



# INTERNATIONAL COURT OF JUSTICE

Peace Palace, Carnegieplein 2, 2517 KJ The Hague, Netherlands

Tel.: +31 (0)70 302 2323 Fax: +31 (0)70 364 9928

[Website](#) [Twitter](#) [YouTube](#) [LinkedIn](#)

## Press Release

Unofficial

No. 2021/6  
4 February 2021

### *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*

### **The Court upholds the first preliminary objection raised by the United Arab Emirates and finds that it has no jurisdiction to entertain the Application filed by Qatar on 11 June 2018**

THE HAGUE, 4 February 2021. The International Court of Justice, the principal judicial organ of the United Nations, has today delivered its Judgment on the preliminary objections raised by the United Arab Emirates in the case concerning *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*.

In its [Judgment](#), which is final, without appeal and binding on the Parties, the Court:

(1) By eleven votes to six,

*Upholds* the first preliminary objection raised by the United Arab Emirates;

IN FAVOUR: *Vice-President Xue; Judges Tomka, Abraham, Bennouna, Donoghue, Gaja, Crawford, Gevorgian, Salam; Judges ad hoc Cot, Daudet;*

AGAINST: *President Yusuf; Judges Cançado Trindade, Sebutinde, Bhandari, Robinson, Iwasawa;*

(2) By eleven votes to six,

*Finds* that it has no jurisdiction to entertain the Application filed by the State of Qatar on 11 June 2018.

IN FAVOUR: *Vice-President Xue; Judges Tomka, Abraham, Bennouna, Donoghue, Gaja, Crawford, Gevorgian, Salam; Judges ad hoc Cot, Daudet;*

AGAINST: *President Yusuf; Judges Cançado Trindade, Sebutinde, Bhandari, Robinson, Iwasawa.*

President YUSUF appends a declaration to the Judgment of the Court; Judges SEBUTINDE, BHANDARI and ROBINSON append dissenting opinions to the Judgment of the Court; Judge IWASAWA appends a separate opinion to the Judgment of the Court; Judge *ad hoc* DAUDET appends a declaration to the Judgment of the Court.

**History of the proceedings** (see also [press releases](#) Nos. 2018/26, 2018/36, 2019/12, 2019/26 and 2020/27).

On 11 June 2018, Qatar instituted proceedings against the United Arab Emirates with regard to alleged violations of Articles 2, 4, 5, 6 and 7 of the International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965, to which both States are parties. In its Application, Qatar asserted that “the United Arab Emirates ha[d] enacted and implemented a series of discriminatory measures directed at Qataris based expressly on their national origin”, resulting in alleged human rights violations.

Qatar sought to base the jurisdiction of the Court on Article 36, paragraph 1, of the Statute of the Court and on Article 22 of the Convention.

On 11 June 2018, Qatar filed a Request for the indication of provisional measures. On 23 July 2018, the Court delivered an Order on this Request.

On 22 March 2019, the United Arab Emirates also filed a Request for the indication of provisional measures. On 14 June 2019, the Court delivered an Order on this Request.

On 30 April 2019, the United Arab Emirates raised preliminary objections to the jurisdiction of the Court and the admissibility of the Application. In accordance with the Rules of Court, the proceedings on the merits of the case were then suspended.

Public hearings on the preliminary objections were held from 31 August to 7 September 2020.

At the end of the oral proceedings, the Agents of the Parties presented the following submissions to the Court:

*For the United Arab Emirates:*

“The United Arab Emirates respectfully requests the Court to adjudge and declare that the Court lacks jurisdiction to address the claims brought by the State of Qatar by its Application dated 11 June 2018.”

*For Qatar:*

“In accordance with Article 60 of the Rules of Court, for the reasons explained in our Written Statement of 30 August 2019 and during these hearings, Qatar respectfully asks the Court to:

- (a) Reject the Preliminary Objections presented by the UAE;
- (b) Hold that it has jurisdiction to hear the claims presented by Qatar as set out in its Application and Memorial; and
- (c) Proceed to hear those claims on the merits;

(d) Or, in the alternative, reject the Second Preliminary Objection presented by the UAE and hold, in accordance with the provisions of Article 79ter, paragraph 4, of the Rules of Court, that the First Preliminary Objection submitted by the UAE does not possess an exclusively preliminary character.”

---

A summary of the Judgment appears in the document entitled “[Summary 2021/2](#)”, to which summaries of the opinions and declarations are annexed. This press release, the summary and the full text of the Judgment are available on the Court’s website under the heading [Cases](#).

---

*Note:* The Court’s press releases are prepared by its Registry for information purposes only and do not constitute official documents.

---

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. The seat of the Court is at the Peace Palace in The Hague (Netherlands). The Court has a twofold role: first, to settle, in accordance with international law, through judgments which have binding force and are without appeal for the parties concerned, legal disputes submitted to it by States; and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system.

---

Information Department:

Mr. Andrey Poskakukhin, First Secretary of the Court, Head of Department (+31 (0)70 302 2336)

Ms Joanne Moore, Information Officer (+31 (0)70 302 2337)

Mr. Avo Sevag Garabet, Associate Information Officer (+31 (0)70 302 2394)

Ms Genoveva Madurga, Administrative Assistant (+31 (0)70 302 2396)