

**Submission by Muslims Against Anti-Semitism
to the List of the Issues for the Examination of Qatar's ICCPR Report**

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Human Rights Committee Secretariat

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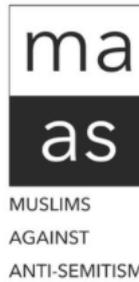
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I write as a UK human rights campaigner on the above subject, including as Chairman of Muslims Against Anti-Semitism (MAAS), which is a UK non-profit organisation of Muslims who believe it is the duty of everyone to challenge antisemitism in all its guises. MAAS makes this submission to the List of Issues for the examination of Qatar's initial report on the ICCPR. As human rights activists focusing on antisemitism, we believe this is a unique opportunity to highlight, and begin a constructive dialogue about, Qatar's discriminatory treatment of numerous Qatari-Emirati mixed families. Worthy to note that the region includes a small number of mixed Jewish and Muslim families who are often the subject of discrimination because of who they are. Fighting discrimination amongst families, whether they include or not Jews and Muslims or indeed Christians, is at the heart of our fight against extremism. This letter does not therefore only apply to Jews or Muslims but to all mixed families regardless of faiths.

In June 2017 a long-simmering dispute erupted between Qatar and 16 States that accused Qatar, based on independent third-party investigations, of supporting terrorism and interfering with sovereign States' internal affairs in violation of peremptory norms, multiple treaties Qatar is a party to, customary international law, and the three Riyadh Agreements under the Gulf Cooperation Council.¹ One consequence of the diplomatic crisis was the establishment of new border controls. Among other States, the United Arab Emirates ("UAE") had set up a website where travellers from Qatar can apply for a visa.

Alongside starting cases at a range of fora against many of the 16 States, Qatar initiated proceedings against the UAE at the International Court of Justice ("ICJ"), accusing the UAE of discriminating against thousands of Qatari-Emirati mixed families by setting up visa requirements which, according to Qatar, adversely affected these families' ability to reunite. At the ICJ, Qatar cited the low number of visa applications as evidence of this effect. Based on the same argument, Qatar has also started parallel proceedings against the UAE at the Committee on the Elimination of Racial Discrimination ("CERD"), thereby confirming that Qatar regards the treatment of mixed families as squarely belonging to the field of human rights and non-discrimination, the field in which MAAS specialises.

¹ E. Solomon, "The \$1bn hostage deal that enraged Qatar's Gulf rivals", *The Financial Times*, 5 June 2017. P. Wood, "Billion dollar ransom?: Did Qatar pay record sum?", BBC, 17 July 2018.



In response, the UAE presented the ICJ with widely-reported evidence that it was Qatar itself that blocked the visa application website that the UAE had set up and, suggestive of bad faith, Qatar has failed to notify anyone of having done so. During the ICJ proceedings Qatar was forced to admit that it has long blocked the visa website; that Qatari authorities have not notified UAE or international authorities of this; and that people in Qatar have not in fact been able to apply online for a visa at all. Qatar's admissions are public record.²

The opportunity and responsibility to allow mixed families to reunite now rest squarely with Qatar. Until the Qatari Government unblocks access to the visa application website, members of mixed families in Qatar cannot leave their country to be reunited with other family members. This violates ICCPR **Article 12(2)**: "Everyone shall be free to leave any country, including his own."

The mixed families kept apart by Qatar's actions cannot return to their own country from the UAE, and from other countries where Qatar blocks the visa application website, in breach of ICCPR **Article 12(4)**: "No one shall be arbitrarily deprived of the right to enter his own country."

Mixed families remain subjected to arbitrary interference with their family life in violation of their non-derogable right to family life as detailed in ICCPR **Article 17**:

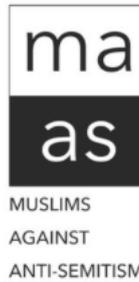
1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.
2. Everyone has the right to the protection of the law against such interference or attacks.

Qatar denies their families the recognition as the fundamental group unit of society, and the protection of families as prescribed in the ICCPR and customary international law, contrary to **Article 23(1)**: "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State."

By Qatar's own admission, the issue of mixed Qatari-Emirati families is an issue of human rights and non-discrimination. **Article 26** of the ICCPR calls upon signatories to protect all persons from discrimination through its laws and State conduct:

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

² *Application of the International Convention on the Elimination of All Forms of Racial Discrimination, Qatar v UAE, Provisional Measures* (2019), <https://www.icj-cij.org/files/case-related/172/172-20190507-ORA-01-00-BI.pdf> pp. 26-27, paragraph 40.



Blocking the visa application website violates mixed families' human rights, and these Articles of the ICCPR.

Qatar ratified the ICCPR in 2018 with numerous reservations. An unprecedented number of signatory States (21) objected to Qatar's reservations as incompatible with the ICCPR.³ Of the objecting States, 20 States (all but the United Kingdom) objected on the grounds that Qatar's reservations were contrary to the ICCPR's very object and purpose. Qatar's violation of several fundamental rights of members of mixed families confirms these unprecedented objections.

MAAS hopes to draw the attention of the Human Rights Committee and the international community to this particular and urgent problem, which affects a large category of people, by noting in the List of Issues the abovementioned discrimination against and violations of the rights of members of mixed families, as protected by the ICCPR, peremptory norms, and customary international law. It is our hope that once the voice of mixed families kept apart by Qatar's actions are heard, an open dialogue during the ICCPR examination will offer Qatar an opportunity to address the problem, and it will constructively help Qatar and the international community to remedy Qatar's ongoing violations of the ICCPR.

Please let us know if any further information might be useful for the ICCPR examination and dialogue.

Yours sincerely,

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³ 21 States objected to Qatar's reservations: Austria, Belgium, Canada, the Czech Republic, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, the Netherlands, Norway, Romania, Moldova, Poland, Portugal, Switzerland, Sweden and the UK.