
Status of Qatari Students
AY [2016-2017]

udent's ID	Student's Name	Specialization	The last Semester that was studied	The Means of Communication (By Email and Telephone)		The Date of Communication	Date of Reply	Summary of Reply
116PH30		Pharm D	Semester 2			١١-مارس-١٨	١١-مارس-١٨	• The students have been contact via telephone as well as emails enquiring their academic status after leaving Gulf Medical University (GMU) • The students have not joined any other university and are awaiting intimation from GMU
113M036		MBBS	Semester 6			١٠-مارس-١٨	١٠-مارس-١٨	
113M009		MBBS	Semester 8			١٠-مارس-١٨	١٠-مارس-١٨	
112M009		MBBS	Semester 10			١٠-مارس-١٨	١٠-مارس-١٨	
1130016		DMD	Semester 4			١٠-مارس-١٨	١٠-مارس-١٨	

Manda Venkatamana
rovost Academics

15, 2018

الطلبة الغير مسجلين من حاملي الجنسية القطرية - كلية الامارات للتكنولوجيا

م	رقم الطالب	اسم الطالب	التخصص	اخر فصل تم دراسته	وسيلة التواصل	تاريخ التواصل	تاريخ الرد	ملخص الرد
1	FAF1206003		البرنامج التأسيسي	لم تقم بتسجيل مواد	عبر الهاتف	10/03/2018	10/03/2018	زوج الطالبة اخبرني بعدم رغبتها باستكمال الدراسه لظروف عائلية
2	DAF1209129		دبلوم العلاقات العامة باللغة العربية	الفصل الدراسي الأول ٢٠١٥/٢٠١٦	عبر الهاتف	10/03/2018	10/03/2018	التأجيل بسبب ظروف عائلية وسوف تسجل بالفصل الدراسي الصيفي الاول القادم ٢٠١٧/٢٠١٨
3	DAF1709006		دبلوم في ادارة الموارد البشرية	الفصل الدراسي الأول ٢٠١٧/٢٠١٨	عبر الهاتف	10/03/2018	10/03/2018	التأجيل بسبب ظروف عائلية واحتمال تسجل بالفصل الدراسي الصيفي الاول القادم ٢٠١٧/٢٠١٨
4	BAF1408018		بكالوريوس في ادارة الأعمال تخصص إدارة الموارد البشرية	الفصل الدراسي الثاني ٢٠١٦/٢٠١٧	عبر الهاتف	10/03/2018	10/03/2018	زوجها قال أن التأجيل بسبب ظروف صحية (اجازة وضع) واحتمال تسجل بالفصل الدراسي الصيفي الأول القادم ٢٠١٧/٢٠١٨
5	DAM1402019		البرنامج العام	الفصل الدراسي الثاني ٢٠١٣/٢٠١٤	عبر الهاتف	10/03/2018	الهاتف الجوال مقطوع من الخدمة	ارقام الهاتف المسجلة على النظام مقطوعين من الخدمة
6	ESM1702144		البرنامج العام	الفصل الدراسي الثاني ٢٠١٦/٢٠١٧	عبر الهاتف	10/03/2018	10/03/2018	التأجيل بسبب التزامات مادية(ابتداء مسكن عائلي) وسوف يستأنف الدراسة بعد الانتهاء من الالتزامات المادية
7								
8								
9								
10								

Qatari Students Eligible to Return to AUS - American Universti of sharjah

#	Name	Major	Last Semester Studied	Means of Contact	Date of Contact	Date of Reply	Summary of Reply
58		Biology	Spring 2017	Telephone	١١-مارس-١٨	١١-مارس-١٨	She says that she was stopped at the Immigration border twice (in Aug/Sept 2017)
36		Finance	She attended Summer 2017 but had to finish as independent study courses	e-mail	Sept 2017 (She said she is transferring to the American University of Paris)	Follow-up: 11-Mar-18 e-mail but no reply	

Outlook Web App

اكتب هنا للبحث | علبة البريد بأكملها | خيارات | تسجيل الخروج

البريد

التقويم

جهات الاتصال

البريد الإلكتروني العش...

العناصر المحذوفة

العناصر المرسلة

المسودات [٣]

علبة الوارد

انقر لعرض كافة المجلدات

إدارة المجلدات...

الرد | رد على الكل | إعادة إرسال | إغلاق

Re: عاجل/ الطلبة المنقطعين لأسباب غير أكاديمية

Documentation Office [doc@aau.ac.ae]

لمساعدتك في حماية الخصوصية، تم حظر بعض محتويات هذه الرسالة. إذا كنت متأكدًا من أن هذه الرسالة تم إرسالها بواسطة مرسل موثوق به وكنت تريد إعادة تمكين الميزات التي تم حظرها، انقر هنا.

تاريخ الإرسال: 13 مارس، ٢٠١٨ ١٠:١٨ ص

إلى: Office of Undersecretary for Higher Education [undersec_he@moe.gov.ae]

نسخة: Ghaleb A. El-Refae [President@aau.ac.ae]; Vicepresident AD [vp_ad@aau.ac.ae]; Admission and Registration [registration@aau.ac.ae]

السادة مكتب وكيل الوزارة المحترمين

تحية طيبة وبعد،،،

يرجى التكرم والاطلاع على الجدول أدناه والمتضمن بيانات الطلبة القطريين المنقطعين عن الدراسة في جامعة العين للعلوم والتكنولوجيا والذي يشمل طالب واحد فقط.

وتفضلوا بقبول فائق الاحترام والتقدير

الرقم الجامعي	اسم الطالب	التخصص	آخر فصل تم دراسته	رقم الهاتف	تاريخ الاتصال	ملخص الرد
٢٠١٥٢٠٤٦٢	[redacted]	القانون	٢٠٠٦٣	[redacted]	١١/٠٣/٢٠١٨	الهاتف مغلق للرقمان
					١٢/٠٣/٢٠١٨	الهاتف مغلق للرقمان

---------- Forwarded message ----------

From: **Office of Undersecretary for Higher Education** <undersec_he@moe.gov.ae>

Date: 2018-03-08 11:15 GMT+04:00

Subject: عاجل/ الطلبة المنقطعين لأسباب غير أكاديمية

To:

سعادة/ مدراء مؤسسات التعليم العالي المؤقرين

تحية طيبة وبعد،

من خلال تتبعنا لمعلومات الطلبة الجامعيين، لوحظ أن عدد من طلبة دولة

قطر قد انقطع عن الدراسة الجامعية في دولة الإمارات العربية المتحدة دون سبب أكاديمي

الرجاء التواصل مع الطلبة المنقطعين بشكل فوري والتحقق من أسباب الانقطاع والتأكيد على أن الدراسة متاحة لجميع من يستوفي الشروط المطلوبة

كما يرجى توفير تقرير عن نتائج التواصل وموافاتنا به عاجلاً. على أن يتضمن التالي:

- رقم الطالب
- اسم الطالب
- التخصص
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- تاريخ التواصل
- تاريخ الرد
- ملخص الرد

شاكرين لكم حسن تعاونكم معنا

مكتب وكيل الوزارة للشؤون الاكاديمية للتعليم العالي

Undersecretary for Academic Affairs of Higher Education Office

TEL: +971 2 6428000 :هاتف

DIR: +971 2 6951418 :مباشر

P.O. Box: 45253 :صندوق بريد

أبوظبي، الإمارات العربية المتحدة

Abu Dhabi, United Arab Emirates

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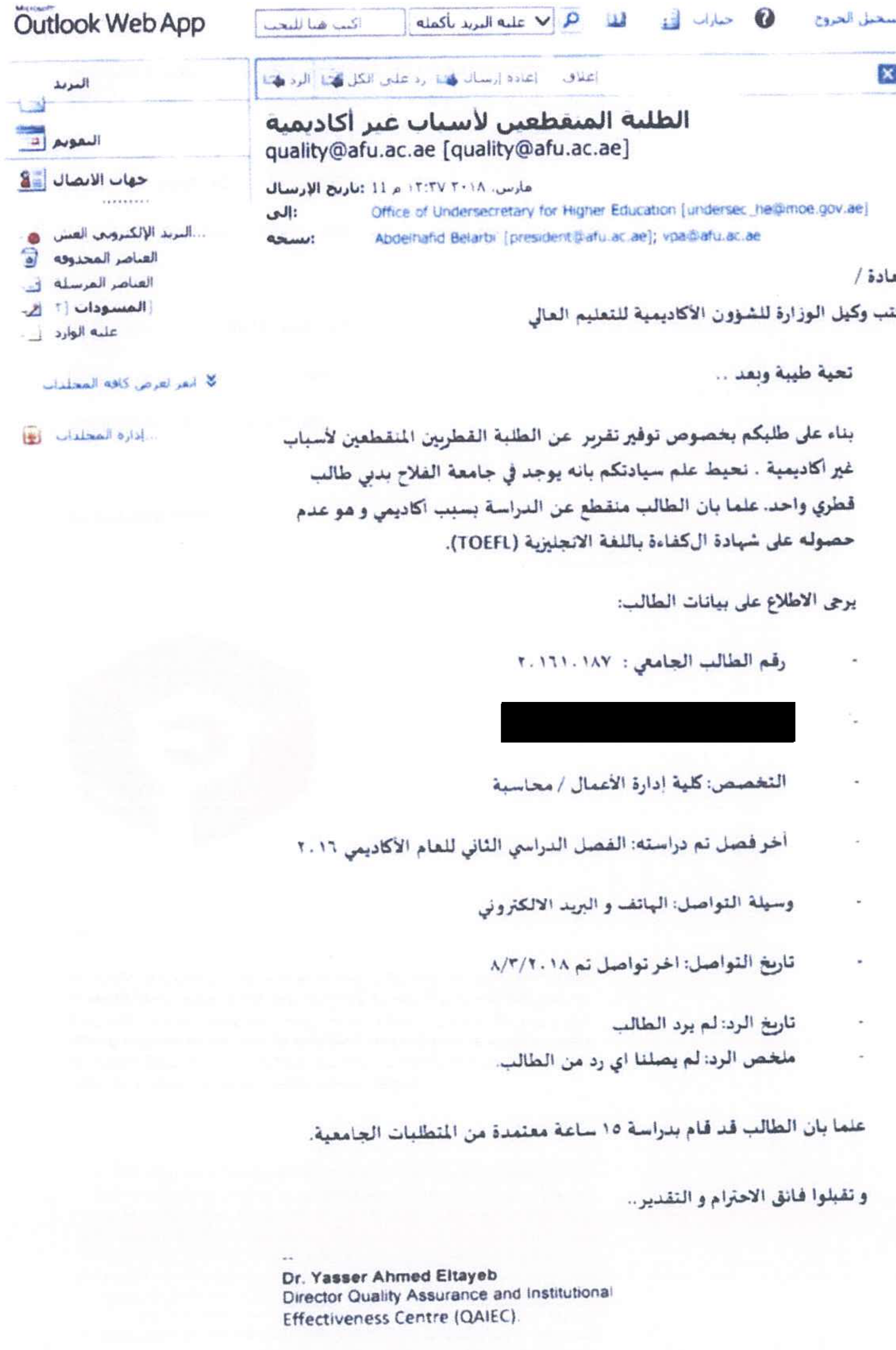


الطلبة المنقطعين لأسباب غير أكاديمية

quality@afu.ac.ae [quality@afu.ac.ae]

تاريخ الإرسال: 11 مارس، ٢٠١٨ ١٢:٣٧ م

إلى: Office of Undersecretary for Higher Education [undersec_he@moe.gov.ae]

نسخة: Abdelhafid Belarbi [president@afu.ac.ae]; vpa@afu.ac.ae

سعادة /

مكتب وكيل الوزارة للشؤون الأكاديمية للتعليم العالي

تحية طيبة وبعد ..

بناء على طلبكم بخصوص توفير تقرير عن الطلبة القطريين المنقطعين لأسباب غير أكاديمية . نحيط علم سيادتكم بانه يوجد في جامعة الفلاح بدبي طالب قطري واحد. علما بان الطالب منقطع عن الدراسة بسبب أكاديمي و هو عدم حصوله على شهادة الكفاءة باللغة الانجليزية (TOEFL).

يرجى الاطلاع على بيانات الطالب:

- رقم الطالب الجامعي : ٢٠١٦١٠١٨٧
- [redacted]
- التخصص: كلية إدارة الأعمال / محاسبة
- أخر فصل تم دراسته: الفصل الدراسي الثاني للعام الأكاديمي ٢٠١٦
- وسيلة التواصل: الهاتف و البريد الالكتروني
- تاريخ التواصل: اخر تواصل تم ٢٠١٨/٣/٨
- تاريخ الرد: لم يرد الطالب
- ملخص الرد: لم يصلنا اي رد من الطالب.

علما بان الطالب قد قام بدراسة ١٥ ساعة معتمدة من المتطلبات الجامعية.

و تقبلوا فائق الاحترام و التقدير..

--
Dr. Yasser Ahmed Eltayeb
Director Quality Assurance and Institutional Effectiveness Centre (QAIEC).

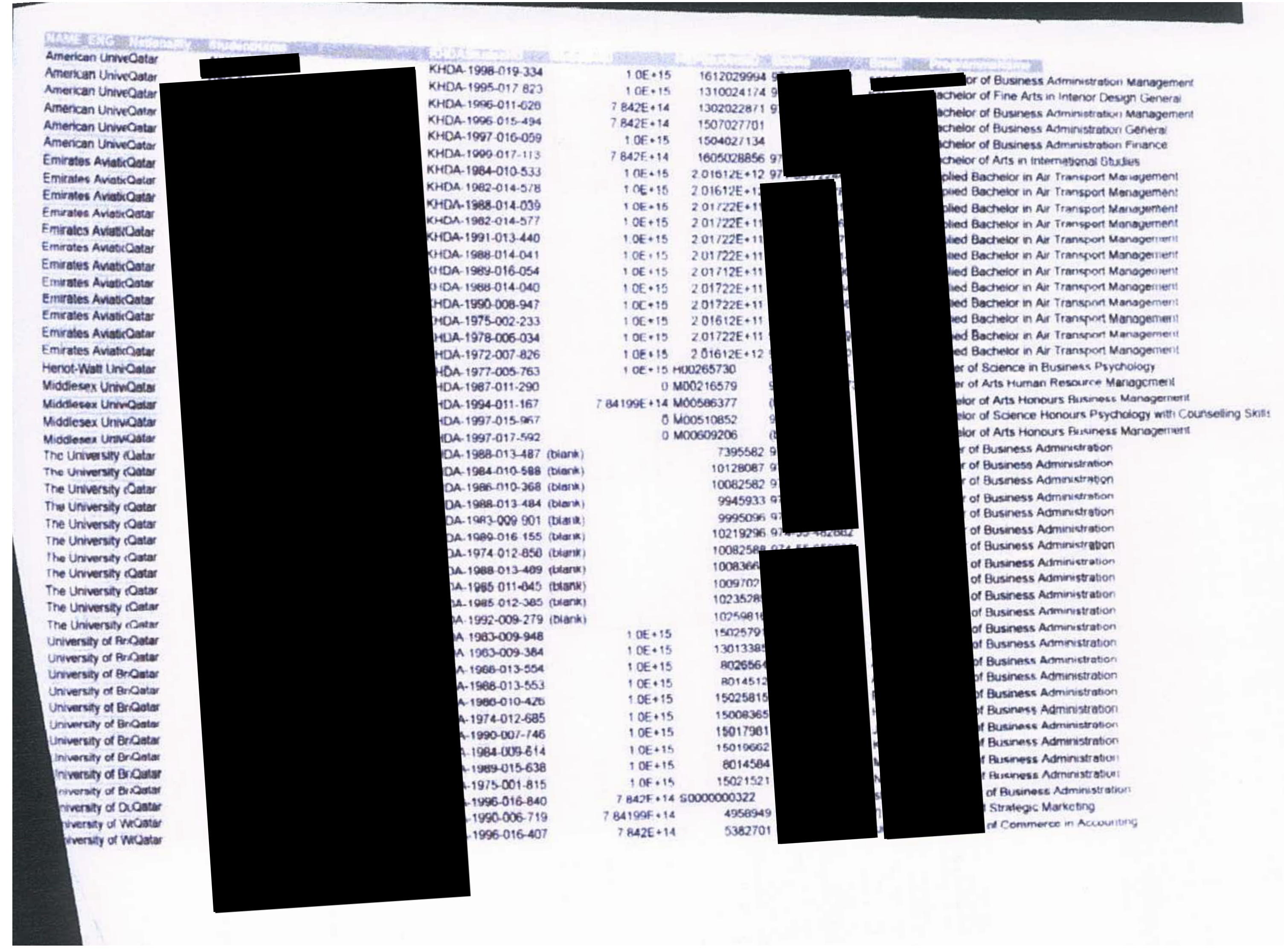
NO.	STUDENT ID الرقم الجامعي	STUDENT NAME اسم الطالب	ST LEVEL المستوى الدراسي	STUDENT STATUS الوضع الأكاديمي للطالب	In TERM	COLLEGE الكلية	MAJOR التخصص	YEAR السنة الدراسية للطالب	E-mail البريد الالكتروني	CONTACTS No. ارقام التواصل	Communicate by وسيلة التواصل	Communication Date تاريخ التواصل	Reply Date تاريخ الرد	Student Reply ملخص الرد
1	U00031765		Undergraduate	Academic Withdrew	Spring 2017-2018	Law	Law	Fourth Year			Phone Call	13 March, 2018	**No response**	-
2	U00036991		Undergraduate	Academic Withdrew	Spring 2017-2018	Engineering	Architectural Engineering	Fourth Year			Phone Call	13 March, 2018	13 March, 2018	Would like to complete the study (according to the mother's statement)
3	U00041756		Undergraduate	Academic Withdrew	Spring 2017-2018	Arts, Humanities & Social Sci	History & Islamic Civilization	Third Year			Phone Call	13 March, 2018	13 March, 2018	Would like to complete the study (according to the mother's statement)
4	U00042373		Undergraduate	Academic Withdrew	Fall 2017-2018	Law	Law	Third Year			Phone Call	13 March, 2018	**No response**	-
5	U14122018		Undergraduate	Academic Withdrew	Spring 2017-2018	Law	Law	Third Year			Phone Call	13 March, 2018	**No response**	-
6	U14123384		Undergraduate	Academic Withdrew	Spring 2017-2018	Communication	Public Relation	Fourth Year			Phone Call	13 March, 2018	13 March, 2018	Would like to complete the study
7	U14220301		Undergraduate	Academic Withdrew	Spring 2017-2018	Arts, Humanities & Social Sci	Sociology	Second Year			Phone Call	13 March, 2018	**No response**	-
8	U14220337		Undergraduate	Academic Withdrew	Spring 2017-2018	Law	Law	Second Year			Phone Call	13 March, 2018	13 March, 2018	Would like to complete the study (according to the mother's statement)
9	U15100608		Master	Compulsory Withdrew	Fall 2017-2018	Law	Private Law	Master			Phone Call	13 March, 2018	**No response**	-
10	U15104079		Undergraduate	Academic Withdrew	Spring 2017-2018	Communication	Public Relation	Third Year			Phone Call	13 March, 2018	13 March, 2018	-
11	U16100843		Undergraduate	Academic Withdrew	Spring 2017-2018	Arts, Humanities & Social Sci	Sociology	First Year			Phone Call	13 March, 2018	**No response**	-
12	U16103297		Undergraduate	Academic Withdrew	Spring 2017-2018	Sciences	Applied Physics	First Year			Phone Call	13 March, 2018	**No response**	-
13	U16106423		Undergraduate	Optional Withdrawal	Spring 2017-2018	Arts, Humanities & Social Sci	History & Civilization-Tourist	Second Year			Phone Call	13 March, 2018	13 March, 2018	Would like to complete the study
14	U16200387		Undergraduate	Academic Withdrew	Spring 2017-2018	Law	Law	First Year	COM		Phone Call	13 March, 2018	**No response**	-

يمنع تداول هذه الوثيقة خارج نطاق العمل , القائم بالطباعة يتحمل مسؤولية الوثيقة

Students- 2016-2017

INSTITUTION	STD_ID	EMIRATES_ID number	NAME_ENGLISH	NAME_ARABIC	GENDER	DOB	EMAIL	PHONE	NATIONALITY	HOME_EMIRATE	CAMPUS	FIRST_ACADEMIC_PERIOD	DEGREE_LEVEL	MAJOR	CREDITS_CUMULATIVE	GPA_CUMULATIVE	Last Reg Semester	Postponement Reasons	Student current status	Status
[illegible]	[illegible]		[illegible]		Female	[illegible]		[illegible]	Qatar		Abu Dhabi	[illegible]	Bachelor	BA in Mass Communication	[illegible]	[illegible]	Winter 2017-2018		Active	Currently registered in Spring 2017-2018
[illegible]	[illegible]	[illegible]	[illegible]		Female	[illegible]		[illegible]	Qatar		Abu Dhabi	[illegible]	Bachelor	BA in Mass Communication	[illegible]	[illegible]	Fall 2017-2018		Active	Currently registered in Spring 2017-2018
[illegible]	[illegible]	[illegible]	[illegible]		Female	[illegible]		[illegible]	Qatar		Abu Dhabi	[illegible]	Bachelor	BA in Mass Communication	[illegible]	[illegible]	Winter 2017-2018		Active	Currently registered in Spring 2017-2018
[illegible]	[illegible]		[illegible]		Male	[illegible]		[illegible]	Qatar		Abu Dhabi	[illegible]	Bachelor	[illegible]	[illegible]	[illegible]	Spring 2016-2017	Qatar Embassy asked him to leave the country	Discontinue	We contacted him but was not able to reach him
[illegible]	[illegible]		[illegible]		Female	[illegible]		[illegible]	Qatar		Abu Dhabi	[illegible]	Bachelor	BBA in Finance	[illegible]	[illegible]	Spring 2016-2017	Qatar Embassy asked her to leave the country	Discontinue	We contacted her but was not able to reach her
[illegible]	[illegible]		[illegible]		Male	[illegible]		[illegible]	Qatar		Abu Dhabi	[illegible]	Bachelor	Bachelor of Law	[illegible]	[illegible]	Fall 2017-2018		Active	Currently registered in Spring 2017-2018
[illegible]	[illegible]		[illegible]		Female	[illegible]		[illegible]	Qatar		Abu Dhabi	[illegible]	Master	Master of Public Law	[illegible]	[illegible]	Spring 2016-2017	Qatar Embassy asked her to leave the country	Discontinue	We contacted her but was not able to reach her

#	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	جامعة الفلاح - دبي	2016101817	[redacted]	كلية إدارة الأعمال / محاسبة	الفصل الدراسي الثاني للعام الأكاديمي 2016	[redacted]	03/06/2018	لم يرد	لم يرد
[illegible]	جامعة دبي	00000000322	[redacted]	إدارة الأعمال	الفصل الصيفي من العام الجامعي 2016	[redacted]	03/11/2018	لم يرد	الرقم خارج نطاق الخدمة
[illegible]	جامعة الإمارات	201670201	[redacted]	ماجستير الخدمة الاجتماعية	الفصل الثاني 2016/2017	[redacted]	03/11/2018	03/11/2018	تم التواصل مع الطالبة عن طريق البريد الإلكتروني وأبدت رغبتها في استكمال المتبقي لها في الجامعة، حيث تبقت لها 18 ساعة دراسية فقط
[illegible]	جامعة باريس السوربون أبوظبي	A00015673	[redacted]	بكالوريوس في التاريخ	الفصل الثاني من العام الأكاديمي 2016/2017	[redacted]	05/10/2017	لا يوجد رد	لا يوجد رد
[illegible]	جامعة باريس السوربون أبوظبي	A00015349	[redacted]	بكالوريوس في الاقتصاد والإدارة	الفصل الثاني من العام الأكاديمي 2016/2017	[redacted]	05/10/2017	لا يوجد رد	لا يوجد رد
[illegible]	جامعة باريس السوربون أبوظبي	A00012174	[redacted]	بكالوريوس في الفلسفة وعلم الاجتماع	الفصل الثاني من العام الأكاديمي 2016/2017	[redacted]	05/10/2017	لا يوجد رد	لا يوجد رد
[illegible]	جامعة باريس السوربون أبوظبي	A00018403	[redacted]	ماجستير في القانون الدولي والعلاقات الدبلوماسية والدولية	تم قبول الطالب في الجامعة للعام الأكاديمي 2017/2018	[redacted]	تم إرسال رسالة قبول الطالب بتاريخ 09/05/2017	لم تدفع رسوم التسجيل بتاريخ 29/05/2017	
[illegible]	جامعة باريس السوربون أبوظبي	A00018024	[redacted]	ماجستير في اقتصاديات القطاع الصحي	تم قبول الطالبة في الجامعة للعام الأكاديمي 2017/2018	[redacted]	تم إرسال رسالة قبول الطالبة بتاريخ 03/04/2017	13/09/2017	عدم الرغبة في الالتحاق بالجامعة
[illegible]	جامعة باريس السوربون أبوظبي	A00017993	[redacted]	برنامج اللغة الفرنسية المكثف	تم قبول الطالبة في الجامعة للعام الأكاديمي 2017/2018	[redacted]	تم إرسال رسالة قبول الطالبة بتاريخ 14/12/2016	لا يوجد رد	الرقم خارج نطاق الخدمة
[illegible]	الجامعة الأمريكية في الشارقة	70416	[redacted]	علم الأحياء	فصل الربيع 2017	[redacted]	03/11/2018	03/11/2018	تم التواصل مع الطالبة وأجابت بأنه تم توقيفها من الجوازات مرتين في أغسطس وسبتمبر لعام 2017
[illegible]	الجامعة الأمريكية في الشارقة	61836	[redacted]	التسويق	الفصل الصيفي 2017	[redacted]	9/2017 قامت بالتحويل إلى الجامعة الأمريكية في باريس	03/11/2018	
[illegible]	كلية الإمارات للتكنولوجيا	FAF1206003	[redacted]	البرنامج التأسيسي	لم تعد مستمعين مواد	[redacted]	03/10/2018	03/10/2018	عدم رغبتها بالاستكمال يعود إلى أسباب عائلية
[illegible]	كلية الإمارات للتكنولوجيا	DAF1209129	[redacted]	دبلوم العلاقات العامة باللغة العربية	الفصل الدراسي الأول 2015/2016	[redacted]	03/10/2018	03/10/2018	الانقطاع بسبب ظروف عائلية وسوف تستكمل الدراسة في الفصل الدراسي الصيفي الأول القادم 2017/2018
[illegible]	كلية الإمارات للتكنولوجيا	DAF1708006	[redacted]	دبلوم في إدارة الموارد البشرية	الفصل الدراسي الأول 2016/2017	[redacted]	03/10/2018	03/10/2018	الانقطاع بسبب ظروف عائلية ومن المحتمل أن تستكمل الدراسة في الفصل الدراسي الصيفي الأول القادم 2017/2018
[illegible]	كلية الإمارات للتكنولوجيا	BAF1408014	[redacted]	بكالوريوس في إدارة الأعمال تخصص إدارة الموارد البشرية	الفصل الدراسي الثاني 2016/2017	[redacted]	03/10/2018	03/10/2018	الانقطاع بسبب إجازة الوضع ومن المحتمل أن تستكمل الدراسة في الفصل الدراسي الصيفي الأول القادم 2017/2018
[illegible]	كلية الإمارات للتكنولوجيا	DAM1402019	[redacted]	البرنامج العام	الفصل الدراسي الثاني 2013/2014	[redacted]	03/10/2018	الهاتف المتحرك مقطوع عن الخدمة	أرقام الهاتف المسجلة في النظام مقطوعة عن الخدمة
[illegible]	كلية الإمارات للتكنولوجيا	EAM1702144	[redacted]	البرنامج العام	الفصل الدراسي الثاني 2016/2017	[redacted]	03/10/2018	03/10/2018	الانقطاع بسبب التزامات عائلية أثناء سكن عائلي وسوف يتم استكمال الدراسة مع الاجتهاد من الالتزام الكلي
[illegible]	جامعة العين للعلوم والتكنولوجيا	201120462	[redacted]	القانون	Mar-16	[redacted]	11/03/2018 12/03/2018	الهاتف المتحرك مغلق	الهاتف المتحرك مغلق
[illegible]	كلية الدراسات الإسلامية والعربية	2130839	[redacted]	الدراسات الإسلامية	الفصل الثاني 2016/2017	[redacted]	شهر 12 للعام 2017/2018		الطالبة أوقفت قيدها الدراسي على أن تكمل الدراسة في العام الجامعي 2018-2019م
[illegible]	كلية الدراسات الإسلامية والعربية	2160057	[redacted]	الدراسات الإسلامية	الفصل الثاني 2016/2017	[redacted]	14/09/2017		الطالبة أوقفت قيدها لمدة سنة دراسية كاملة وهي 2017-2018
[illegible]	كلية الدراسات الإسلامية والعربية	2160142	[redacted]	الدراسات الإسلامية	الفصل الثاني 2016/2017	[redacted]	شهر 10 للعام 2017/2018	لم ترد	الطالبة من أبناء المواطنات الجنسية قطرية. الطالبة منقطعة عن الدراسة من بداية السنة الدراسية الحالية، ولا ترد على الاتصال
[illegible]	جامعة أبوظبي	1063039	[redacted]	بكالوريوس في الإعلام باللغة العربية	ربيع 2016/2017	[redacted]		لم يرد	تعذر التواصل في وقت سابق تم إعلام الجامعة أن السفارة القطرية طلبت منه مغادرة الدولة
[illegible]	جامعة أبوظبي	1051330	[redacted]	بكالوريوس إدارة الأعمال في المالية	ربيع 2016/2017	[redacted]		لم ترد	تعذر التواصل في وقت سابق تم إعلام الجامعة أن السفارة القطرية طلبت منه مغادرة الدولة
[illegible]	جامعة أبوظبي	1063022	[redacted]	ماجستير في القانون العام	ربيع 2016/2017	[redacted]		لم ترد	تعذر التواصل في وقت سابق تم إعلام الجامعة أن السفارة القطرية طلبت منه مغادرة الدولة
[illegible]	كلية محمد بن راشد للإدارة الحكومية	130138	[redacted]	الماجستير التنفيذي في الإدارة العامة	ربيع 2017 (مارس 2017)	[redacted]	يونيو 2017	يونيو 2017	عدم تمكنها من الحضور
[illegible]	جامعة زايد	M80007435	[redacted]	بكالوريوس العلوم في الإدارة تخصص إدارة الموارد البشرية	ربيع 2017	[redacted]	05 يونيو 2017	05 يونيو 2017	بناء على طلب السفارة القطرية
[illegible]	جامعة زايد	M80007265	[redacted]	بكالوريوس العلوم في الإدارة تخصص التسويق	ربيع 2017	[redacted]	05 يونيو 2017	05 يونيو 2017	بناء على طلب السفارة القطرية
[illegible]	جامعة الشارقة	U00031150	[redacted]	Law	ربيع 2016/2017	[redacted]	13 مارس 2017	لم يرد	
[illegible]	جامعة الشارقة	U00036091	[redacted]	Architectural Engineering	ربيع 2016/2017	[redacted]	13 مارس 2017	13 مارس 2017	الانقطاع بسبب ظروف عائلية وسوف تستكمل الدراسة
[illegible]	جامعة الشارقة	U00041756	[redacted]	History & Islamic Civilization	ربيع 2016/2017	[redacted]	13 مارس 2017	13 مارس 2017	الانقطاع بسبب ظروف عائلية وسوف تستكمل الدراسة
[illegible]	جامعة الشارقة	U00042373	[redacted]	Law	خريف 2016/2017	[redacted]	13 مارس 2017	لم يرد	
[illegible]	جامعة الشارقة	U14122018	[redacted]	Law	ربيع 2016/2017	[redacted]	13 مارس 2017	لم يرد	
[illegible]	جامعة الشارقة	U14123384	[redacted]	Public Relation	ربيع 2016/2017	[redacted]	13 مارس 2017	13 مارس 2017	سوف تستكمل الدراسة
[illegible]	جامعة الشارقة	U14270301	[redacted]	Sociology	ربيع 2016/2017	[redacted]	13 مارس 2017	لم ترد	
[illegible]	جامعة الشارقة	U14220337	[redacted]	Law	ربيع 2016/2017	[redacted]	13 مارس 2017	13 مارس 2017	الانقطاع بسبب ظروف عائلية وسوف تستكمل الدراسة
[illegible]	جامعة الشارقة	U15100606	[redacted]	Private Law	خريف 2016/2017	[redacted]	13 مارس 2017	لم يرد	
[illegible]	جامعة الشارقة	U15104079	[redacted]	Public Relation	ربيع 2016/2017	[redacted]	13 مارس 2017	13 مارس 2017	
[illegible]	جامعة الشارقة	U16100843	[redacted]	Sociology	ربيع 2016/2017	[redacted]	13 مارس 2017	لم ترد	
[illegible]	جامعة الشارقة	U16100297	[redacted]	Applied Physics	ربيع 2016/2017	[redacted]	13 مارس 2017	لم يرد	
[illegible]	جامعة الشارقة	U16106423	[redacted]	History & Civilization Tourism	ربيع 2016/2017	[redacted]	13 مارس 2017	13 مارس 2017	سوف تستكمل الدراسة
[illegible]	جامعة الشارقة	U16200367	[redacted]	Law	ربيع 2016/2017	[redacted]	13 مارس 2017	لم يرد	
[illegible]	Gulf Medical University								



NAME_ENG	Nationality						
American Unive	Qatar	KHDA-1998-019-334		1.0E+15	1612029994		or of Business Administration Management
American Unive	Qatar	KHDA-1995-017-823		1.0E+15	1310024174		achelor of Fine Arts in Interior Design General
American Unive	Qatar	KHDA-1996-011-020		7.842E+14	1302022871		achelor of Business Administration Management
American Unive	Qatar	KHDA-1996-015-494		7.842E+14	1507027701		chelor of Business Administration General
American Unive	Qatar	KHDA-1997-016-059		1.0E+15	1504027134		chelor of Business Administration Finance
American Unive	Qatar	KHDA-1999-017-113		7.842E+14	1605028856		chelor of Arts in International Studies
Emirates Aviati	Qatar	KHDA-1984-010-533		1.0E+15	2.01612E+12		plied Bachelor in Air Transport Management
Emirates Aviati	Qatar	KHDA-1982-014-578		1.0E+15	2.01612E+1		plied Bachelor in Air Transport Management
Emirates Aviati	Qatar	KHDA-1988-014-039		1.0E+15	2.01722E+1		plied Bachelor in Air Transport Management
Emirates Aviati	Qatar	KHDA-1982-014-577		1.0E+15	2.01722E+11		plied Bachelor in Air Transport Management
Emirates Aviati	Qatar	KHDA-1991-013-440		1.0E+15	2.01722E+11		lied Bachelor in Air Transport Management
Emirates Aviati	Qatar	KHDA-1988-014-041		1.0E+15	2.01722E+11		lied Bachelor in Air Transport Management
Emirates Aviati	Qatar	KHDA-1989-016-054		1.0E+15	2.01712E+11		lied Bachelor in Air Transport Management
Emirates Aviati	Qatar	HDA-1988-014-040		1.0E+15	2.01722E+11		ied Bachelor in Air Transport Management
Emirates Aviati	Qatar	HDA-1990-008-947		1.0E+15	2.01722E+11		ied Bachelor in Air Transport Management
Emirates Aviati	Qatar	HDA-1975-002-233		1.0E+15	2.01612E+11		ed Bachelor in Air Transport Management
Emirates Aviati	Qatar	HDA-1978-006-034		1.0E+15	2.01722E+11		ed Bachelor in Air Transport Management
Emirates Aviati	Qatar	HDA-1972-007-826		1.0E+15	2.01612E+12		ed Bachelor in Air Transport Management
Heriot-Watt Uni	Qatar	HDA-1977-005-763		1.0E+15	H00265730		er of Science in Business Psychology
Middlesex Univ	Qatar	HDA-1987-011-290		0	M00216579		er of Arts Human Resource Management
Middlesex Univ	Qatar	HDA-1994-011-167		7.84199E+14	M00586377		elor of Arts Honours Business Management
Middlesex Univ	Qatar	HDA-1997-015-967		0	M00510852		elor of Science Honours Psychology with Counselling Skills
Middlesex Univ	Qatar	HDA-1997-017-592		0	M00609206		elor of Arts Honours Business Management
The University (	Qatar	DA-1988-013-487	(blank)		7395582		r of Business Administration
The University (	Qatar	DA-1984-010-588	(blank)		10128087		r of Business Administration
The University (	Qatar	DA-1986-010-368	(blank)		10082582		r of Business Administration
The University (	Qatar	DA-1988-013-484	(blank)		9945933		r of Business Administration
The University (	Qatar	DA-1983-009-901	(blank)		9995096		r of Business Administration
The University (	Qatar	DA-1989-016-155	(blank)		10219296		r of Business Administration
The University (	Qatar	DA-1974-012-850	(blank)		10082588		of Business Administration
The University (	Qatar	DA-1988-013-409	(blank)		1008366		of Business Administration
The University (	Qatar	A-1985-011-045	(blank)		1009702		of Business Administration
The University (	Qatar	A-1985-012-385	(blank)		1023528		of Business Administration
The University (	Qatar	A-1992-009-279	(blank)		1025981		of Business Administration
University of Br	Qatar	A-1983-009-948		1.0E+15	1502579		of Business Administration
University of Br	Qatar	A-1983-009-384		1.0E+15	1301338		of Business Administration
University of Br	Qatar	A-1988-013-554		1.0E+15	802656		of Business Administration
University of Br	Qatar	A-1988-013-553		1.0E+15	801451		of Business Administration
University of Br	Qatar	A-1986-010-426		1.0E+15	15025815		of Business Administration
University of Br	Qatar	A-1974-012-685		1.0E+15	15008365		f Business Administration
University of Br	Qatar	A-1990-007-746		1.0E+15	15017981		f Business Administration
niversity of Br	Qatar	A-1984-009-614		1.0E+15	15019662		f Business Administration
niversity of Br	Qatar	-1989-015-638		1.0E+15	8014584		f Business Administration
niversity of Br	Qatar	-1975-001-815		1.0E+15	15021521		f Business Administration
niversity of Du	Qatar	-1996-016-840		7.842E+14	S0000000322		of Business Administration
niversity of W	Qatar	-1990-006-719		7.84199E+14	4958949		Strategic Marketing
iversity of W	Qatar	-1996-016-407		7.842E+14	5382701		of Commerce in Accounting

American UniveQatar		KHDA-1998-019-334		1.0E+15	1612029994		Bachelor of Business Administration Management
American UniveQatar		KHDA-1995-017-823		1.0E+15	1310024174		Bachelor of Fine Arts in Interior Design General
American UniveQatar		KHDA-1996-011-626		7.842E+14	1302022871		Bachelor of Business Administration Management
American UniveQatar		KHDA-1996-015-494		7.842E+14	1507027701		Bachelor of Business Administration General
American UniveQatar		KHDA-1997-016-059		1.0E+15	1504027134		Bachelor of Business Administration Finance
American UniveQatar		KHDA-1999-017-113		7.842E+14	1605028856		Bachelor of Arts in International Studies
Emirates AviatiQatar	adi	KHDA-1984-010-533		1.0E+15	2.01612E+12		Applied Bachelor in Air Transport Management
Emirates AviatiQatar		KHDA-1982-014-578		1.0E+15	2.01612E+12		Applied Bachelor in Air Transport Management
Emirates AviatiQatar	-Mulla	KHDA-1988-014-039		1.0E+15	2.01722E+11		Applied Bachelor in Air Transport Management
Emirates AviatiQatar		KHDA-1982-014-577		1.0E+15	2.01722E+11		Applied Bachelor in Air Transport Management
Emirates AviatiQatar	ANNADI	KHDA-1991-013-440		1.0E+15	2.01722E+11		Applied Bachelor in Air Transport Management
Emirates AviatiQatar		KHDA-1988-014-041		1.0E+15	2.01722E+11		Applied Bachelor in Air Transport Management
Emirates AviatiQatar		KHDA-1989-016-054		1.0E+15	2.01712E+11		Applied Bachelor in Air Transport Management
Emirates AviatiQatar		KHDA-1988-014-040		1.0E+15	2.01722E+11		Applied Bachelor in Air Transport Management
Emirates AviatiQatar	DDIQI	KHDA-1990-008-947		1.0E+15	2.01722E+11		Applied Bachelor in Air Transport Management
Emirates AviatiQatar		KHDA-1975-002-233		1.0E+15	2.01612E+11		Applied Bachelor in Air Transport Management
Emirates AviatiQatar		KHDA-1978-006-034		1.0E+15	2.01722E+11		Applied Bachelor in Air Transport Management
Emirates AviatiQatar		KHDA-1972-007-826		1.0E+15	2.01612E+12		Applied Bachelor in Air Transport Management
Heriot-Watt UniQatar	b	KHDA-1977-005-763		1.0E+15	H00265730		Master of Science in Business Psychology
Middlesex UnivQatar		KHDA-1987-011-290		0	M00216579		Master of Arts Human Resource Management
Middlesex UnivQatar		KHDA-1994-011-167		7.84199E+14	M00586377		Bachelor of Arts Honours Business Management
Middlesex UnivQatar		KHDA-1997-015-967		0	M00510852		Bachelor of Science Honours Psychology with Counselling Skills
Middlesex UnivQatar		KHDA-1997-017-592		0	M00609206		Bachelor of Arts Honours Business Management
The University (Qatar		KHDA-1988-013-487	(blank)		7395582		Master of Business Administration
The University (Qatar		KHDA-1984-010-588	(blank)		10128087		Master of Business Administration
The University (Qatar		KHDA-1986-010-368	(blank)		10082582		Master of Business Administration
The University (Qatar		KHDA-1988-013-484	(blank)		9945933		Master of Business Administration
The University (Qatar		KHDA-1983-009-901	(blank)		9995096		Master of Business Administration
The University (Qatar		KHDA-1989-016-155	(blank)		10219296		Master of Business Administration
The University (Qatar		KHDA-1974-012-858	(blank)		10082588		Master of Business Administration
The University (Qatar		KHDA-1988-013-489	(blank)		10083668		Master of Business Administration
The University (Qatar		KHDA-1985-011-845	(blank)		10097021		Master of Business Administration
The University (Qatar		KHDA-1985-012-385	(blank)		10235285		Master of Business Administration
The University (Qatar		KHDA-1992-009-279	(blank)		10259816		Master of Business Administration
University of BrQatar		KHDA-1983-009-948		1.0E+15	15025791		Master of Business Administration
University of BrQatar		KHDA-1983-009-384		1.0E+15	13013385		Master of Business Administration
University of BrQatar		KHDA-1988-013-554		1.0E+15	8026564		Master of Business Administration
University of BrQatar		KHDA-1988-013-553		1.0E+15	8014512		Master of Business Administration
University of BrQatar		KHDA-1986-010-426		1.0E+15	15025815		Master of Business Administration
University of BrQatar		KHDA-1974-012-685		1.0E+15	15008365		Master of Business Administration
University of BrQatar		KHDA-1990-007-746		1.0E+15	15017981		Master of Business Administration
University of BrQatar		KHDA-1984-009-614		1.0E+15	15019662		Master of Business Administration
University of BrQatar		KHDA-1989-015-638		1.0E+15	8014584		Master of Business Administration
University of BrQatar		KHDA-1975-001-815		1.0E+15	15021521		Master of Business Administration
University of DuQatar		KHDA-1996-016-840		7.842E+14	S0000000322		Bachelor of Business Administration
University of WQatar		KHDA-1990-006-719		7.84199E+14	4958949		Master of Strategic Marketing
University of WQatar		KHDA-1996-016-407		7.842E+14	5382701		Bachelor of Commerce in Accounting

Academic\	AcademicY	Education(	NAME_EN	NAME_AR	Curriculum	Grade	ClassID	ClassName	ClassNam	EmiratesI	StudentID	StudentNa	KHDAStud	ReligionID	ActiveDate	FlagBySch	ReActivatio	Section	SectionAr	Religion	N
2017-2018	17	19	Al Mawake	واكب - القرهود	American	GRADE 10	3818	Gr10A	Gr10A		123283		HDA-2003-009-73	2	34:09.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	21	Al Ittihad P	تحاد الخاصة	American	GRADE 3	2433	D	D		2142793		HDA-2009-016-35	2	28:37.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	22	Al Ittihad P	الخاصة (فرع	American	KG 1	6114	TempClass	فئة مؤقتة		2842666		HDA-2012-025-65	4	17:01.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	22	Al Ittihad P	الخاصة (فرع	American	KG 2	2223	KG2 H	KG2 H		2770068		HDA-2012-010-84	2	10:30.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	22	Al Ittihad P	الخاصة (فرع	American	KG 2	6114	TempClass	فئة مؤقتة		2785224		HDA-2012-017-04	2	24:01.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	22	Al Ittihad P	الخاصة (فرع	American	GRADE 3	3506	F	F		1874085		HDA-2009-014-72	9	36:47.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	24	Mirdif Priva	مردف الخاصة	American	KG 2	2119	C	C		2774393		HDA-2012-012-51	2	10:01.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	29	Al Khaleej	الخليج الوطنية	American	KG 2	18281	F-Falcon	F-Falcon		2875803		HDA-2012-028-49	8	07:11.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	29	Al Khaleej	الخليج الوطنية	American	GRADE 4	18304	A-Abra	A-Abra		158310		HDA-2009-002-61	8	22:26.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	29	Al Khaleej	الخليج الوطنية	American	GRADE 4	18306	C-Camel	C-Camel		158279		HDA-2009-002-60	2	49:01.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	29	Al Khaleej	الخليج الوطنية	American	GRADE 8	15015	GB	GB		18754		HDA-2005-001-59	8	53:14.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	29	Al Khaleej	الخليج الوطنية	American	GRADE 10	15001	BA	BA		62527		HDA-2003-005-11	2	20:46.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	29	Al Khaleej	الخليج الوطنية	American	GRADE 10	17123	BC	BC		62522		HDA-2003-005-10	8	39:31.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	32	American I	الأمريكية الدولية	American	GRADE 3	2559	3A	3A		2154705		HDA-2008-024-73	4	03:29.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	32	American I	الأمريكية الدولية	American	GRADE 7	2655	7G2	7G2		80359		HDA-2005-007-28	8	04:14.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	33	GEMS Dut	دبي الأمريكية	American	GRADE 9	2239	BB	BB		107136		HDA-2003-008-55	2	24:44.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	33	GEMS Dut	دبي الأمريكية	American	GRADE 12	2348	LH	LH		107507		HDA-2000-010-28	2	43:51.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	34	American	الأمريكية بدبي	American	KG 1	2358	K1F	K1F		2777529		HDA-2013-001-81	2	36:02.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	42	The Schoo	علمي الخاصة	UK	FS 2	5593	PURPLE	PURPLE		2774008		HDA-2013-001-36	8	05:01.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	42	The Schoo	علمي الخاصة	UK	YEAR 1	4067	BLUE	BLUE		2600236		HDA-2012-002-26	9	34:41.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	42	The Schoo	علمي الخاصة	UK	YEAR 2	18107	SAPPHIRE	SAPPHIRE		2295412		HDA-2011-003-64	2	18:06.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	42	The Schoo	علمي الخاصة	UK	YEAR 4	4066	RED	RED		153836		HDA-2009-001-84	2	41:14.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	42	The Schoo	علمي الخاصة	UK	YEAR 5	18976	Turqoise	تركواز		71258		HDA-2008-002-09	2	12:07.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	123	GEMS Roy	دبي الخاصة	UK	YEAR 5	2511	C	C		2261541		HDA-2007-027-13	8	41:23.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	127	North Ame	ن انترناشونال	American	GRADE 10	2098	Gr10A	Gr10A		2278013		HDA-2002-018-90	9	45:31.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	128	New World	الجديد الخاصة	Ministry of	GRADE 12	4759	D	د		2278016		HDA-2000-020-06	8	18:02.0	0	NULL	Advance	متقدم	Muslim	Q
2017-2018	17	136	Sharjah Ar	الدولية الخاصة	American	GRADE 4	4943	4B	4B		147559		HDA-2008-006-31	2	22:23.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	141	Internation	كاديمية الدولية	American	KG 2	5016	G	G		2791508		HDA-2012-019-20	2	24:00.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	266	Dar Al Mar	للغرفة الخاصة	Internation	GRADE 2	5125	B	B		2266879		HDA-2010-013-73	8	14:01.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	266	Dar Al Mar	للغرفة الخاصة	Internation	GRADE 2	5125	B	B		2295347		HDA-2010-020-04	8	59:25.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	266	Dar Al Mar	للغرفة الخاصة	Internation	GRADE 3	5125	B	B		2158585		HDA-2009-020-27	2	02:07.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	344	Raffles Inte	قيم جنوب فر	UK	YEAR 3	5219	A/RIS	A/SOUTH		2266164		HDA-2010-013-48	2	25:48.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	509	Jumeira Br	ميرا الكالوريا	Internation	GRADE 4	8710	GR 4 Sting	GR 4 Sting		2621776		HDA-2008-031-89	2	02:43.0	0	NULL	General	عام	Muslim	Q
2017-2018	17	2348	ONTARIO	الدولية الكندية	Canadian	GRADE 4	8666	Gr 4 - A	الصف الرابع		2316557		HDA-2007-028-03	8	38:15.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	14567	Swiss Inter	الدولية العلمية	Internation	GRADE 1	15983	C	س		2622026		HDA-2011-021-24	2	28:31.0	NULL	NULL	General	عام	Muslim	Q
2017-2018	17	14568	GEMS Fou	جيمس فاوندرز	UK	FS 1	16557	FS1 D	روضة 1 دي		2859247		HDA-2014-001-77	8	24:31.0	0	NULL	General	عام	Muslim	Q

Referring to the Committee's decisions on Complaint No. 2016/1154 concerning the case of the student /[redacted], and Complaint No. 2017/1155 concerning the cases of student [redacted] and student [redacted], which were decided during the 204th session for the period from 4 to 17 April 2018.

The Permanent Delegation of the United Arab Emirates to UNESCO would like to report to the Committee of Conventions and Recommendations, that the competent authorities in the UAE have reviewed the Committee's decisions as well as the allegations made by the Union of Alkarama and the Arab Union for Human Rights, regarding the cases of the students mentioned above. United Arab Emirates would like to clarify the situation of the mentioned students up to this date, as provided by the Department of Registration at the University of Sharjah, accompanied by supporting evidence, which refutes the allegations contained in the communications which were submitted by the two mentioned Unions:

First: With regard to Complaints:

After severing diplomatic relations with Qatar on 5 June 2017, Qatari students, who were registered at the University of Sharjah, have contacted the University's Registration Department, to inquire about their academic status. In order to preserve their rights, the Registration Department provided them with all the records, academic statements and the descriptions of the required courses. The University's Registration Department also removed the summer and fall courses, so that they will not be charged for the fees of these courses, and the consequent academic conditions due to the absence (the failure due to the absence). This action comes within the context of preserving their rights, which would be for the interest of Qatari students.

1. Complaint No. 2017/1155 related to the student /[redacted] university number U00039878 - Faculty of Science Health:

- The Academic Status For the student: the Student is struggling academically, where he received the third consecutive academic warning by the end of the fall semester 2014-2015, and he was academically dismissed from the university in accordance to the regulations. He submitted a petition and he was given an exceptional opportunity in the spring semester 2014- 2015 to improve his cumulative average [GPA]. However, his points average were low again in the two subsequent semesters, and therefore he received the fifth inconsecutive warning by the end of the spring semester 2016-2017, and he was academically dismissed for the second time from the University in accordance to the regulations (Annex 1). The student was officially notified during the academic semester on 7 August 2017 via email. (Annex 2)

- The Procedures taken by the University of Sharjah to settle the student's academic status: The student is considered permanently academically dismissed from the university because of his low school performance, and he has no right to return to complete his studies at the University of Sharjah, and he was informed of this. The last communication with the student by the registration department was on 21 September 2018 via email, in which he received upon of his request, an official copy of the certificate of "to whom it may concerns", and his documents and academic records so he can be able to send them to other universities (Annex 3 is the document related to the University law about the academic dismissal)

- We also want to add that the student has contacted the registration department at the University of Sharjah on 22 September 2018, and asked the department to receive a (diploma letter), and the University replied on September 23, 2018 to clarify the meaning of his request (Annex 4). It should be noted that the university can only grant him a diploma certificate after the completion of all of the program requirements according to the regulations. As the university has explained earlier, the student is considered permanently academically dismissed.

Therefore, after the completion of the registration processes through the electronic link that the student has received via email, and the access to (their own service banner), the student is entitled to get an acknowledgment about their requested documents and the academic records.

https://uos.sharjah.ac.ae:9050/prod_enUS/twbkwbis.P_WWWLogin

2. Complaint No. 2017/1155 related to the student / [redacted] - university number U00036991 - Faculty of Engineering, The Academic Status:

- The Complaint contained some unsubstantiated allegations that have no basis of truth. In which the student points out to an e-mail in August 2017, which is attached to Alkarama Union report, that "on the third day of the crisis, she was having a summer semester at the university and received a letter from the university that her courses had been withdrawn for the summer and fall semesters, and that she cannot complete her studies at the university". We hereby would like to inform you that the student has registered in advance for the summer semester 2016-2017, and fall semester 2017-2018, on 26 April 2017 through the Internet in the early stage of registration and prior to the results issuance (i.e. she registered earlier to the issuance of her results). As for the academic status of the student and the communication procedures with her, we would like to clarify the following:
- Academic status of the student: the Student is struggling academically, where she received the third consecutive academic warning by the end of the fall semester 2014-2015, and she was academically dismissed from the university in accordance to the regulations. She submitted a petition request and she was given an exceptional opportunity to improve her cumulative average [GPA], by the end of the spring semester 2014- 2015. However, her points average were low again in the two subsequent semesters, and therefore she received the fifth inconsecutive warning by the end of the spring semester 2015-2016, and she was academically dismissed for the second time from the University in accordance to the regulations. She was given a second a second exceptional opportunity to improve her GPA by the end of the summer semester 2015-2016. The student did not improve her GPA in the summer semester 2015-2016, and she was academically dismissed for the third time from the university in accordance with the regulations. She submitted a petition reasoned by a medical excuse. The student medical conditions were considered, and considering her GPA score which was near 2.0 points, and the number of the performed credits, she was given a third exceptional opportunity. In which the student was able to increase her GPA to 2.03 points (acceptable) by the end of the spring semester 2016-2017 and therefore, entitling her to continue the study. (Annex 5)

- Actions taken by the University of Sharjah in order to settle the student 's academic status: The Student is still enrolled at the University of Sharjah, and can register for the next classes to complete her studies . The registration department contacted the student on 13 March 2018 to inform her that she could return to study and her mother explained her daughter desire to complete her studies. However, the student did not contact the University, and did not register for the next semester up to this date. The registration department contacted the student again on 26 September 2018, and she was provided with the online registration link. (Annex 6)

It should be noted that the student is able to recommence her studies at the university as soon as she completes the registration processes at the university, provided that her actual presence in accordance to the university regulations.

3 - Complaint No. 2016/1154 related to the student / [redacted], university number U00031765, From the Faculty of Law

- The measures taken by the University of Sharjah to settle the academic status of the student: The student / [redacted], was contacted on 13 March 2018, to inform him about the possibility to recommence his study. On 29 August 2018, the Registration Department at the University of Sharjah provided the student with the certificate (to whom it may concern) upon his request (Annex 7). The student is currently present in the UAE at the University of Sharjah, and has 9 credit hours left for his graduation. (Annex 8)

- We also inform your esteemed committee that the Department of Registration at the University of Sharjah and in the context of its continuous communication with the Qatari students affiliated with it, the Department of Registration has addressed the students on 13 March 2018 and informed them of the possibility to return to study in accordance to the university regulations.

Second: With regard to the authors of the communications:

The United Arab Emirates invites the Committee of Conventions and Recommendations, and the Member States, as is the case about fulfilling the required standards for accepting a compliant, to verify the background of the claimants, which are, the Union of Alkarama and the Arab Union for Human Rights, and to verify the reasons behind their submission of the complaint and their use of all organs and mechanisms and the United Nations Commissions on Human Rights, in targeting of certain countries in a permanent manners. UAE, in its previous response to the complaints, had made it clear about the background of both Unions.

Accordingly, the United Arab Emirates calls upon your esteemed Committee to permanently remove all the above-mentioned complaints from its agenda. It requests to record the memorandum of the state's response to the complaints mentioned in the documents of the 205th Session of the Committee of Conventions and Recommendations.

وبالإشارة إلى قرارات اللجنة المذكورة بشأن البلاغات رقم 1154/2016 المتعلق بحالة الطالب/ ███ ، والبلاغ رقم 1155/2017 المتعلق بحالتي الطالبة/ ███ والطالب / ███ والتي تم اتخاذها خلال الدورة رقم 204 للفترة من 4-17 ابريل 2018.

يود الوفد الدائم لدولة الإمارات العربية المتحدة لدى اليونسكو افادة لجنة الاتفاقيات والتوصيات بأن السلطات المختصة في دولة الامارات اطلعت على قرارات اللجنة كما اطلعت على الادعاءات الواردة من قبل مصدري البلاغات منظمة الكرامة، والمنظمة العربية لحقوق الانسان في ما يتعلق بحالات الطلبة المذكورين، وعليه تود السلطات المختصة في دولة الامارات توضيح حالات الطلبة المذكورين حتى تاريخه وذلك وفقا لما وافتنا به إدارة التسجيل في جامعة الشارقة، مرفقا بها الأدلة الداعمة والتي تدحض الادعاءات الواردة في البلاغات المقدمة من قبل المنظمتين المذكورتين:-

<u>أولا: في ما يتعلق بالبلاغات:-</u>

قام الطلبة القطريين المنتسبين في جامعة الشارقة بعد قطع العلاقات الدبلوماسية مع قطر بتاريخ 5 يونيو2017 بالتواصل مع إدارة التسجيل في الجامعة، وذلك للوقوف على أوضاعهم الاكاديمية، وللحفاظ على حقوقهم قامت ادارة التسجيل بتزويدهم بكافة السجلات والافادات الدراسية وتوصيف المساقات المطلوبة. كما قامت بحذف مساقات الصيف والخريف، كي لا يتم تحميلهم دفع رسوم هذه المساقات، وما يترتب عليها من أوضاع اكاديمية بسبب الغياب (الرسوب بسبب الغياب) . وهذا الإجراء أتى في إطار الحفاظ على حقوقهم ويصب في مصلحة الطلبة القطريين.

<u>1- البلاغ رقم 1155/2017 المتعلق بالطالب/ ███ - الرقم الجامعي U00039878 - من كلية العلوم الصحية:-</u>

- <u>الوضع الأكاديمي للطالب:</u> الطالب متعثر أكاديمياً حيث حصل على الإنذار الأكاديمي الثالث المتتالي بنهاية فصل الخريف 2014-2015 وتم فصله أكاديمياً من الجامعة وفقا للوائح، وتقدم بطلب استرحام وتم إعطاءه فرصة استثنائية في فصل الربيع 2014- 2015 لرفع المعدل التراكمي . وانخفض معدلة مرة أخرى في فصلين لاحقين وحصل على الإنذار الخامس المتفرق بنهاية فصل الربيع 2016-2017 وفصل اكاديمياً للمرة الثانية من الجامعة وفق

اللوائح(مرفق 1) وقد تم إعلام الطالب بالفصل الاكاديمي رسمياً بتاريخ 7 أغسطس 2017 عبر البريد الالكتروني. (مرفق 2)

- **الإجراءات التي اتخذتها جامعة الشارقة من أجل تسوية وضع الطالب أكاديميا: يعد الطالب مفصولا فصلا أكاديميا وبشكل نهائي من الجامعة بسبب تدني تحصيله الدراسي ولايحق له العودة لاستكمال دراسته في جامعة الشارقة وتم ابلاغه بذلك، وكان آخر تواصل مع الطالب من قبل إدارة التسجيل بتاريخ 21 سبتمبر 2018 عبر البريد الالكتروني وابلغته الجامعة، وبناء على طلبه بشأن تزويده بنسخة رسمية من شهادة لمن يهمه الأمر والوثائق والسجلات الاكاديمية الخاصة به . وذلك كي يتمكن من ارسالها الى جامعات اخرى (مرفق 3 الوثيقة الخاصة بقانون الجامعة بشأن الفصل الأكاديمي)**

- **كما نفيدكم بان الطالب قام بمخاطبة ادارة التسجيل في جامعة الشارقة بتاريخ 22 سبتمبر 2018، وطلب منها الحصول على (رسالة دبلوما)، وقامت الجامعة بالرد عليه بتاريخ 23 سبتمبر 2018 لتوضيح ماهية طلبه (مرفق 4). علما بانه لا يمكن للجامعة منحه شهادة دبلوما إلا بعد إنجاز كافة متطلبات البرنامج وفقا للانظمة. وكما اوضحت الجامعة سلفا بأن الطالب يعد مفصولا فصلا أكاديميا وبشكل نهائي.**

وعليه يحق للطالب بعد استكمال اجراءات التسجيل عبر الرابط الالكتروني الذي تم تزويده به عبر البريد الالكتروني والدخول إلى (خدمة البانر الخاصة به) للحصول على افادات بالوثائق والسجلات الاكاديمية المطلوبة الخاصة به.

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2- البلاغ رقم 1155/2017 المتعلق بالطالبة/ [redacted] الرقم الجامعي U00036991 – من كلية الهندسة الوضع الأكاديمي:-

- **تضمن البلاغ بعض الادعاءات التي لا اساس لها من الصحة والتي تشير فيها الطالبة في إحدى رسائل البريد الالكتروني في شهر أغسطس 2017 والمرفقة في بلاغ منظمة الكرامة بأنه (في ثالث يوم الأزمة كانت تدرس صيفي في الجامعة واستلمت رسالة من الجامعة بأنه قد تم سحب مساقاتها لفصل الصيف والخريف وبأنه لا يمكن أن تكمل دراستها في الجامعة) . نفيدكم هنا بأن الطالبة قامت بالتسجيل وبشكل مسبق لفصل الصيف 2016-2017 ولفصل الخريف 2017-2018 بتاريخ 26 ابريل 2017 عبر الانترنت وذلك في فترة التسجيل المبكر وقبل ظهور النتائج (أي قامت بالتسجيل المبكر قبل ظهور نتائجها) . أما في ما يتعلق بالوضع الاكاديمي للطالبة واجراءات التواصل معها فنود توضيح ما يلي:-**
- **<u>الوضع الأكاديمي للطالبة:</u> الطالبة متعثرة أكاديمياً حيث حصلت على الإنذار الأكاديمي الثالث المتتالي بنهاية فصل الخريف 2014- 2015 وتم فصلها أكاديمياً من الجامعة وفقا للوائح، وتقدمت بطلب استرحام وتم إعطاءها فرصة استثنائية لرفع المعدل التراكمي بنهاية فصل الربيع 2014-2015 . وقد انخفض معدلها مرة أخرى في فصلين لاحقين وحصلت على الإنذار الأكاديمي الخامس المتفرق بنهاية فصل الربيع 2015-2016 وفصلت أكاديمياً للمرة الثانية من الجامعة وفقا للوائح، وتم إعطاءها فرصة استثنائية ثانية لرفع المعدل التراكمي بنهاية فصل الصيف 2015-2016. ولم ترفع الطالبة معدلها في الصيف 2015-2016 وفصلت اكاديمياً للمرة الثالثة من الجامعة وفق اللوائح، وتقدمت بطلب استرحام مبرر بعذر طبي، فتمت مراعاة الظروف الصحية للطالبة وقرب معدلها من 2.0 نقطة وعدد الساعات المنجزة فأعطيت فرصة استثنائية ثالثة. وقد قامت الطالبة برفع معدلها إلى 2.03 نقطة بتقدير (مقبول) بنهاية فصل الربيع 2016-2017 وبالتالي يحق لها الاستمرار في الدراسة. (مرفق 5)**
- **<u>الإجراءات التي اتخذتها جامعة الشارقة من أجل تسوية وضع الطالبة أكاديميا</u> : الطالبة لا تزال مقيدة في جامعة الشارقة ويمكنها التسجيل للفصول القادمة لاستكمال دراستها وقد تم التواصل هاتفيا من قبل إدارة التسجيل مع الطالبة بتاريخ 13 مارس 2018 لإبلاغها بإمكانية العودة للدراسة وأبدت والدتها رغبة ابنتها باستكمال دراستها. إلا أن الطالبة لم تراجع**

الجامعة ولم تسجل للفصل القادم حتى تاريخه. ثم قامت إدارة التسجيل في الجامعة مجددا بتاريخ 26 سبتمبر 2018 بمخاطبة الطالبة وتم تزويدها بالرابط الإلكتروني الخاص بالتسجيل . (مرفق 6)

علما بأنه بإمكان الطالبة استئناف دراستها في الجامعة فور استكمال اجراءات التسجيل في الجامعة، شرط الحضور الكلي حسب انظمة الجامعة.

3- البلاغ رقم 1154/2016 الخاص الطالب [redacted] الرقم الجامعي U00031765 من كلية القانون

- الإجراءات التي اتخذتها جامعة الشارقة من أجل تسوية وضع الطالب أكاديميا : تم التواصل مع الطالب / [redacted] بتاريخ 13 مارس 2018 لإبلاغه بإمكانية العودة للدراسة ، وبتاريخ 2018/8/29 قامت ادارة التسجيل في جامعة الشارقة بتزويد الطالب بشهادة (إلى من يهمه الأمر) وذلك بناء على طلبه (مرفق 7) . علما بأن الطالب يتواجد حاليا في دولة الامارات على مقاعد الدراسة في جامعة الشارقة ومتبقي على تخرجه 9 ساعات معتمدة. (مرفق 8)

- **كما نفيد لجنتكم الموقرة بان إدارة التسجيل في جامعة الشارقة وفي إطار تواصلها المستمر مع الطلبة القطريين المنتسبين فيها قامت بمخاطبة الطلبة بتاريخ 13 مارس 2018 وابلغتهم بإمكانية العودة للدراسة وفقا لانظمة الجامعة.**

ثانيا: في ما يتعلق بمقدمي البلاغات:-

تدعو دولة الامارات العربية المتحدة لجنة الاتفاقيات والتوصيات والدول الأعضاء فيها، وكما هو معمول به بشأن استيفاء معايير قبول الشكوى إلى التأكد من خلفية مقدمي الشكوى وهما منظمة الكرامة والمنظمة العربية لحقوق الانسان والدواعي التي تقف وراء تقديمهما للشكوى واستغلالهم لكافة أجهزة واليات ولجان الأمم المتحدة لحقوق الانسان في استهداف دول بعينها وبشكل دائم، وقد أوضحت دولة الامارات في ردها السابق على البلاغات خلفية كلتا المنظمتين.

وبناء على ما تقدم تدعو دولة الامارات العربية المتحدة لجنتكم الموقرة إلى شطب كافة البلاغات المذكورة أعلاه من جدول اعمالها وبشكل نهائي. وتطلب توثيق مذكرة رد الدولة على البلاغات المذكورة في وثائق الدورة 205 للجنة الاتفاقيات والتوصيات.

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REFERENCE: ICERD-ISC 2018/2
AP/JD/mg

CORRIGENDUM

The Secretariat of the United Nations (Office of the High Commissioner for Human Rights) presents its compliments to the Permanent Mission of the United Arab Emirates to the United Nations Office at Geneva, and has the honour to refer to the inter-state communication dated 8 March 2018, which was submitted to the Committee under article 11 of the Convention on the Elimination of All Forms of Racial Discrimination, on behalf of the State of Qatar (ICERD-ISC-2018/2).

On behalf of the Working Group on communications of the Committee, the Secretariat has the honour to inform the State party that the Committee's 98th session will be held from 23 April to 10 May 2019, in Palais Wilson, Geneva. As indicated in its decision dated 14 December 2018, the Committee will examine during that session the preliminary questions raised by the parties to the communication in their written submissions.

The State party is therefore invited to participate in the proceedings in a closed meeting to be held on Friday 3 May 2019, from 3pm to 6pm, through the representative it has nominated in compliance with article 11, § 5 of the ICERD.

The Committee also requests the State party to ensure that its representative be available during the following days, in particular on Monday 6 May 2019, in case the Committee would consider further oral hearings necessary.

During these meetings, interpretation in Arabic will be available.

The Secretariat avails itself of the opportunity to renew to the Permanent Mission of the United Arab Emirates the assurance of its highest consideration.

3 April 2019

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REFERENCE: ICERD-ISC 2018/2
AP/VL/mg

The Secretariat of the United Nations (Office of the High Commissioner for Human Rights) presents its compliments to the Permanent Mission of the United Arab Emirates to the United Nations Office at Geneva, and has the honour to transmit herewith for information, the Note verbale from the State of Qatar dated 5 April 2019, concerning the inter-state communication ICERD-ISC-2018/2, which was submitted to the Committee on the Elimination of Racial Discrimination for consideration under article 11 of the Convention on the Elimination of All Forms of Racial Discrimination, on behalf of the State of Qatar.

The Committee further reiterates its decision transmitted to the United Arab Emirates through its Note verbale dated 14 December 2018 and reiterated in its Note dated 2 April 2019 that, pursuant to article 11, § 5 of the ICERD, only one representative of the State party will be entitled to take part in the proceedings of the Committee. The Committee further clarifies that if the State party wishes other experts to be present for possible consultations, they will have to remain in a separate room in Palais Wilson. The designated representative of the State party will be allowed to communicate with those experts during breaks that may be authorized during the hearing by the Chair of the Committee.

The Secretariat avails itself of the opportunity to renew to the Permanent Mission of the United Arab Emirates the assurances of its highest consideration.

8 April 2019

Mission permanente
de l'État du Qatar
auprès de l'Office
des Nations-Unies à Genève

الوفـــد الدائـــم لدولـة قطـــر
لدى مكتب الأمم المتحدة

2019/0027031/5

الوفد الدائم لدولة قطر / جنيف

Ref:

Subject: ICERD-ISC-2018/2 – Communication Submitted Pursuant to Article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination

The Permanent Mission of the State of Qatar to the United Nations Office and other international organizations in Geneva presents its compliments to the Secretariat of the United Nations (Office of the High Commissioner for Human Rights) ("Secretariat") and to the Committee on the Elimination of Racial Discrimination ("Committee"). In reference to the Communication submitted by the State of Qatar under Article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination ("Convention") concerning the United Arab Emirates (ICERD-ISC-2018/2) ("Communication"), and regarding the Secretariat's Note Verbale dated 3 April 2019, in which the Committee proposed the 3rd of May 2019 as a date for examining the prelimnary questions related to the Communication in a closed meeting, and the 6th of May 2019 for further oral hearings if necessary.

The State of Qatar would like to respectfully apprise the Committee that the United Arab Emirates has elected to bring proceedings against Qatar before the International Court of Justice ("ICJ") by filing a Request for Provisional Measures, alleging, in relevant part, that Qatar has abused its rights under the Convention by referring its Communication back to the Committee to continue with the Article 11-13 process. The ICJ has scheduled hearings on the UAE's Request for Provisional Measures from 7-9 May 2019. Accordingly, since Qatar's Representative before the Committee is also Qatar's Agent before the ICJ, the State of Qatar kindly requests the Committee to reschedule the hearings to take place on **29 April 2019** rather than **3 May 2019.**

The Permanent Mission of the State of Qatar avails itself of this opportunity to renew to the Secretariat and to the Committee the assurances of its highest consideration.

Geneva, 5 April 2019

Committee on the Elimination of Racial Discrimination
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