

## **SAUDI ARABIA/UAE/BAHRAIN SANCTIONS AGAINST QATAR - SOME LEGAL ISSUES**

### **PROFESSOR KHAWAR QURESHI QC**

On Monday 5th June 2017 the trio of Gulf States announced co-ordinated measures which appear (ostensibly) to be intended to stifle movement of goods and people in and out of Qatar. The lead of Saudi Arabia was followed by several other States shortly thereafter.

The purported justification for the measures is "funding/support of terrorism" with allegations, inter alia, of support to groups in Bahrain and Yemen. Thus far, no credible and/or compelling evidence has been provided by any of the States to explain their conduct.

In response, Qatar will no doubt investigate multiple legal and political avenues of recourse including;

- The United Nations Security Council and General Assembly
- The International Court of Justice for provisional measures to address the embargo/blockade on maritime, land and air traffic
- International Conventions and Agreements providing for specific rights, obligations and dispute resolution mechanisms

In the week since the measures were announced, the authorities in Qatar have been admirably swift to respond to ensure that humanitarian issues such as the supply of food and medicines are not affected by the measures. The measures were adopted in the Holy month of Ramadan and made no exception for humanitarian issues, whereas all international UN-based sanctions will always provide an exception in this regard.

There will be many commercial entities impacted by delays or restrictions caused by the measures. They will need to look carefully at their contracts, including any "Force Majeure" clauses to understand what options are available to them.

## **CONCLUDING OBSERVATIONS**

When serious allegations are made as the basis for coordinated and seemingly coercive activity, it is incumbent upon the accusing States to justify their actions with clear, credible and compelling evidence. That has yet to happen. So far, "fake news" appears to have been the publically known foundation for the sudden and extreme steps that have been taken.

In the interim it can only be hoped that peaceful dispute settlement will be engaged in so as to avoid escalation and further damage to unity and relations within the GCC and Muslim world more broadly.

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