



人权理事会  
第四十二届会议  
2019 年 9 月 9 日至 27 日  
议程项目 6  
普遍定期审议

## 2019 年 9 月 26 日卡塔尔常驻联合国日内瓦办事处代表致 人权理事会主席的信

今次致函阁下，事关 2019 年 9 月 20 日人权理事会第四十二届会议第 26 次会议期间审议卡塔尔国的普遍定期审议结果一事。

在这方面，我谨告知阁下，会议期间，我曾提请理事会注意以下事实。

2019 年 5 月 15 日(星期三)在普遍定期审议工作组第三十三届会议期间对卡塔尔国举行的审议期间，阿拉伯联合酋长国向卡塔尔国提出了四项建议，即建议 134.62、134.63、134.64 和 134.191(见 A/HRC/42/15)。

普遍定期审议秘书处 在 2019 年 5 月 29 日的普通照会(见附件一)中告知卡塔尔国常驻日内瓦代表团，“对 2019 年 5 月 17 日分发给所有常驻代表团的[普遍定期审议]工作组报告草稿中的建议所作的修正是由[阿拉伯联合酋长国]发起并通报[卡塔尔]三国小组的”，“在对照音频文件核实其准确性并告知受审议国后，三国小组按照标准做法在 2019 年 5 月 17 日工作组[第三十三届]会议第 18 次会议上通过报告时口头介绍了上述修正。”报告经修正后获得工作组通过。

2019 年 5 月 23 日，阿拉伯联合酋长国驻荷兰王国大使兼阿拉伯联合酋长国国际法院代理致函国际法院书记官(见附件二，附件)，声称“就适用《消除一切形式种族歧视国际公约》一案(卡塔尔诉阿拉伯联合酋长国)的卷宗提交了两项新的证据”。

函中指出，“第二项证据是一个涉及卡塔尔[...]普遍定期审议[...]部分议事程序的视频链接。视频显示，2019 年 5 月 17 日，三国小组中的审查国宣布了[...]工作组对卡塔尔报告的修正。”信中提到(阿拉伯联合酋长国提出的四项建议中的)三项建议，指出“[阿拉伯联合酋长国]曾表示关切，在对[阿拉伯联合酋长国提出的][临时措施]请求举行听证会期间，[卡塔尔]国家人权委员会提出的证据



不可靠，上述三项建议与此关切有关”。然而，致国际法院书记官的信函故意没有提及，这些建议及其修正是阿拉伯联合酋长国提出的。

显而易见，阿拉伯联合酋长国此番信函的目的是误导国际法院，使其误以为这些建议是组成“三国小组”的成员国向卡塔尔提出的，而不是阿拉伯联合酋长国。

这种令人遗憾的行为不容忽视。它显然违反了人权理事会在关于理事会体制建设的第 5/1 号决议附件第 1 段中为普遍定期审议机制规定的原则和目标，也是对审议机制的前所未有的滥用。该机制本应以客观、透明、非选择性、建设性、非对抗性和非政治化的方式加以使用，其主要目的是促进和保护受审议国的人权。不应滥用该机制，将其用于与人权事业无关的目的。

主席先生，我谨此重申我在通过审议结果时提出的请求，即请你提醒阿拉伯联合酋长国注意其不当行为的严重性，并请该国今后避免采取此类不当行动。

最后，谨请将本函及附件\* 作为人权理事会第四十二届会议的文件予以分发。

Ali Al-Mansouri (签名)

大使、常驻代表

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\* 附件不译，原文照发。

## **Annex I to the letter dated 26 September 2019 from the Permanent Representative of Qatar to the United Nations Office at Geneva addressed to the President of the Human Rights Council**

### **Note verbale dated 29 May 2019 from the Secretariat of the Universal Periodic Review of the Human Rights Council addressed to the Permanent Mission of the State of Qatar to the United Nations Office at Geneva**

The Secretariat of the Universal Periodic Review of the Human Rights Council presents its compliments to the Permanent Mission of the State of Qatar to the United Nations Office and other international organizations in Geneva and has the honour to refer to the latter's Note Verbale 2019/0041302/5 of 28 May 2019 (Subject: Amendments made to recommendations presented to the State of Qatar).

The Secretariat wishes to inform that the amendments made to recommendations 6.62 – 64 and 6. 191 in the Draft Report of the Working Group of the Universal Periodic Review on the State of Qatar (A/HRC/WG.6/33/L.13), distributed to all Permanent Missions on 17 May 2019, were initiated and communicated by the United Arab Emirates to the troika after its distribution. Upon verifying their accuracy against the audio file and informing the State under review, the troika, as per standard practice, orally introduced them at the adoption of the report in the 18th meeting of the 33<sup>rd</sup> session of the Working Group on 17 May 2019. The report, as amended, was adopted by the Working Group.

The following is the wording of the recommendations with the amendments in track changes:

- 6.62 Amend the Law 17 of 2010 regarding the establishment of the National Human Rights ~~Commission~~ Committee to ensure so that it is in compliance with the Paris Principles (United Arab Emirates);
- 6.63 Cease to instrumentalize the Human Rights ~~Commission~~ Committee in carrying activities for political ends and request avoid the Committee to refrain from implementing ~~embarking upon the~~ government programs in contradiction with that are not in tune with the Paris Principles in order and to ensure the independence of the ~~Human Rights Committee~~ session (United Arab Emirates);
- 6.64 Review ~~Revise~~ its national practices, activities, and ~~related national~~ legislation relevant to on the issue of terrorism issues to ensure that they are in conformity in order to harmonize its laws with international standards and the relevant United Nations ~~relevant~~ resolutions (United Arab Emirates);
- 6.191 Put an end to domestic violence and ~~to~~ provide protection and ~~appropriate~~ compensation to the victims ~~of domestic violence~~ (United Arab Emirates).

The Secretariat wishes to notify that the proceedings of the adoption of the draft report on the State of Qatar at the 18<sup>th</sup> meeting of the 33<sup>rd</sup> session of the Working Group have been recorded and are available at: <http://webtv.un.org/meetings-events/human-rights-council/watch/qatar-upr-adoption-33rd-session-of-universal-periodic-review-/6038127276001/?term=>

Both versions of the report, as distributed and as adopted, are available on the UPR Extranet:

<https://extranet.ohchr.org/sites/upr/Sessions/33session/Qatar/Pages/default.aspx>

The Secretariat of the Universal Periodic Review of the Human Rights Council avails itself of this opportunity to renew to the Permanent Mission of the State of Qatar to the United Nations Office and other international organizations in Geneva the assurances of its highest consideration.

**Annex II to the letter dated 26 September 2019 from the Permanent Representative of Qatar to the United Nations Office at Geneva addressed to the President of the Human Rights Council**

**Letter dated 24 May 2019 from the Registrar of the International Court of Justice addressed to the agent of the State of Qatar before the Court and the attachment thereto**

Sir,

With reference to the case concerning Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates), I have the honour to transmit to you herewith a copy of a letter from H.E. Dr. Hissa Abdullah Ahmed Al-Otaiba, Agent of the United Arab Emirates, dated 23 May 2019 and received in the Registry today. By her letter, the Agent “submit[s] two new pieces of evidence...relevant to the Request for the indication of provisional measures” presented by the United Arab Emirates on 22 March 2019.

Accept, Sir, the assurances of my highest consideration.

Philippe **Couvreur**  
Registrar

## Attachment

Excellency,

I have the honour to write to you to submit two new pieces of evidence onto the record of the case concerning the Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates). These two pieces of evidence are relevant to the Request for the Indication of Provisional Measures to Preserve the United Arab Emirates' Procedural Rights and to Prevent Qatar from Aggravating or Extending the Dispute filed by the United Arab Emirates (the "UAE") on 22 March 2019 (the "UAE's Request for Provisional Measures"). Each piece of evidence was issued after the 7-9 May 2019 hearing on the UAE's Request for Provisional Measures. Each piece of evidence is part of a publication that is readily available.

The first piece of evidence is a statement issued by the Ministry of Hajj and Umrah of the Kingdom of Saudi Arabia dated 14 May 2019.<sup>1</sup> It states, inter alia, that the State of Qatar ("Qatar") has blocked the website of the Saudi Ministry that was in charge of facilitating the travel of Qatari citizens to undertake pilgrimages to Mecca, Saudi Arabia.<sup>2</sup> This statement is relevant to the UAE's concern that Qatar is hampering the ability of Qatari citizens to apply for and obtain visas, raised during the hearing on the UAE's Request for Provisional Measures.

The second piece of evidence is a link to a video showing part of the proceedings regarding the United Nations' Human Rights Council Universal Periodic Review (the "UPR") of Qatar. The video shows that, on 17 May 2019, the reviewing Troika of States<sup>3</sup> announced amendments to the Report of Qatar adopted by the UPR Working Group. The first three amendments to the Report ask Qatar to:

1. "Amend the Law 17 of 2010 regarding the establishment of the [Qatar] National Human Rights Committee to ensure that it is in compliance with the Paris Principles";<sup>4</sup>

2. "Cease to instrumentalise the [Qatar National] Human Rights Committee in carrying activities for political ends";<sup>5</sup> and

<sup>1</sup> See Saudi Press Agency, "Ministry of Hajj and Umrah Launches New Link to Receive Umrah Requests from Qatari Brothers", 14 May 2019, available at: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1924185>.

<sup>2</sup> Specifically, the press release states that: "The Ministry of Hajj and Umrah has announced the launch of new link (<https://qtumra.haj.gov.sa>) to receive Umrah requests from Qatari brothers. The launch of this link comes as the Qatari authorities blocked the access to the previous link (<https://qatari.haj.gov.sa>), which was used to receive Umrah requests from Qatari brothers." See Saudi Press Agency, "Ministry of Hajj and Umrah Launches New Link to Receive Umrah Requests from Qatari Brothers", 14 May 2019, available at: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1924185>.

<sup>3</sup> The Democratic Republic of Congo, Iraq and the United Kingdom.

<sup>4</sup> UN Web TV, "Qatar, UPR Adoption - 33rd Session of Universal Periodic Review", 17 May 2019, minutes 2:20 to 2:39, available at: <http://webtv.un.org/meetings-events/security-council/watchqatar-upr-adoption-33rd-session-of-universal-periodic-review-6038129303001/?term=&sort=popular>.

<sup>5</sup> UN Web TV, "Qatar, UPR Adoption - 33rd Session of Universal Periodic Review", 17 May 2019, minutes 2:40 to 2:48, available at: <http://webtv.un.org/meetings-events/security-council/watchqatar-upr-adoption-33rd-session-of-universal-periodic-review-6038129303001/?term=&sort=popular>.

3. “Request the [Qatar National Human Rights] Committee to refrain from implementing government programmes in contradiction with the Paris Principles in order to ensure the independence of the Committee”.<sup>6</sup>

These recommendations are relevant to the UAE’s concerns about the unreliability of evidence produced by Qatar’s National Human Rights Committee, raised during the hearing on the UAE’s Request for Provisional Measures.

Pursuant to Article 50(1) of the Rules of Court, I certify that both pieces of evidence, embedded in footnotes 1, 2, 4, 5 and 6 above, are a true copy of the originals.

Accept, Excellency, the assurance of my highest consideration.

Dr Hissa Abdullah Ahmed **Al-Otaiba**  
Ambassador of the United Arab Emirates to the Kingdom of the Netherlands  
Agent of the United Arab Emirates

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<sup>6</sup> UN Web TV, “Qatar, UPR Adoption - 33rd Session of Universal Periodic Review”, 17 May 2019, minutes 2:49 to 2:58, available at: <http://webtv.un.org/meetings-events/security-council/watch/6038129303001/?term=&sort=popular>.