United Nations A/HRC/48/59/Add.1

General Assembly

Distr.: General
5 July 2021

Original: English

Human Rights Council
Forty-eighth session
13 September–1 October 2021
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Visit to Qatar

Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, Alena Douhan*

Summary

The Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, Alena Douhan, undertook an official visit to Qatar from 1 to 12 November 2020 to assess the impact of unilateral sanctions imposed on Qatar by Bahrain, Egypt, Saudi Arabia and the United Arab Emirates on the human rights of people living in Qatar, in the four States imposing sanctions and on other affected people.

During her visit, the Special Rapporteur met with a wide range of Government officials, permanent representatives and representatives of academia, business associations, United Nations agencies and civil society, as well as with victims of human rights violations.

In her report, the Special Rapporteur takes note of recent developments and welcomes the easing of restrictive measures, in January 2021, and the resumption of diplomatic relations between Qatar and the four States imposing unilateral sanctions: Bahrain, Egypt, Saudi Arabia and the United Arab Emirates.

* The summary of the present report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission only.

Annex

Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, Alena Douhan, on her visit to Qatar

I. Introduction

1. The Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights undertook an official visit to Qatar from 1 to 12 November 2020 to assess the impact of unilateral coercive measures imposed on Qatar by Bahrain, Egypt, Saudi Arabia and the United Arab Emirates on the human rights of people living in Qatar, in the four States imposing those measures and on other people affected by those measures.

2. During her visit to Qatar, the Special Rapporteur met with the Prime Minister and Minister of Interior; the Deputy Prime Minister and Minister for Foreign Affairs; the Deputy Prime Minister and Minister of State for Defence Affairs; the Minister of Administrative Development, Labour and Social Affairs; the Minister of Finance; the Minister of Transport and Communications; the Minister of Endowments and Islamic Affairs; the Minister of Commerce and Industry; and the Special Envoy of the Minister for Foreign Affairs for Counter-terrorism and Mediation in Conflict Resolution. She also met with the Vice-President of the Shura (Consultative) Council; the Chair of the National Counter-Terrorism Committee; the President of the Public Works Authority; the Assistant Director of the Government Liaison Office; the President of the National Human Rights Committee; the Governor of the Central Bank of Qatar; the Under-Secretary of the Ministry of Education and Higher Education; the Director of the Department of Human Rights of the Ministry of Interior; the Board Members and Chief Executive of Qatar Social Work; the Executive Director of the Centre for Protection and Rehabilitation (Aman); and the Executive Director of the Family Consulting Centre.

3. The Special Rapporteur also met with senior officials from the Compensation Claims Committee and the Qatar Chamber of Commerce and Industry, the Director of the Qatar News Agency and with representatives of Hassad Food Corporation, Qatar University, Qatar Charity, Qatar Red Crescent, Qatar Airways, the National Tourism Council, Al Jazeera Media Network and the Social Planning Department, Strategic Planning Department and Statistics Authority.

4. The Special Rapporteur held consultations with representatives of United Nations entities in Doha, including the International Organization for Migration (IOM), the International Labour Organization (ILO) and the United Nations Office of Counter-Terrorism. She also met with and interviewed victims of human rights violations, lawyers, journalists and representatives of civil society, independent experts and academia. In addition, she met with the diplomats from the Group of Western European and other States present in Doha, including the ambassadors of Canada, France, Germany, Greece, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as well as with a representative of the Netherlands.

5. In preparation for the visit, the Special Rapporteur held consultations in Geneva with the Permanent Representatives of Saudi Arabia and the United Arab Emirates and with the Deputy Permanent Representatives of Bahrain and Egypt.

6. The Special Rapporteur expresses her gratitude to the Government of Qatar for its invitation and for the constructive dialogue and support provided throughout her visit. She would also like to thank the Human Rights Department of the Ministry of Foreign Affairs and the National Human Rights Committee for their valuable assistance.

7. In view of the developments since her visit, with the adoption of Al-Ula declaration and agreement on 5 January 2021, marking the end of coercive measures and the resumption of diplomatic relations between Qatar and the four States that had imposed unilateral measures, Bahrain, Egypt, Saudi Arabia and the United Arab Emirates, the Special

Rapporteur met with the Permanent Representatives of Qatar and the four States during her visit to Geneva in April 2021. Subsequently, in May 2021, the Special Rapporteur transmitted official correspondence to all five States concerned, requesting concrete information on the easing of measures, including progress achieved under the bilateral mechanisms of negotiations to restore political, economic and social relations and envisaged mechanisms of redress. The Special Rapporteur received two responses to her request, one from the United Arab Emirates, affirming that restrictive measures against Qatar have been entirely lifted, and one from Qatar, stating that, following the signature of Al-Ula declaration, some of the measures had been lifted. In its response, Qatar also reported that relations with the four States have been improving and that other pending issues, including mechanisms of redress for victims of sanctions, are being discussed bilaterally with Egypt, Saudi Arabia and the United Arab Emirates: these issues remain of great importance to Qatar.

II. Background

8. On 5 June 2017, the Governments of Bahrain,[1] Egypt,[2] Saudi Arabia[3] and the United Arab Emirates[4] (hereinafter the four States) individually announced the severing of diplomatic relations with Qatar and the imposition of various restrictive measures, including the closing of their land, sea and airspace to the movement of Qatari persons and goods.

9. In public statements, the Governments of Bahrain, Saudi Arabia and the United Arab Emirates requested Qatari citizens to return to Qatar within a 14-day period and prohibited their citizens from travelling to Qatar. Saudi Arabia and the United Arab Emirates also requested their citizens in Qatar to return within the same time frame. Furthermore, Qatar was given 48 hours to recall its diplomats from the four States. The Governments of Bahrain, Saudi Arabia and the United Arab Emirates recalled their diplomatic personnel from Qatar, while Egypt decided to maintain a restricted number of consular staff who worked from the Embassy of Greece in Doha.

10. According to the four States, the restrictive measures imposed were aimed at protecting and defending their national security in reaction to Qatar's alleged "support for individuals and entities internationally involved in financing terrorism and supporting its activities, and promoting their extremist ideology, which incites violence and promotes hate speech in the Arab region through Qatari media platforms or funded through Qatari figures".[5] Furthermore, in their communication to the Special Rapporteur, the four States cited negotiations leading to the adoption, within the framework of the Gulf Cooperation Council,[6] of the Riyadh Agreements of 23 and 24 November 2013,[7] its Mechanism of Implementation,[8] adopted on 17 April 2014, and the supplementary Riyadh Agreement of 16 November 2014,[9] the provisions of which were allegedly violated by Qatar. This violation led to the failure of diplomatic negotiations aimed at the resolution of the discord with Qatar and steered the four States towards the severing of diplomatic relations in the form of countermeasures. Following

[1] Statement by the Ministry of Foreign Affairs of Bahrain: https://www.mofa.gov.bh/Default.aspx?tabid=7824&ItemId=7473&language=en-US [Arabic only].
[2] Statement by the Ministry of Foreign Affairs of Egypt: https://www.sis.gov.eg/section/0/10172?lang=ar [Arabic only].
[3] Statement by the Government of Saudi Arabia: Kingdom of Saudi Arabia severs diplomatic and consular relations with Qatar 3 Jeddah The official Saudi Press Agency (spa.gov.sa).
[4] Statement by the Government of the United Arab Emirates: http://wam.ae/ar/details/1395302617555 [in Arabic].
[5] Letter from the representatives of the four States to the Special Rapporteur.
[6] The Gulf Cooperation Council was established in 1981, with the membership of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates.
[7] Text of the Riyadh agreement: https://treaties.un.org/doc/Publication/UNTS/No%20Volume/55378/Part/I-55378-0800000280527ea2.pdf.
[8] https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280527eaf.
[9] https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280527ec6.

this decision, other countries subsequently severed diplomatic relations with Qatar[10] or otherwise downgraded their relations by recalling their ambassadors from Doha.[11]

11. On 23 June 2017, the Government of Kuwait, acting as a mediator for the resolution of the dispute, handed to the Government of Qatar a list of "13 demands"[12] and "6 principles" formulated by the four States, compliance with which was considered as a precondition for the resumption of relations with Qatar. The demands involved, inter alia, requirements that Qatar shut down Al Jazeera and other Qatari media outlets, cease diplomatic relations with the Islamic Republic of Iran and military cooperation with Turkey and submit to audits over a period of 10 years to monitor its compliance with the demands. In view of its encroaching impact on fundamental freedoms, notably the freedom of opinion and expression, the demand that Qatar shut down media and news outlets was condemned at the international level by human rights bodies and entities supporting freedom of the media, including the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.[13] The Government of Qatar rejected the demands of the four States, which were considered to constitute blatant violations of the principles of non-intervention and sovereignty. For its part, Qatar denied the accusations that it was supporting terrorism and characterized them as unfounded.

12. On 8 June 2017, the four States designated a list of 59 individuals and 12 institutions as terrorist entities that had allegedly received support and funding from Qatar.[14]

13. Qatar has initiated dispute settlement proceedings before international adjudication mechanisms against the Governments of the four States, citing violations of international law and international human rights law as a result of the imposition of restrictive measures (International Court of Justice, the Committee on the Elimination of Racial Discrimination, the International Civil Aviation Organization (ICAO),[15] the World Trade Organization

[10] Comoros, Jordan, "interim government of eastern Libya", Maldives, Mauritania and Yemen.

[11] Chad, Djibouti, Eritrea, Niger and Senegal.

[12] The list of 13 demands to Qatar: 1. Curb diplomatic ties with the Islamic Republic of Iran and close Qatari diplomatic missions there. Expel members of Iran's Revolutionary Guard from Qatar and cut off any joint military cooperation with Iran. Only trade and commerce with Iran that complies with United States and international sanctions will be permitted. 2. Sever all ties to "terrorist organizations", specifically the Muslim Brotherhood, the Da'esh militant group, Al-Qaida and Lebanon's Hizbullah. Formally declare those entities as terrorist groups. 3. Shut down Al Jazeera and its affiliate stations. 4. Shut down news outlets that Qatar funds, directly and indirectly, including Arabi21, Rassd, Al Araby Al Jadeed and Middle East Eye. 5. Immediately terminate the Turkish military presence currently in Qatar and end any joint military cooperation with Turkey inside Qatar. 6. Stop all means of funding for individuals, groups or organizations that have been designated as terrorists by Saudi Arabia, the United Arab Emirates, Egypt, Bahrain, the United States of America and other countries.7. Hand over "terrorist figures" and wanted individuals from Bahrain, Egypt, Saudi Arabia and the United Arab Emirates to their countries of origin. Freeze their assets, and provide any desired information about their residency, movements and finances. 8. End interference in the internal affairs of sovereign countries. Stop granting citizenship to wanted nationals from Bahrain, Egypt, Saudi Arabia and the United Arab Emirates. Revoke Qatari citizenship for existing nationals where such citizenship violates the laws of those countries. 9. Stop all contacts with the political opposition in Bahrain, Egypt, Saudi Arabia and the United Arab Emirates. Hand over all files detailing Qatar's prior contacts with and support for those opposition groups. 10. Pay reparations and compensation for loss of life and other financial losses caused by Qatar's policies in recent years. The sum will be determined in coordination with Qatar. 11. Align Qatar with the other Gulf and Arab countries militarily, politically, socially and economically, as well as on economic matters, in line with the agreement reached with Saudi Arabia in 2014. 12. Agree to all the demands within 10 days of their submission to Qatar, or the list will become invalid. 13. Consent to monthly audits for the first year after agreeing to the demands, then once per quarter during the second year. For the following 10 years, Qatar will be monitored annually for compliance.

[13] Statement by the Special Rapporteur: www.ohchr.org/en/newsevents/pages/displaynews.aspx?newsid=21808&langid=e.

[14] www.sis.gov.eg/section/0/10172?lang=ar#3 [Arabic only].

[15] www.icao.int/annual-report-2018/Pages/supporting-strategies-legal-and-external-relations-settlement-of-differences.aspx.

(WTO) Dispute Settlement Body [16] and the Universal Postal Union (UPU)). Several counterclaims have been initiated by all or some of the four States.

14. The Special Rapporteur welcomes with appreciation the announcement of Al-Ula Declaration,[17] made on 5 January 2021 at the conclusion of the forty-first summit of the Gulf Cooperation Council, signed and endorsed by Egypt, in which the resumption of relations with Qatar and the restoration of political, economic and social ties were declared, and thus the lifting of all restrictive measures imposed since 2017.[18] The full text of the Declaration and the agreement and the mechanisms of implementation remain confidential.

III. Overview of sanctions imposed on Qatar[19]

15. Following the announcement by the four States that they were severing diplomatic and economic ties with Qatar, the Governments of Bahrain, Saudi Arabia and the United Arab Emirates requested Qatari citizens living in those three States to return to Qatar and prohibited their citizens from travelling to Qatar (see para. 9 above). Saudi Arabia and the United Arab Emirates also requested their citizens to return to their home countries. This announcement resulted in the abrupt return of almost 3,000 Qatari citizens from the three aforementioned States, leaving behind their families, work and property. In addition, Qatar was given 48 hours to recall its diplomats from the four States. The Governments of Bahrain, Saudi Arabia and the United Arab Emirates recalled all their diplomatic personnel from Qatar, while Egypt decided to maintain a restricted number of consular staff working from the Embassy of Greece in Doha.

16. Pursuant to the measures imposed by the four States, all air, land and sea transportation connections between Qatar and Bahrain, Saudi Arabia and the United Arab Emirates were closed to Qatari nationals, businesses and goods. Consequently, Qatari aircraft, including, notably, Qatar Airways, the national airline, were banned from landing at, departing from or transiting through the airports of the four States and the right to overfly their airspace was revoked. The national airlines of the four States were instructed to suspend all flights through Qatar. Furthermore, postal services with Qatar were suspended,[20] and access to Qatari-based media channels and news websites was blocked.

17. The Special Rapporteur is mindful that the measures outlined above isolated Qatar from its neighbours and substantially limited its access to the wider world, given its location within airspace under the operational control of Bahrain and surrounded by the sovereign airspace of Bahrain, Saudi Arabia and the United Arab Emirates. With the closure of the ports of the United Arab Emirates to Qatar, as well as the closure of the land border with Saudi Arabia (the Salwa border crossing), Qatar had to establish new trade routes and find alternative sources for basic commodities and medications for its population from sources outside the three States members of the Gulf Cooperation Council.

18. The Special Rapporteur is concerned about: (a) the summary involuntary return of Qatari citizens from Bahrain, Saudi Arabia and the United Arab Emirates and the compulsory departure of citizens of those three States from Qatar in June 2017, which resulted in the separation of families of mixed Qatari origins; (b) the suspension of the studies of Qatari students enrolled in universities in Bahrain, Saudi Arabia and the United Arab Emirates, which interrupted their education; (c) the removal of Qatari livestock, mostly camels, which reportedly caused the death of some from stress, hunger and lack of water; (d) the compelling of Qatari citizens to abandon their real estate and personal property; (e) the loss of employment of Qatari citizens and their inability to operate businesses in the three States of the Gulf Cooperation Council; and (f) the fact that Qataris were reportedly prevented from

[16] www.wto.org/english/news_e/news17_e/ds526_7_8rfc_04aug17_e.htm.

[17] www.gcc-sg.org/ar-sa/MediaCenter/NewsCooperation/News/Pages/news2021-1-5-2.aspx [Arabic only].

[18] For further details see sect. IV below.

[19] *Disclaimer*: the Special Rapporteur aims in this section to present the restrictive measures imposed and their impact as observed during her visit to Qatar, in November 2020, and notes the lifting of measures since January 2021.

[20] Postal services have reportedly resumed in February 2020.

continuing to receive medical treatment in those three States. The Special Rapporteur notes with concern that, contrary to the respective agreements of the Gulf Cooperation Council, the three States imposed visa and other restrictions on the right to freedom of movement exclusively on the citizens of Qatar.

19. The Special Rapporteur was further alarmed by statements made by senior officials of Bahrain and the United Arab Emirates, according to which expressions of sympathy with Qatar were considered a criminal offense punishable by law.

20. The Special Rapporteur commends steps taken by the Government of Qatar to mitigate the negative consequences of the unilateral coercive measures and alleviate the potential harm to people living in Qatar, including by: (a) relaxing residency permit requirements for nationals of the four States wishing to remain in Qatar in order to relieve any difficulties they might face in obtaining the renewal of their passports; and (b) increasing social support services to all residents irrespective of their nationality.

21. The Special Rapporteur also welcomes the steps taken by the four States to limit the humanitarian impact of the applied unilateral measures, including by: (a) providing exceptional entry visas for some Qatari citizens, especially those with close relatives in the four States; (b) allowing some students to come back to resume their studies, especially in Egypt; (c) renewing a number of commercial deals and contracts, registrations and identification documents; and (d) progressively expanding the possibility for Qatari citizens to apply for limited-duration travel to the four States through a hotline and online platform available to all categories of Qatari citizens, not only separated families.

22. The Special Rapporteur also received credible information about the hacking of the Qatar News Agency and a substantial increase in the number of incidents of incitement to hatred by the media, especially the State-run media, in all five countries. She also received information on significant losses incurred by Qatar Airways, which had to cancel flights and close offices, thus interrupting aviation schedules. Furthermore, banks in Bahrain, Saudi Arabia and the United Arab Emirates allegedly stopped accepting Qatari currency, making it even more complicated for Qataris stranded in those countries, after being instructed to leave, to buy tickets and sustain a living until they returned to Qatar through third countries.

IV. International legal issues related to unilateral sanctions against Qatar

23. The Special Rapporteur is not in a position to express any views on the political dispute between the five States, which also involves a number of other States. Nevertheless, she would like to remind all parties that international disputes should be settled through the use of political and legal means, in full compliance with the rule of law and with due account for humanitarian concerns. In this regard, measures directly affecting fundamental human rights should not be used as a means of influencing any Government and all States involved should refrain from actions that are likely to aggravate or extend the conflict between the parties involved. Accordingly, the Special Rapporteur welcomes the mediation efforts undertaken by the Government of Kuwait and the Government of the United States to resolve the differences between Qatar and the four States. She also welcomes the appeals of all parties involved to the competent international bodies and to the mechanisms of dispute settlement thereof to address and resolve matters regarding the application of restrictive measures and their negative impact on human rights, in accordance with international law.

24. While recognizing that States are free to organize their international relations and choose cooperation partners, the Special Rapporteur stresses that international cooperation should be based on the principles of sovereign equality of States, the prohibition of the use of force, non-intervention in domestic affairs, the peaceful settlement of international disputes, full adherence to international obligations and the protection of human rights and the rule of law.

25. In this connection, the Special Rapporteur underlines that unilateral measures are only legal if: (a) they have a valid and clear legal basis in national legislation and do not breach the international obligations of States; (b) if they are authorized by the Security Council; or

(c) if their illegality is excluded in the course of countermeasures taken in accordance with the standards of international responsibility, with the purpose of restoring the observance of international obligations, prior notice and the criteria of legality, legitimacy and proportionality.

26. The Special Rapporteur also stresses that any unilateral measures that are not authorized by the Security Council or that go beyond its authorization may only be taken in full compliance with international law, in accordance with basic principles of the rule of law, including legality, legitimacy, humanity and proportionality, with due account for the precautionary approach concerning the humanitarian impact of the measures taken. The Special Rapporteur considers to be illegal any unilateral measures imposed without, or beyond, the authorization of the Security Council, which are not consistent with international law (i.e., they cannot be qualified as retorsion) or the wrongfulness of which cannot be excused or justified as countermeasures or on any other basis. The Special Rapporteur also notes that no "good" objective can justify unilateral measures if they have a significantly detrimental or disproportionate impact on the enjoyment of fundamental human rights and freedoms.

27. In this context, the restrictive measures applied against Qatar during the period between 2017 and 2020 qualify as "unilateral coercive measures"[21] to the extent that they have been adopted by States without a mandate of the Security Council pursuant to Article 41 of the Charter of the United Nations.[22] The Special Rapporteur is further concerned that the basic legal requirements for the imposition of unilateral measures were not respected in the case of Qatar, as measures imposed by the four States seem to have adversely affected the rights of people living in Qatar and other individuals beyond its borders and therefore did not fit the requirements of either retorsion or countermeasures.

28. The Special Rapporteur also expresses her concern that the demand to shut down Qatari news outlets, including Al Jazeera, as well as the announcement by the officials of the four States of criminal penalties for the expression of sympathy for Qatar or of views against the restrictive measures, are contrary to international human rights obligations, which are legally binding on all five countries and clearly undermine freedom of expression, creating a chilling effect that stifles civil society and provokes uncertainty and fear among writers and journalists. Such demands are prima facie violations of international human rights law. Furthermore, the implementation of various unilateral trade sanctions against Qatar, which restricted trade in goods, services and trade-related intellectual property rights, may have impeded the full realization of the 17 Sustainable Development Goals set out in the 2030 Agenda for Sustainable Development.

V. Impact of measures on the enjoyment of human rights

29. During her visit, the Special Rapporteur examined the far-reaching effects of the unilateral measures imposed on Qatar on individuals, institutions and businesses. In addition to official meetings, the Special Rapporteur met with a number of private citizens, including representatives of local human rights and humanitarian institutions and corporations whose rights were violated as a result of the restrictive measures applied.

30. The Special Rapporteur would like to remind all parties to the dispute that, "the inhabitants of a given country do not forfeit their basic economic, social and cultural rights

[21] See also the research-based progress report of the Human Rights Council Advisory Committee containing recommendations on mechanisms to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability (A/HRC/28/74, para. 9): "[T]he working definition of the term 'unilateral coercive measures' . . . is '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'".

[22] A/HRC/30/45, para. 14.

by virtue of any determination that their leaders have violated norms relating to international peace and security".[23]

1. Right to family life and associated child rights

31. People in the member States of the Gulf Cooperation Council have historically shared blood and kinship links, and families of mixed nationalities are common in the Gulf region. In June 2017, the National Human Rights Committee of Qatar reported 6,474 mixed marriages (5,137 men and 1,337 women) between Qatari citizens and nationals of Bahrain, Saudi Arabia and the United Arab Emirates. In this context, the involuntary summary return of Qatari nationals from those three States and the recall from Qatar of nationals from the same three States, compounded with travel restrictions and the closure of borders, resulted in the violation of the right to family life, namely of mixed families, couples in mixed marriages and their children. These measures contributed to the separation of families, a matter made worse by the laws on nationality in the member States of the Council, which deny women the right to pass on their nationality to their children. In addition, the measures severely affected the custodial rights of divorced couples and the visitation rights of children of mixed couples and, because of the lack of consular services, the issuance of identity documents and the issuance and renewal of passports of members of mixed families who decided to remain in Qatar was restricted.

32. Despite the steps taken by Bahrain, Saudi Arabia and the United Arab Emirates to examine humanitarian cases and allow entry visas to members of mixed families, the requirements and criteria of visa provision and processing times were not made clear. According to the information received by the Special Rapporteur, complaints related to family rights primarily concerned: (a) the disruption of legal processes for divorce and child custody; (b) the difficulty of family reunification as a result of travel restrictions and associated financial burdens as a result of the additional expenditures incurred to arrange family meetings in third countries; and (c) the restrictions on financial transactions hindering the transfer of child support allowances in the case of divorced couples.

33. The Special Rapporteur would like to remind all States that restrictions on travel can affect the right to respect for private and family life,[24] a fundamental human right, enshrined in various international human rights instruments,[25] pursuant to which all individuals have the right to have their family life respected and protected and to create and maintain family relationships.

2. Right to education

34. The measures imposed on Qatar in 2017, including the cutting of diplomatic relations and the subsequent involuntary return of Qatari nationals and nationals of the four States, affected the right of students to continue their education. Students from the four States enrolled in schools and universities in Qatar, as well as Qatari students pursuing studies in the four States, were compelled to suspend their studies and/or were subjected to harassment and verbal hostility in their respective places of study.

35. According to the official figures of the Qatari Ministry of Education, among the 40,956 students from the four States enrolled in schools in Qatar, at least 202 could not pass their end-of-year exams owing to the sanctions imposed on Qatar. Furthermore, among the 3,251 Qatari undergraduate and postgraduate university students enrolled in universities in the four States, 531 could not continue their studies because of travel restrictions, difficulties in obtaining their academic records and certificates in order to pursue their studies elsewhere or the unavailability of the same courses of study at other universities. With some more

[23] E/C.12/1997/8, para. 16.

[24] European Convention on Human Rights, article 8.

[25] Notably in article 16 (3) of the Universal Declaration on Human Rights; article 23 (1) of the International Covenant on Civil and Political Rights, and article 10 (1) of the International Covenant in Economic, Social and Cultural Rights.

positive tendencies as concerns Egypt, Qatari students have faced disruptions related to: (a) their transfer to other universities, given that some universities had closed their academic files and/or suspended their academic accounts; (b) the denial of provision to them of their official credentials; (c) the loss of scholarships obtained in universities in the four States; and (d) forced changes in study disciplines or repetition of the same courses. In addition, high school students were obliged to obtain equivalency for university admission and graduating students whose graduation certificates were withheld could not access the labour market and hence were not allowed to exercise their right to work.

36. The Special Rapporteur is preoccupied by the impact of the restrictive measures imposed on Qatar on the right to education, which is an intrinsic human right and an indispensable means of realizing other human rights. From this perspective, she would like to remind all States of their obligation to protect, respect and fulfil the right to education without any form of discrimination.[26]

3. Freedom of religion and belief and the right to worship

37. The Special Rapporteur is concerned that, despite conflicting reports, the political rift between Qatar and Saudi Arabia may have affected the ability of Qatari citizens and residents to perform the religious rites of hajj[27] and umrah during the period 2017–2020. It has been reported that, following the restrictions on freedom of movement, travel agencies organizing hajj and umrah were unable to register individuals or to make travel arrangements for the pilgrimages, incurring heavy financial losses. Although the Special Rapporteur notes with appreciation the initiative of the Ministry of Hajj and Umrah of Saudi Arabia[28] in 2019 to create an electronic page to facilitate the registration of Qatari citizens and residents wishing to perform the religious rite of umrah, she is nonetheless concerned that, with the closure of the land border and air communications between the two countries, including the ban on Qatar Airways, the performance of both hajj and umrah pilgrimages has remained restricted and relatively costly until January 2021.

38. In this connection, the Special Rapporteur reminds both parties that the right to worship is an indivisible right that underpins the fundamental right to freedom of religion and belief guaranteed under international law. In particular, she recalls general comment No. 22 of the Human Rights Committee: “The concept of worship extends to ritual and ceremonial acts giving direct expression to belief, as well as various practices integral to such acts, including [...] the use of ritual formulae, and objects [...].”[29]

4. Right to food and medicine

39. Before the imposition of restrictive measures, Qatar imported around 60 per cent of its foodstuffs from the four States, in particular from Saudi Arabia and the United Arab Emirates, whether from their factories or from the warehouses of international companies whose regional headquarters are based there. With the closure of its only land border with Saudi Arabia, which it relied upon for 40 per cent of its food supply and imported goods, the Government of Qatar had to take immediate measures to find alternative sea and air routes and to subsidize transportation costs in order to lower the impact on consumer prices and avoid interruption in food supplies. In addition, Qatari food companies had to undertake

[26] The right to education was initially recognized in article 26 of the Universal Declaration of Human Rights (1948); since then, the right to education has been widely recognized and developed through a number of international normative instruments, including in articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Rights of the Child (1989) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education (1960).

[27] Hajj, which is one of the pillars of Islam, constitutes of a religious pilgrimage to the holy city of Mecca in Saudi Arabia.

[28] عام / خادم الحرمين الشريفين يوجه بمراعاة الحالات الإنسانية للأسر المشتركة السعودية القطرية تقديراً منه - أيده الله - للشعب القطري الشقيق وكالة الأنباء السعودية (spa.gov.sa) [Arabic only].

[29] Human Rights Committee, general comment No. 22 (CCPR/C/21/Rev.1Add.4, para. 4).

alternative emergency measures to find logistical solutions to ensure the transportation, storage and distribution of foodstuffs, a process that proved to be costly both for companies and for consumers.

40. The Special Rapporteur is concerned that the interruption of trade and communication networks may have resulted, over the short term, in the violation of the right to health with regard to specific medicines, for example local scorpion and snakebite antidotes produced in Saudi Arabia, for which there was no available equivalent through alternative sources of supply.

41. Furthermore, the restrictions on Qatar's airspace has burdened the Government financially, increasing its reliance on airlifters, which are heavily dependent on fuel supply, causing a significant increase in government spending of 23 per cent on air fuel, 35 per cent on petrol and 40 per cent on diesel fuel.

5. Economic rights, the right to work and the right to private property

42. As a result of the imprecise nature of the unilateral measures announced by the four States, and the ensuing overcompliance with such measures by private companies, Qatari nationals with jobs or businesses based in the four States or involved in joint ventures with nationals of the four States were severely affected. Restrictions on the movement of people and goods, as well as on accepting transfers in Qatari currency between banks in Qatar and the four States, led to heavy financial losses for individuals and for companies based in Qatar or with contractual partners in Qatar, including loss of jobs and inability to pay salaries. The Special Rapporteur notes that the rights of migrant workers were also directly and indirectly affected by the imposition of unilateral sanctions, as many lost their jobs and were left stranded by employers without salaries and/or benefits. In addition, the imposition by Bahrain, Saudi Arabia and the United Arab Emirates of the mandatory departure of Qatari citizens from their territories, and restrictions on their return or entry, forced many citizens to abandon commercial and personal property in the four States.

43. The Special Rapporteur is extremely concerned about reports asserting that workers who had to resort to litigation following the arbitrary loss of jobs or unpaid salaries did not have access to the judicial system in the four States, thus denying them their right to claim compensation for damages resulting from unilateral coercive measures. Furthermore, lawyers in the four States, or law firms with partners in the four States, have reportedly declined to represent Qatari clients or companies for fear of reprisal by the State authorities.

44. In reference to the impact of the unilateral measures on trade, Qatar was severely affected by the closure of ports of the United Arab Emirates, in particular the port of Jebel Ali, on which it relied for imports, storage and re-exportation. As a result of the closure, Qatari trading companies, which were unable to receive imported goods from large international cargo ships and could not access their imported goods blocked at the port of Jebel Ali, including goods arriving from third countries and transiting in ports of the United Arab Emirates, were obliged to use alternative trade routes, significantly increasing the cost of and time required for shipments. In addition, there were a number of lost commercial deals as some contractual engagements were annulled due to uncertainty.

6. Right to health

45. The Special Rapporteur received credible information about the effect of the closure of the borders on the work of humanitarian organizations in Qatar, in particular those providing health-care services and assistance. The restriction on the movement of goods obstructed access to medical supplies, negatively affecting the right of patients, mostly migrant workers, to health care. The documented consequences included delays in the delivery of essential medications and medical consumables and high costs for the importation of such goods through alternative routes. There was also a significant increase in the price of some medical materials used for dental surgery, in some cases reaching a 56 per cent rise in costs.

46. There were also reported cases of Qatari nationals who could not pursue treatment or undertake scheduled surgery in the three member States of the Gulf Cooperation Council because they were obliged to return to Qatar. Subsequently, some Qatari citizens encountered difficulties in retrieving their medical records.

7. Right to freedom of expression and anti-sympathy policies

47. The Special Rapporteur is of the view that the demand of the four States that Qatar shutdown Al Jazeera channels and other Qatari-sponsored news outlets, the decision to ban those news outlets on their territories and the announcement of criminal measures by the three member States of the Gulf Cooperation Council against individuals publicly expressing sympathy with Qatar may amount to violations of the right to freedom of opinion and expression. Furthermore, the reported incitement campaigns in the media of all States involved also violate the right to freedom of expression, as well as the obligation to take all necessary measures to prevent and prosecute incitement to racial discrimination and hate speech. Moreover, the insufficient transparency of State policies exacerbated widespread feelings of fear and uncertainty and resulted in mental suffering among the populations of all five States.

48. The Special Rapporteur is particularly alarmed by the use of national legislation to criminalize freedom of expression, including expressions of sympathy for Qatar by any individual, irrespective of nationality. Credible reports document cases of persons arrested and detained for showing support to Qatar or for speaking against restrictive measures, who were subsequently charged under national security and/or cybersecurity laws for allegedly harming national unity. These concerns were exacerbated in the light of the statement issued on 6 June 2017 by the Attorney General of the United Arab Emirates, indicating that "any objection to the position of the United Arab Emirates and the strict and firm measures it has taken with the Government of Qatar, whether through tweets or posts on social media or by any other means, verbally or in writing, is a crime punishable by imprisonment from 3 to 15 years and a fine of no less than 500,000 dirhams, according to the Penal Code regarding combating information technology crimes,[30] due to the damage they cause to the higher interests of the State, national unity and social peace". Additionally, the Ministry of Interior of Bahrain issued a statement according to which any expression of sympathy for Qatar or objection to measures against it, whether through social media or any other verbal or written means, would be punishable with imprisonment for up to 5 years and a fine.

8. Individuals and groups on terrorism lists

49. The Special Rapporteur is concerned about the lack of transparency in the process of designating individuals and groups on terrorist lists. On 8 June 2017, the four States listed 59 individuals and 12 institutions on terrorist lists as individuals and entities that allegedly received support and/or funding from Qatar. Subsequently, those providing support (notably financial support) to the listed individuals or institutions were also reportedly subjected to criminal penalties under national counter-terrorism legislation in the four States.

50. Due to the wide-ranging negative impacts of those measures on the basic human rights of individuals and the means of livelihood of the institutions concerned, the Special Rapporteur insists on the importance of: (a) undertaking transparent listing processes that provide sufficient information on the reasons for listing and the mechanisms of review and delisting; (b) guaranteeing fundamental human rights, including the right to adequate notice and the right to defence; and (c) compliance with relevant Security Council resolutions.[31] She further stresses that all States should ensure that national counter-terrorism laws be limited to the countering of terrorism as properly and precisely defined on the basis of the provisions

[30] Federal Decree-Law No. 5 on Combating Cybercrimes dated 13 August 2012. Reference to the statement of the Attorney General of the United Arab Emirates is made in the proceedings of the International Court of Justice (*Qatar v. United Arab Emirates*): www.icj-cij.org/public/files/case-related/172/172-20210204-JUD-01-00-EN.pdf.

[31] Security Council resolution 1904 (2009).

of international counter-terrorism instruments and strictly guided by the principles of legality, necessity and proportionality.

VI. Cases submitted to international adjudication mechanisms

1. Application before the International Court of Justice

51. On 11 June 2018, Qatar instituted proceedings against the United Arab Emirates before the International Court of Justice, alleging violations of articles 2, 4, 5, 6 and 7 of the International Convention on the Elimination of All Forms of Racial Discrimination (1965), and requested provisional measures, citing the fact that the United Arab Emirates had "enacted and implemented a series of discriminatory measures directed against Qatari nationals, residents, and visitors in the United Arab Emirates, as well as towards Qatari-owned media companies", and invoking article 36, paragraph 1 of the Statute of the Court and article 22 of the Convention.

52. On 23 July 2018, the International Court of Justice concluded having prima facie jurisdiction to the extent that the dispute between the parties related to the "interpretation or application" of the International Convention on the Elimination of All Forms of Racial Discrimination, and requested that the United Arab Emirates take provisional measures to prevent further aggravation or extension of the dispute.

53. On 22 March 2019, the United Arab Emirates also filed a request for the indication of provisional measures, which was rejected by the International Criminal Court. On 30 April 2019, the United Arab Emirates raised preliminary objections to the jurisdiction of the Court and the admissibility of the application. Following public hearings from 31 August to 7 September 2020, the Court rendered its decision on 4 February 2021, upholding the first preliminary objection by the United Arab Emirates and finding that the dispute fell outside of the scope *ratione materiae* of the International Convention on the Elimination of All Forms of Racial Discrimination and that therefore the Court did not have jurisdiction to entertain the application filed by Qatar.[32]

2. Inter-State communications of the Committee on the Elimination of Racial Discrimination[33]

54. On 8 March 2018, Qatar submitted two inter-State communications to the Committee on the Elimination of Racial Discrimination against Saudi Arabia and the United Arab Emirates, respectively, based on article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination and invoking violations of articles 2, 4, 5 and 6 of the International Convention. On 27 August 2019, the Committee decided that it had jurisdiction concerning the two communications and declared them admissible. The Committee subsequently requested its Chair to appoint members to ad hoc conciliation commissions, with a view to finding an amicable solution of the matter, pursuant to article 12 (1) of the International Convention.

55. In February 2020, the Chair of the Committee appointed members of the ad hoc conciliation commissions. Nonetheless, following the adoption of the Al-Ula declaration and agreement between Qatar and the two concerned States on 5 January 2021, Qatar transmitted two notes verbales to the Secretariat, on 11 January 2021, requesting the suspension of the proceedings. Both respondents, Saudi Arabia and the United Arab Emirates, consented to the suspension of the proceedings on 27 January 2021 and 2 February 2021, respectively.

56. On 5 March 2021, the two ad hoc conciliation commissions decided to suspend proceedings, taking note of the request of Qatar for suspension and the consent of the respondents thereto. In addition, the conciliation commissions invited the States parties concerned to inform them within one year of the adoption of the Al-Ula declaration whether

[32] www.icj-cij.org/public/files/case-related/172/172-20210204-PRE-01-00-EN.pdf.
[33] OHCHR | Inter-State Communications.

they wished to resume consideration of the matter or to provide any relevant information, and decided to remain seized of the matter.

3. Applications to the International Civil Aviation Organization and the International Court of Justice

57. On 30 October 2017, Qatar filed an application with the International Civil Aviation Organization (ICAO) Council, claiming that the aviation restrictions adopted by Bahrain, Egypt, Saudi Arabia and the United Arab Emirates violated their obligations under the Convention on International Civil Aviation (known as the Chicago Convention) and the International Air Services Transit Agreement regulating the free movement of commercial planes in foreign airspace. On 19 March 2018, the four States raised two preliminary objections, invoking the lack of jurisdiction of the ICAO Council under the Chicago Convention to decide on the legality of the restrictions imposed as countermeasures under international law and the failure of Qatar to meet the precondition of negotiation set out in article 84 of the Chicago Convention (Settlement of disputes) and also reflected in article 2 (g), of the ICAO Rules for the Settlement of Differences, thus deeming the application inadmissible. The two preliminary objections were rejected by the decision of the ICAO Council dated 29 June 2018.

58. On 4 July 2018, two joint applications were filed with the International Court of Justice concerning the jurisdiction of the ICAO Council under article 84 of the Chicago Convention (*Bahrain, Egypt, Saudi Arabia and United Arab Emirates v. Qatar*) and its jurisdiction under article II, section 2, of the 1944 International Air Services Transit Agreement (*Bahrain, Egypt and United Arab Emirates v. Qatar*), appealing the decision of 29 June 2018. The four States indicated that Qatar had failed to uphold its commitments emanating from the provisions of the Riyadh Agreements of 2013 and 2014, adopted within the framework of the Gulf Cooperation Council, and that therefore restrictions were imposed by way of countermeasures "with the aim of inducing compliance by Qatar". They furthermore contested the ICAO Council procedure as flawed, de jure and de facto, as well as non-observant of due process.

59. The International Court of Justice held public hearings on both cases in December 2019 and issued judgments on 14 July 2020,[34] rejecting the two appeals, judging that the application of Qatar to the ICAO Council as admissible and ruling that the Council had jurisdiction on incidental matters that arise in the context of the defence of countermeasures to the extent that they are necessary in order for it to discharge its functions under the Chicago Convention and the International Air Services Transit Agreement.

4. Dispute Settlement Body of the World Trade Organization

60. Qatar contested the legality of restrictive measures imposed by Bahrain,[35] Saudi Arabia[36] and the United Arab Emirates,[37] which allegedly restricted the trade in goods and services from Qatar and trade-related intellectual property rights. Qatar has further requested that the World Trade Organization (WTO) Dispute Settlement Body engage in consultations with the three countries.

61. While the cases filed against Bahrain and Saudi Arabia have not moved past the consultation phase, Qatar requested the establishment of a panel for the case against the United Arab Emirates[38] related to measures imposed on the trade in goods and services and trade-related aspects of intellectual property rights, as well as for the case against Saudi Arabia[39] related to measures concerning the protection of intellectual property rights. The

[34] www.icj-cij.org/en/case/173; and www.icj-cij.org/en/case/174.
[35] www.wto.org/english/tratop_e/dispu_e/cases_e/ds527_e.htm.
[36] www.wto.org/english/tratop_e/dispu_e/cases_e/ds528_e.htm.
[37] www.wto.org/english/tratop_e/dispu_e/cases_e/ds526_e.htm#top.
[38] http://www.wto.org/english/news_e/news17_e/dsb_23oct17_e.htm.
[39] WTO | dispute settlement - the disputes - DS567.

Dispute Settlement Body established panels to resolve the two cases on 22 November 2017 and 18 December 2018, respectively. Qatar claims violations of obligations under the General Agreement on Tariffs and Trade (GATT), the General Agreement on Trade in Services (GATS) and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement).

62. In the case concerning the United Arab Emirates, Qatar requested the suspension of proceedings, which was approved by the United Arab Emirates. According to the communication of the Chair of the panel, indicating that, in the context of facilitating an amicable final settlement of the dispute between the parties, on 11 January 2021, Qatar requested that the panel suspend its work in accordance with article 12.12 of the Dispute Settlement Understanding, until further notice. On 14 January 2021, the United Arab Emirates agreed with the request of Qatar. The panel has agreed to this request, effective 15 January 2021.[40] The authority of the panel will lapse after 12 months of the suspension of its work.

63. In the case concerning Saudi Arabia, the panel issued its final report on 16 June 2020, which found that Saudi Arabia had acted in a manner inconsistent with articles 42, 41.1 and 61 of the TRIPS Agreement. In response, Saudi Arabia invoked the security exception under article 73 (b) (iii) of the TRIPS Agreement, which the panel judged not to meet the requirements. On 28 July 2020, Saudi Arabia notified the Dispute Settlement Body of the decision to appeal certain issues of law and legal interpretations contained in the report of the panel.

5. Arbitration by the Universal Postal Union

64. On 10 September 2018, Qatar sent a notification to each of the four States to initiate arbitration processes pursuant to article 32 of the Constitution of the Universal Postal Union, requesting the founding of an arbitration court to settle the dispute resulting from the suspension of postal services with Qatar and requesting the restoration of direct postal services from and to the four States.[41]

65. On 27 February 2020, the Council of Administration of the Universal Postal Union voted in favour of the resolution presented by Qatar to restore postal services from and to the four States, pursuant to which restrictions related to postal services have been lifted.

VII. Recent developments and the resumption of relations between Qatar and the four States

66. The four countries implemented the decision of the Universal Postal Union and postal restrictions were lifted in February 2020, restoring freedom of correspondence.

67. The Special Rapporteur welcomed the issuance of the joint statement, known as the Al-Ula declaration,[42] signed by the six member States of the Gulf Cooperation Council and endorsed Egypt at the end of the forty-first session of the Council, affirming their commitment to pursue economic and political integration and unity. The declaration marked the end of the dispute with Qatar, which lasted for over three years. In the declaration, the signatories further reiterated, inter alia, the achievement of full economic integration, the implementation of joint defence and security systems and a unified foreign policy for the Member States.

68. The text of the full Al-Ula agreement as well as the terms and conditions for the resumption of relations between the four States and Qatar remain unclear. Nevertheless, the documents of the ad hoc conciliation commissions of the Committee on the Elimination of

[40] https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/WT/DS/526-6.pdf&Open=True.

[41] www.pcacases.com/web/search/; https://pca-cpa.org/en/cases/250/#:~:text=In%20a%20notice%20to%20initiate,Union%20or%20the%20responsibility%20imposed.

[42] www.gcc-sg.org/ar-sa/MediaCenter/NewsCooperation/News/Pages/news2021-1-5-2.aspx.

Racial Discrimination indicate that section 2 of the Al-Ula Declaration stipulates that "All lawsuits, complaints, measures, protests, objections and disputes shall automatically terminate on the first anniversary of the signing of this declaration, provided that such lawsuits, complaints, measures, protests, objections and disputes under review by the relevant entities (domestic regional, and international courts, bodies, committees, authorities, etc.) shall be suspended or stayed within one week from the date of signing this declaration."[43]

69. Saudi Arabia reopened its airspace and its land and sea borders with Qatar on 4 January 2021, followed by the United Arab Emirates on 8 January 2021, Bahrain on 11 January 2021 and Egypt on 12 January 2021. Accordingly, national air carriers have resumed their flights.

70. On 20 January 2021, the Ministry of Foreign Affairs announced that Egypt and Qatar had exchanged official memoranda on resuming diplomatic relations and that on 18 January direct flights had resumed between the two countries. Furthermore, cooperation on defence and security matters resumed between Qatar and Saudi Arabia in March 2021.

71. The resumption of relations was reflected in the official visits to Doha by the Minister for Foreign Affairs of Saudi Arabia on 26 April 2021 and the Minister for Foreign Affairs of Egypt on 13 June 2021. The embassies of both countries have resumed their operations in Qatar at the level of chargé d'affaires since January 2021.[44]

72. Furthermore, according to the information received by the Special Rapporteur, mechanisms of implementation of the Al-Ula declaration have been established on a bilateral basis between Qatar and each of the four States in order to implement the terms of the declaration and the accompanying agreement and to discuss pending matters. In this context, bilateral negotiations are reportedly ongoing, including through a number of high-level meetings and communications between Egypt, Qatar, Saudi Arabia and the United Arab Emirates, and the Embassies of Saudi Arabia and Egypt in Doha are reopening. Negotiations with Bahrain seem to be lagging, despite invitations sent by Bahrain in early 2021 to initiate the bilateral dialogue.

73. Qatar and Saudi Arabia have reportedly agreed on mechanisms to guarantee that Qatari-based agencies will be able to organize visits to Holy sites for the performance of the religious rites of hajj and umrah, thus providing for the enjoyment of the right to the freedom of religion and conscience.

74. Since the resumption of relations, the Governments of the four States have confirmed the end of all restrictive measures imposed on Qatar, including the lifting of economic and trade sanctions and travel bans and the restoration of the free movement of persons and goods. From its side, Qatar has suspended the cases submitted to international mechanisms of dispute settlement, including the Committee on the Elimination of Racial Discrimination and WTO.

75. Some elements remain in the process of negotiation, including the potential restoration of visa-free travel within the member States of the Gulf Cooperation Council and mechanisms of reparation and redress for victims of human rights violations resulting from the imposition of unilateral measures: these and other matters are to be settled on a bilateral basis.

VIII. Conclusions and recommendations

76. **The Special Rapporteur welcomes the efforts and the steps taken by Bahrain, Egypt, Qatar, Saudi Arabia and the United Arab Emirates to settle their disputes by peaceful means, with a view to ensuring the human rights of their nationals and residents. In view of the expanding application of unilateral sanctions, the Special Rapporteur praises this development and the efforts of the countries involved as an**

[43] See decision of the ad hoc conciliation commission on the request for suspension submitted by Qatar concerning the interstate communication (*Qatar v. the United Arab Emirates*) (footnote 1): https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/1_Global/Decision_9381_E.pdf.

[44] The appointments of the Ambassadors of Egypt and Saudi Arabia to Doha were still pending at the time of writing the present report.

inspiring example of cooperation and dialogue. In this context, the Special Rapporteur calls on all States to use similar peaceful means, including mediation and international adjudication, to settle their disputes and to use legal instruments rather than unilateral coercive measures.

77. **The Special Rapporteur welcomes the Al-Ula declaration signed by Bahrain, Qatar, Saudi Arabia, the United Arab Emirates, as member States of the Gulf Cooperation Council, and endorsed by Egypt, according to which they affirmed their willingness to resume close cooperation and employ the channels of negotiation and dialogue and the mechanisms of the Council in resolving matters of discord.**

78. **In this connection, the Special Rapporteur commends the Al-Ula declaration and the pursuant mechanisms of implementation, including the establishment of bilateral negotiation mechanisms between Qatar and the four States, with a view to fully restoring political, economic and social relations at the same level as before the 2017 dispute. The Special Rapporteur commends this good practice and reminds all States concerned of the importance of pursuing their commitments and lifting all restrictive measures under the terms of the Al-Ula declaration, in full compliance with human rights principles and standards.**

79. **The Special Rapporteur understands that the bilateral negotiation mechanisms established between Qatar and each of the four States are achieving progress, on separate tracks and at different paces, on matters related, inter alia, to the restoration of the freedom of movement of persons and goods between the member States of the Gulf Cooperation Council, the resumption of trade and investment agreements and the review of terrorist lists. In this connection, she would like to remind all States concerned of the need to pursue negotiations in good faith and with due respect for the human rights of citizens and residents in all five States.**

80. **The Special Rapporteur stresses the importance of fully implementing the decisions and provisional measures decided upon by the competent international bodies. The Special Rapporteur also notes with appreciation that all five States took due notice of the decisions taken by international mechanisms and the preliminary recommendations of the Special Rapporteur and subsequently took proper efforts to restore normal relations and to protect human rights.**

81. **The Special Rapporteur insists upon the need to facilitate equal access to the justice system for all individuals whose human rights have been violated as a result of the restrictive measures imposed on Qatar, prior to reconciliation, and to ensure, where applicable, the right of those persons to compensation and redress.**

82. **The Special Rapporteur notes that due to their extraterritorial character, international terrorism, human trafficking and other transboundary crimes can only be effectively combated through cooperation and mutual assistance. She therefore calls upon all parties to renew cooperation efforts and intensify mutual assistance in criminal matters.**

83. **The Special Rapporteur calls upon all States to refrain from using domestic legislation on national security and counter-terrorism in a manner that limits the enjoyment of fundamental rights and freedoms, notably the right to the freedom of opinion and expression and the freedom of peaceful association and assembly. Such actions, including the designation of political opposition, journalists and/or members of non-governmental organizations on terrorist lists, contribute to the stifling of peaceful and non-violent activities. The Special Rapporteur also recommends that States review the definition of terrorism and terrorism financing crimes in their national legislation, with a view to bringing it into line with international human rights norms.**

84. **The Special Rapporteur also recalls that, in accordance with customary norms of international law, all States are obliged to guarantee that activities under their jurisdiction or control in any area, including cyberspace, do not affect the rights of other States, including their nationals and residents.**