



Euro-Med Monitor
FOR HUMAN RIGHTS
الأورومتوسطي لحقوق الإنسان

One Year into Gulf Crisis and Cutting of Ties



**Community Peace at Stake and
Basic Rights in Jeopardy**

**A human rights report
June, 2018**



Introduction

On June 2017 ,5, Saudi Arabia, together with the United Arab Emirates, Bahrain and Egypt announced that they have decided to cut all diplomatic relations with Qatar. This decision included banning all trade relations, blocking roads with Qatar and banning all flights to the country. They also ordered their nationals to leave Qatar immediately, and decided to expel all Qatari nationals residing in or arriving to any of the four countries within 14 days of the announcement. The Qatari diplomatic missions were given only 48 hours to vacate their headquarters, with the four countries ordering withdrawal of their diplomatic missions from Qatar. This decision has set out an economic, political, and diplomatic blockade on Qatar.

On the 23rd of the same month, the four countries announced a list of 13 conditions that the Government of Qatar must implement and abide by within 10 days as a prerequisite for ending this 'boycott'. The list demand includes the closure of Al-Jazeera and other media outlets reportedly financed by the Qatari government, the closure of the Turkish military base in Qatar, the severing of relations with Iran, the withholding of funds to "terrorist organizations", and cutting ties with Islamist groups such as The Muslim Brotherhood.

One year after the "boycott" decision accompanied by other similar decisions in this respect, the Euro-Mediterranean Human Rights Monitor noted that not only have these decisions failed to take into account international norms and legal instruments regulating relations between States and the Charter of the United Nations, but they also targeted civil rights both in Qatar and in the other four countries.

This set of procedures has had a devastating impact on human rights and community peace in the Gulf, as stated by several reports from United Nations agencies in this regard, including one by the United Nations High Commissioner for Human Rights, which was released in December 2017.



Four main categories have been the most affected by this crisis. These are:

- Qatari nationals residing in one of the countries that imposed the boycott (Saudi Arabia, UAE, Bahrain and Egypt);
- Saudi nationals, Emiratis, Bahrainis and Egyptians living in Qatar,
- Non-GCC migrant workers residing in Qatar; and
- The population of all these countries in general due to restrictions on freedom of movement and expression.

The number of GCC nationals living in Qatar at the time of the crisis stood at 11,327, while the number of Qatari nationals living in other Gulf countries was 1,927. The National Human Rights Committee in Qatar has received more than 2,705 complaints relating to violations of civilian rights since the beginning of the crisis. One complaint may include several individuals or entire families depending on the type of case

A year after the Gulf crisis began, the Euro-Mediterranean Human Rights Monitor aims to provide a legal framework examining the extent of legality of the measures taken by the boycotting countries under international laws, treaties and customs. Through this report, Euro-Med Monitor also aims to highlight the most important violations that citizens continue to suffer despite that a full year has now passed. Freedom of speech and opinion has been violated, hundreds of families have been dispersed, community peace has been affected, and many serious implications affected the economy, private property, the providence of health care, mobility and the performance of religious rituals.



The human rights situation one year after blockade: Community Peace at Stake and Basic Rights in Jeopardy Families Dispersed: 646 documented cases of violation of the right of individuals to family life

From the beginning of the crisis until the end of May 2018, 646 complaints concerning forced family separation were submitted. These violations include 346 violations by Saudi Arabia, 82 by UAE and 218 by Bahrain. According to Euro-Med Monitor estimates, the number of families separated as a result stand at higher than 6,474, some temporarily and others permanently.

In all Gulf States dual citizenship is not allowed. In a clear violation of the right to non-discrimination on the basis of sex, women cannot pass on their nationality to their children as is the case with a child's male parent. With countries threatening their citizens in Qatar with severe penalties and deprivation of citizenship if they do not leave Qatar and return to their countries within 14 days, parents of different nationalities from the Gulf countries are forced to leave their families and return home.

"I used to live with my Qatari wife and my three daughters in Doha, but now I have to go back with my daughters to Saudi Arabia, leaving my wife behind," said (S. D.), a 47-year-old Saudi man to Euro-Med team. He added asking, "Why do politicians take such decisions while oblivious to our lives? Are they even aware of the family ties that bind people from different Gulf countries together?"

In another testimony given by **Maher**, a 37-year-old Qatari national, who revealed his first name only, said that his wife (a Saudi citizen), who was a few months from giving birth, had been prevented by the Saudi authorities from leaving the Saudi border to return to her husband in Qatar. After she was on a visit to her family in Saudi Arabia before the crisis. "I went to the border and talked them into letting me go. They said I had to talk to the Interior Ministry, which I called only to learn that they would call me back without ever doing so."



Fawzia al-Emadi, 48 and a Qatari national married to a Bahraini, has a son with special needs. Last June, she was prevented from entering Bahrain because of the decision of the Bahraini authorities to prevent Qatari nationals from entering their territory, forcing the family to stay temporarily in a hotel in Qatar as they have no home in the country. She needs to travel urgently to complete her son's treatment in Bahrain, and her disabled child cannot travel on his own. For that same reason, Bahrain prevents her husband from traveling to Qatar. The fact that Qatari laws did not allow the naturalization of a husband of Qatari nationality or dual nationality left the husband unable to settle with his family, who had been forced to travel to Bahrain.

This forcible dismantling of families constitutes a flagrant violation of the right to family life provided for in article (16) of the Universal Declaration of Human Rights and guaranteed under article (23) of the International Covenant on Civil and Political Rights. Furthermore, depriving children from being with either parent violates article (9) of the International Convention on the Rights of the Child, which states that: "States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child." Separation of children from family also constitutes a violation of article (2) of the same Convention, which guarantees that no child shall be discriminated against on the basis of the nationality of either of his or her parents.

Education: 3,251 affected Qatari students and 513 complaints related to the right to education

In terms of the impact of the boycotting countries' decisions on the right of individuals to education, Qataris and non-Qataris alike have been harmed as a result. Qatari students studying at a university in one of the four countries were ordered to leave these countries and return immediately to Qatar. This caused harm to 3,251 students according to statistics by the Qatari Ministry of Education. The Ministry also estimated that at least 201 Qatari students were unable to continue their studies even in other



universities because they were unable to obtain their student files, which prevented the possibility of transferring their enrollment to other universities outside of the boycotting countries, especially those enrolled in universities inside UAE and Egypt.

Meanwhile, the decision of the boycott countries had a negative impact on (706) students studying in Qatar from the three Gulf countries that cut ties with Qatar. These students were forced by their countries to return before completing their university studies, imposing prison sentences and fines on citizens who may visit or stay in Qatar. The National Human Rights Committee reported that 513 complaints concerning the right to education were documented, 66 from Saudi Arabia, 148 from the UAE, 28 from Bahrain and 271 from Egypt.

Hamad Al-Mashouri, a -27year-old Qatari national, was a senior bachelor's level student at the University of Sharjah Law School, sent to study on a mission from his employer. Although Al-Mashouri was about to graduate, leaving only 9 credit hours, he was unable to complete his education at the time because of the UAE's decision to force all Qataris out of its territory. In addition to being expelled from the country, Al-Mashouri had a car in the UAE, but was unable to return it to Qatar.

Qatari citizen Ghanem al-Sulaiti, 49, was a student at al-Jazeera University in the United Arab Emirates. After completing -99credit study hours, which is equivalent to three years of schooling, he was forced to leave the UAE and return to Qatar because of the new restrictions imposed on Qatari citizens by the UAE. He was unable to complete his studies in violation of his right to education, and as a result of discrimination merely because of his nationality. After returning to Qatar, Al-Sulaiti contacted his university via e-mail and asked them to provide him with an official letter explaining the number of credit hours he had completed at the university, so that he could would be able to move to another university and complete his studies. To his disappointment, he received no answer.



Health: 37 cases of documented violations of the right to health

Travel restrictions and transportation services have prevented many Gulf citizens from continuing to receive treatment in the pre-crisis countries of residence/treatment, and have also caused shortages of medical supplies in Qatari hospitals. Some 37 violations of the right to health have been documented, including the prevention of treatment for Qatari nationals in a boycotting countries' hospitals and emergency medical operations. Patients from the other four countries residing in Qatar have also been unable to receive treatment in Qatari hospitals as a result of the ban as well.

For example, (A. H.), a Qatari woman, said her -15year-old daughter needed urgent brain surgery, which was scheduled at a Saudi hospital on June 17. However, she could not get to the hospital on time as a result of the travel ban. Further delays in surgery would have paralyzed the girl for the rest of her life, added the Qatari woman.

Khalif al-Shammari, a -68year-old Saudi national residing in Doha while being treated for kidney disease, had a specific appointment for surgery to the right kidney at Hamad Hospital in Qatar on Sunday, 11 June 2017. As ties were cut with Qatar, he found himself obliged to leave the country shortly without being able to follow up with the hospital where his operation was taking place.

On the other hand, cutting off economic relations between countries has led to a lack of access to medicine, including essential ones. According to the Office of the High Commissioner for Human Rights, about %60 of the country's pharmaceutical supplies were coming from companies based in boycotting countries. This has caused a sudden shortage of medicine and treatments available in Qatari hospitals and has hindered the opening of new hospitals.

Although Qatar has been able to obtain drug suppliers from outside the Gulf region, some medicine cannot be secured. An example includes the anti-toxin serum, which was widely used to treat snake bites, and can only be produced from regional snakes (available in the region) and thus is impossible to obtain from outside the Gulf States. In addition, new modes of supply mean additional financial burdens of high insurance fees, expensive transportation, and delayed delivery time.



Violation of the right to freedom of expression

In the three Gulf states (Saudi Arabia, UAE and Bahrain), any sympathy for Qatar has been criminalized. For example, UAE adviser Hamad Saif al-Shamsi stated that officials who show sympathy for Qatar via social media are threatened with 3 to 15 years of imprisonment. At best, they are fined with at least 500,000 dirhams (116,000 euros). In actual implementation of the threats, the UAE has imprisoned Abdulla Ghanim on the backdrop of videos he posted on social media showing his sympathy for Qatar.

Saudi Arabia, for its part, is charging those who show empathy through e-crime rules, while Bahrain has announced its intention to punish those who express sympathy for Qatar with 5 years imprisonment or a financial fine.

International standards do not allow arbitrary restrictions on freedom of opinion and expression unless they pose a real threat to national security or include slander. Thus, punishing people for expressing sympathy with any party is clearly an unjustified arbitrary restriction.

The restrictions imposed by Saudi Arabia, the United Arab Emirates and Bahrain on the right of their citizens to freedom of opinion and expression violate Article 19 of the International Covenant on Civil and Political Rights, which stipulates: "Everyone has the right to hold opinions without interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

It also violates article 32 of the Arab Charter on Human Rights, which guarantees, "the right to information and to freedom of opinion and expression, as well as the right to seek, receive and impart information and ideas through any medium, regardless of geographical boundaries."



Violation of non-Gulf labor rights

Non-GCC employment accounts for nearly a third of Qatar's population. These workers have been severely affected by the policies of the boycotting countries, where sudden increases in food prices forced migrant workers to spend more than half of their salaries on food when they used to spend a third only. This has deprived some of them of healthy or even basic nutrition.

For instance, a CSR official working for a large company in Qatar said he had received information from other companies working with migrant workers that fruit companies were unable to sell their products to shops whose customers were mostly migrant workers.

Furthermore, the lack of construction materials has caused many construction facilities to suspend their work, leaving migrant workers at risk of losing their jobs.

Other migrant workers in Qatar who have careers in real estate (owned by Qataris) in other Gulf countries, particularly in Saudi Arabia, have become trapped in these countries without access to their salaries or continued work, and many of them lost contact with their sponsors.

Violation of the right to freedom of belief and practice of religion

Those who wish to perform Hajj or Umrah rituals are not spared from arbitrary measures and restrictions imposed on the movement of Qatari citizens to the blockading countries. Directly and indirectly, the crisis has affected the rights of worship and the performance of religious rituals for Qataris within Saudi Arabia.



Saudi Arabia imposed restrictions on the travel of Qataris to Saudi Arabia, including those who wished to travel to Saudi Arabia to practice the religious rituals of Muslims, such as the performance of Hajj and Umrah. The total number of complaints concerning the rights to perform religious rites has reached 165 since the beginning of the crisis.

Tens of thousands of Qataris and Muslim residents of Qatar have refrained from performing Umrah and Hajj because of the difficulties and obstacles put in place by the Saudi authorities. The flight to Jeddah airport, which used to take an hour and a half, takes now about 12 hours because Qatar's citizens and residents have to transit from the city of Muscat, Oman, to enter Saudi Arabia. In addition, the Saudi authorities have doubled the flights costs for Qatari citizens, not to mention the discriminatory policies and insults in some cases practiced by the Saudi authorities towards those coming in from Qatar.

The cases of insults faced by Qatari nationals may have been, as observed in most cases, individual cases of personnel, not a government policy. However, the authorities are responsible for the media campaigns of mobilization and hate speech demonizing almost everything related to Qatar. Not only at the official and governmental level were these campaigns but also at the community and individual level, which clearly have threatened the Gulf community peace.

Jaber Khajim, 47, a Qatari, reported that he and his colleagues traveled to Saudi Arabia on 27 December 2017 through Kuwait International Airport to perform Umrah. When they arrived at Jeddah airport, they were harassed by security personnel working in the passport department in Jeddah after they submitted their Qatari passports and were not allowed into Saudi Arabia. According to Khajim, he and his colleagues were forced to stay at Jeddah airport for a whole day, and then they were sent back by plane to Kuwait International Airport. Two days after their return, they were informed they can enter Saudi Arabia, but they were not able to recover the flight costs, such as airline and hotel reservations.



Inability to issue official documents

The boycotting countries' actions and implications have not only impacted the lives of Qatari citizens but also citizens of the boycotting countries living in Qatar. In addition to the dismantling of families, the four countries' authorities have denied their citizens renewal of their passports or registering their births by closing their embassies and diplomatic missions in Qatar and threatening their citizens who refuse to leave Qatar.

The continuity of legal residence in Qatar requires that the resident has a valid passport. After the authorities of the four countries have denied their citizens the renewal of their passports, they were left with two options: either to leave Qatar and return to their country, which means facing the penalties that may result from their noncompliance to return home within the 14 days period they were given, or to stay in Qatar without residence and face deportation orders at any moment.

Euro-Med Monitor is concerned that the implications of such measures could be severe and harsh on these persons, if their countries learned of their violation of orders and thus could lead to revoking their nationalities, and denying the renewal of their identity documents or the registration of their births.

Violations of economic and property rights

The evacuation of Qatari citizens from the four countries has resulted in the disruption of their economic interests and the denial of access to their private property in those countries. Most of the citizens who were forced to return to Qatar have not been able to access their companies and activities since then. Over 1,234 complaints concerning private property rights have been filed to the national authorities in the boycotting countries.



Ibrahim al-Kuwari, 44, holds Qatari nationality and owns many properties and funds in Saudi Arabia, the United Arab Emirates and Bahrain.

Al-Kuwari said that after the ban was issued by the three countries in which he had property, he was forced to leave to his country of nationality, Qatar. He was thus prevented from pursuing his property in those countries.

Al-Kuwari said he owns some real estate as well as a Nissan Armada 2008 car in Ajman, UAE, where he lived, but was unable to sell or deal with the property before leaving the country. He could not settle many of his papers as well as administrative and financial procedures and services, including electricity and water. Al-Kuwari also mentioned that he has a set of shares in the financial markets in each of the three boycotting Gulf countries, and he cannot follow up on them now.

In addition, al-Kuwari was denied the right to sue in the UAE, where he had a trust receipt of AED 80,000 from a person in the UAE and needed to file a lawsuit against him. He was unable to sue him as a result of the ban on access to countries, thus depriving him of the right to use, invest or dispose of any of his properties, resulting in his property being subject to seizure, some of which are leased.

Al-Kuwari also complained that he was prevented from pursuing his studies at the University of Ajman for Science and Technology in the UAE, where he was pursuing a master's degree.

Khalid Al-Mulla, 49, is a Qatari national who has worked at the National Bank of Ras Al-Khaimah (RAKBANK) in Dubai for 14 years. However, after the decision of the authorities in the UAE to sever relations with Qatar and ban travel of Qatari nationals to the UAE, he was prevented from entering the UAE, although he lived with his family in Dubai for years. When he asked for permission to enter for a follow-up with his wife and daughter, his request was refused, while he was treated in an inhumane and degrading manner.☒



Can these unilateral actions by one State directed at another remain legal when they affect human rights?

Legal background on the measures taken by Qatar's boycotting countries and their legality

The Charter of the United Nations explicitly states in Articles (39) and (41) that the Security Council has the power to take a decision on economic and diplomatic sanctions that Members of the United Nations can take against a State after the Security Council has determined that it has exercised some form of aggression or committed an act that threatens international peace and security. The United Nations General Assembly also noted that the interruption of any economic or diplomatic measures by one or several States against another are not permissible without the authorization of a United Nations organ.

The United Nations General Assembly Declaration on the “Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations” states that State/s shall refrain from the use of any economic, political or other measures to compel another State to waive the exercise of any of its sovereign rights or influence these rights to meet the objectives of these states.

In this context, the actions taken by the four countries towards Qatar have not received prior or subsequent approval by any United Nations organ or regional body (such as the Gulf Cooperation Council), making the measures taken as “unilateral coercive measures”, which has been defined by the Human Rights Council Advisory Committee as:

“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.”



Such unilateral measures may violate fundamental principles of international law enshrined in the Charter of the United Nations, including the right of States to sovereign equality, the duty of peaceful coexistence among States and the obligation of States not to interfere in the internal affairs of another State.

In this regard, arguments claiming that these measures are taken in response to international wrong acts by Qatar are not based on a legal framework. It is the responsibility of the United Nations agencies to determine whether such acts have been committed. However, no United Nations organ has stated that Qatar had committed an internationally wrong act or committed any hostility or act that threatened international peace and security.

In addition to the illegality of the procedures themselves, international law, as the United Nations has repeatedly stated, emphasizes that the rights of individuals should be respected in the case of sanctions against States. States are therefore required to abide by certain standards. These criteria include taking into account the effects resulting from these sanctions on individuals' enjoyment of economic, social, cultural, civil and political rights. Such sanctions should therefore be limited to certain period and proportionate to the legitimate and legal objective pending achievement.

Monitoring the crisis, the Committee on Economic, Social and Cultural Rights has noted that unilateral coercive measures applied without any guarantees to the protection of human rights, resulting in gross and massive violations of human rights in targeted and non-target States.

In this regard, the Committee, in its general comment No. 8, stressed the need to fully respect human rights when imposing such sanctions, and that States taking such measures should bear responsibility for the deterioration of the human rights situation in the State under boycott.

Civilians are the real victims of these measures imposed by the four countries on Qatar a year ago, which, as reflected in this report, has had a serious impact on the human rights situation in Qatar and in the four countries as well. There is a broad international and legal agreement that these measures lack legitimacy, and that States that have taken these measures stand to their responsibilities by addressing the violations caused by their actions against the rights of civilians, whether their own nationals, Qatari nationals or residents of Qatar.



Conclusion and Recommendations

The Gulf crisis has revealed a situation of humiliation for human dignity and a serious threat to community peace in the region caused by the crippling measures taken by the four boycotting countries against Qatar citizens as well as citizens of boycotting countries residing in Qatar, resulting in flagrant human rights violations.

In addition to the impact of these measures on Qataris and Qatar residents, citizens of the four boycotting countries also had their share of these unstable political conditions. Political threats, arbitrary and coercive methods have caused panic among thousands of families and individuals who have been separated and prevented from exercising their rights - for example, the right to freedom of expression, movement and access to various media.

In light of this report's legal and human rights analysis, the Euro-Mediterranean Human Rights Monitor calls for:

- The boycotting countries should immediately cease their coercive individual measures and ensure respect for human rights before any measures are taken, and that civilians of all nationalities should be spared the repercussions of such measures.
- The boycotting countries should refrain from arbitrary policies against their citizens and ensure respect for their rights guaranteed by international law and human rights standards, including the right to freedom of expression.
- The boycotting countries should lift their punitive policies against their citizens residing in Qatar and allow them to renew their identity papers without any legal penalty.
- The boycotting countries should respect family ties between Qatari citizens and their own citizens and reunite separated and displaced families as a result of the arbitrary measures they have taken.
- All parties to the conflict should resolve the political dispute through legitimate diplomatic channels and on a friendly basis as provided for in the Charter of the United Nations.
- The Gulf states involved in the crisis (Saudi Arabia, Bahrain, Qatar and the UAE) should work to hold women on an equal footing to their husbands when passing nationality to children.



Euro-Med Monitor further urges the international community and the United Nations to:

- Pressure the boycotting countries to immediately cease their arbitrary actions and compensate civilians for the gross physical, moral and social damage caused over the last year of crisis.
- Send an international arbitration mission to the region in order to ensure a prompt settlement to the crisis that has now exceeded a year.



Euro-Med Monitor
FOR HUMAN RIGHTS
الأورومتوسطي لحقوق الإنسان

Maison des Associations Rue
des Savoises 15 CH-1205
Genève
جنيف - سويسرا

info@euromedmonitor.org
www.euromedmonitor.org