

INTERNATIONAL COURT OF JUSTICE

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**APPEAL RELATING TO THE JURISDICTION OF THE ICAO  
COUNCIL UNDER ARTICLE 84 OF THE CONVENTION ON  
INTERNATIONAL CIVIL AVIATION**

**THE KINGDOM OF BAHRAIN, THE ARAB REPUBLIC OF EGYPT,  
THE KINGDOM OF SAUDI ARABIA  
AND THE UNITED ARAB EMIRATES**

**v.**

**THE STATE OF QATAR**

**COUNTER-MEMORIAL OF THE STATE OF QATAR**

**VOLUME III**

**25 FEBRUARY 2019**



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ICAO

International Standards  
and Recommended Practices

## Annex 17 to the Convention on International Civil Aviation

# Security

Safeguarding International Civil Aviation  
Against Acts of Unlawful Interference

Tenth Edition, April 2017



This edition supersedes, on 3 August 2017, all previous editions of Annex 17.

For information regarding the applicability of the Standards and Recommended Practices, see Foreword.

**INTERNATIONAL CIVIL AVIATION ORGANIZATION**



| ICAO

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## AMENDMENTS

Amendments are announced in the supplements to the *Products and Services Catalogue*; the Catalogue and its supplements are available on the ICAO website at [www.icao.int](http://www.icao.int). The space below is provided to keep a record of such amendments.

### RECORD OF AMENDMENTS AND CORRIGENDA

AMENDMENTS			
No.	Date applicable	Date entered	Entered by
1–15	Incorporated in this Edition		
16	16/11/18	—	ICAO

CORRIGENDA			
No.	Date of issue	Date entered	Entered by
1	19/11/18	19/11/18	ICAO

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## FOREWORD

### Historical background

The material included in this Annex was developed by the Council pursuant to the following two resolutions of the Assembly:

Resolution A17-10: Implementation by States of Security Specifications and Practices adopted  
by this Assembly and further work by ICAO related to such Specifications and Practices

.....

THE ASSEMBLY:

.....

- (3) REQUESTS the Council, with the assistance of the other constituent bodies of the Organization, to develop and incorporate, as appropriate, the material in the Appendices to this Resolution as Standards, Recommended Practices and Procedures in existing or new Annexes or other regulatory documents or guidance material of the Organization.

Resolution A18-10: Additional Technical Measures for the Protection of the Security of  
International Civil Air Transport

.....

THE ASSEMBLY:

- (1) REQUESTS the Council to ensure, with respect to the technical aspects of air transportation security, that:

- (a) the subject of air transportation security continues to be given adequate attention by the Secretary General, with a priority commensurate with the current threat to the security of air transportation;

.....

Following the work of the Air Navigation Commission, the Air Transport Committee and the Committee on Unlawful Interference, and as a result of the comments received from Contracting States and interested International Organizations, to whom draft material had been circulated, Standards and Recommended Practices on Security were adopted by the Council on 22 March 1974, pursuant to the provisions of Article 37 of the Convention on International Civil Aviation, and designated as Annex 17 to the Convention with the title “Standards and Recommended Practices — *Security* — Safeguarding International Civil Aviation against Acts of Unlawful Interference”.

Table A shows the origin of subsequent amendments together with a list of the principal subjects involved and the dates on which the Annex and the amendments were adopted by the Council, when they became effective and when they became applicable.

### Introduction

In order that a comprehensive document may be available to States for implementation of the security measures prescribed by this Annex, an Attachment hereto reproduces extracts from other Annexes, *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284), PANS-ATM and PANS-OPS bearing on the subject of action to be taken by States to prevent unlawful interference with civil aviation, or when such interference has been committed.

### Guidance material

The *Aviation Security Manual* (Doc 8973 — Restricted) provides detailed procedures and guidance on aspects of aviation security and is intended to assist States in the implementation of their respective national civil aviation security programmes required by the specifications in the Annexes to the Convention on International Civil Aviation.

Comprehensive aviation security training material to assist States in achieving civil aviation security objectives is contained in the ICAO Training Programme for Aviation Security comprising a series of Aviation Security Training Packages (ASTPs).

### Action by Contracting States

*Applicability.* The provisions of the Standards and Recommended Practices in this document are to be applied by Contracting States.

*Notification of differences.* The attention of Contracting States is drawn to the obligation imposed by Article 38 of the Convention, by which Contracting States are required to notify the Organization of any differences between their national regulations and practices and the International Standards contained in this Annex and any amendments thereto. Contracting States are invited to keep the Organization currently informed of any differences which may subsequently occur, or of the withdrawal of any difference previously notified. A specific request for notification of differences will be sent to Contracting States immediately after the adoption of each amendment to this Annex.

Contracting States are also invited to extend such notification to any differences from the Recommended Practices contained in this Annex, and any amendment thereto, when the notification of such differences is important for the safety of air navigation.

Attention of States is also drawn to the provisions of Annex 15 related to the publication of differences between their national regulations and practices and the related ICAO Standards and Recommended Practices through the Aeronautical Information Service, in addition to the obligation of States under Article 38 of the Convention.

*Promulgation of information.* Information relating to the establishment and withdrawal of and changes to facilities, services and procedures affecting aircraft operations provided according to the Standards and Recommended Practices specified in this Annex should be notified and take effect in accordance with Annex 15.

*Use of the text of the Annex in national regulations.* The Council, on 13 April 1948, adopted a resolution inviting the attention of Contracting States to the desirability of using in their own national regulations, as far as practicable, the precise language of those ICAO Standards that are of a regulatory character and also of indicating departures from the Standards, including any additional national regulations that were important for the safety or regularity of air navigation. Wherever possible, the provisions of this Annex have been written in such a way as would facilitate incorporation, without major textual changes, into national legislation.

### General information

An Annex is made up of the following component parts, not all of which, however, are necessarily found in every Annex; they have the status indicated:



1.— *Material comprising the Annex proper:*

- a) *Standards and Recommended Practices* adopted by the Council under the provisions of the Convention. They are defined as follows:

*Standard:* Any specification for physical characteristics, configuration, matériel, performance, personnel or procedure, the uniform application of which is recognized as necessary for the safety or regularity of international air navigation and to which Contracting States will conform in accordance with the Convention; in the event of impossibility of compliance, notification to the Council is compulsory under Article 38 of the Convention.

*Recommended Practice:* Any specification for physical characteristics, configuration, matériel, performance, personnel or procedure, the uniform application of which is recognized as desirable in the interests of safety, regularity or efficiency of international air navigation, and to which Contracting States will endeavour to conform in accordance with the Convention.

- b) *Appendices* comprising material grouped separately for convenience but forming part of the Standards and Recommended Practices adopted by the Council.
- c) *Definitions* of terms used in the Standards and Recommended Practices which are not self-explanatory in that they do not have accepted dictionary meanings. A definition does not have an independent status but is an essential part of each Standard and Recommended Practice in which the term is used, since a change in the meaning of the term would affect the specification.

2.— *Material approved by the Council for publication in association with the Standards and Recommended Practices:*

- a) *Forewords* comprising historical and explanatory material based on the action of the Council and including an explanation of the obligations of States with regard to the application of the Standards and Recommended Practices ensuing from the Convention and the Resolution of Adoption.
- b) *Introductions* comprising explanatory material introduced at the beginning of parts, chapters or sections of the Annex to assist in the understanding of the application of the text.
- c) *Notes* included in the text, where appropriate, to give factual information or references bearing on the Standards or Recommended Practices in question, but not constituting part of the Standards or Recommended Practices.
- d) *Attachments* comprising material supplementary to the Standards and Recommended Practices, or included as a guide to their application.

This Annex has been adopted in six languages — English, Arabic, Chinese, French, Russian and Spanish. Each Contracting State is requested to select one of those texts for the purpose of national implementation and for other effects provided for in the Convention, either through direct use or through translation into its own national language, and to notify the Organization accordingly.

The following practice has been adhered to in order to indicate at a glance the status of each statement: *Standards* have been printed in light face roman; *Recommended Practices* have been printed in light face italics, the status being indicated by the prefix **Recommendation**; *Notes* have been printed in light face italics, the status being indicated by the prefix *Note*.

Any reference to a portion of this document which is identified by a number includes all subdivisions of that portion.

Table A. Amendments to Annex 17

<i>Amendment</i>	<i>Source(s)</i>	<i>Subject(s)</i>	<i>Adopted Effective Applicable</i>
1st Edition	Council action in pursuance of Assembly Resolutions A17-10 and A18-10	—	22 March 1974 22 August 1974 27 February 1975
1	Council action in pursuance of Assembly Resolution A21-23	Change in status of 3.1.2 and 5.1.2 to a Standard; compilation and dissemination of information related to an aircraft being subjected to an act of unlawful interference.	31 March 1976 31 July 1976 30 December 1976
2	Proposals of some States and Council action in pursuance of Assembly Resolution A22-17	Transfer of specifications appearing in Chapter 9 of Annex 9 — <i>Facilitation</i> (Seventh Edition) to Annex 17; new provision in Chapter 5 concerning measures to be taken to control transfer and transit passengers and their cabin baggage; and amplification of the note to 5.2.4 (Annex 17, Chapter 5) on measures and procedures to prevent unauthorized access to specified areas on an aerodrome.	15 December 1977 15 April 1978 10 August 1978
3	Proposals of some States and the Secretariat and Council action in pursuance of Assembly Resolution A22-17	Specifications were added on the review of the level of threat by States, the development of training programmes, the isolation of security processed passengers, the inspection of aircraft for concealed weapons or other dangerous devices and the adoption of measures for the safety of passengers and crew of unlawfully diverted aircraft. A number of specifications were amplified and the status of one was changed to a Standard, related to the segregation and special guarding of aircraft liable to attack during stopovers.	13 December 1978 13 April 1979 29 November 1979
4 (2nd Edition)	Proposals of some States and an international organization and Council action in pursuance of Assembly Resolution A22-17	A specification was added on the transportation of persons in custody, and two specifications revised to provide for aircraft which were leased, chartered or interchanged. The status of a specification dealing with the safety of passengers and crew of an aircraft subjected to an act of unlawful interference was changed to a Standard; the provisions of a specification dealing with the prevention of sabotage were amplified and Chapter 1 — Applicability, deleted.	15 June 1981 15 October 1981 26 November 1981
5	Proposals of the Committee on Unlawful Interference and Council action in pursuance of Assembly Resolution A22-17	The note to Chapter 1 — Definitions was deleted. A specification setting out the action required for the transportation of weapons on board aircraft by law enforcement and other duly authorized persons was modified. A specification on the carriage of weapons in all other cases was added and the note to a specification dealing with the safeguarding of unattended aircraft was clarified.	30 November 1984 14 April 1985 21 November 1985
6 (3rd Edition)	Proposals of the Committee on Unlawful Interference with the assistance of an Ad Hoc Group of Experts — Unlawful Interference and Council action in pursuance of Assembly Resolution A22-17	On the instruction of the Council this amendment was undertaken as a matter of urgency by the Committee on Unlawful Interference with the assistance of an Ad Hoc Group of Experts on aviation security which had been appointed on the instruction of the Council. As a consequence 11 new specifications were introduced into the Annex and 19 specifications were adopted as Standards.  Special effective and applicable dates for 5.1.4 are shown in the adjacent column.  The Council recommended that those States that are able to implement the substance of 5.1.4 do so as soon as it is feasible and practicable before the applicable date.	19 December 1985 19 March 1986 19 May 1986  19 October 1987 19 December 1987

<i>Amendment</i>	<i>Source(s)</i>	<i>Subject(s)</i>	<i>Adopted Effective Applicable</i>
7 (4th Edition)	Proposals of the Committee on Unlawful Interference with the assistance of the Aviation Security Panel and Council action in pursuance of Assembly Resolution A26-7	This amendment includes: a) a reorganization of the chapters of the Annex directed at a rationalization of the sequence of objectives, obligations and necessary actions relating to organization, preventive security measures and management of response; b) the introduction of important new provisions to reflect developments and assist States in confronting new situations which arose from grave acts of unlawful interference against civil aviation, since the last revision of Annex 17 in 1985; and c) the amendment or fine tuning of existing provisions consequential to a) and b), as well as to reflect the experience gained in the implementation of such measures.	22 June 1989 30 October 1989 16 November 1989
8 (5th Edition)	Proposals of the Committee on Unlawful Interference with the assistance of the Aviation Security Panel (AVSECP) and Council action in pursuance of Assembly Resolution A27-7	This amendment includes the introduction of important new provisions in relation to the comprehensive security screening of checked baggage, security control over cargo, courier and express parcels and mail, variations to procedures relating to security programmes, pre-flight checks of international aircraft, and measures relating to the incorporation of security consideration into airport design for the purpose of assisting States in the consistent and uniform implementation of such measures.	11 September 1992 16 December 1992 1 April 1993
9 (6th Edition)	Proposals of the Committee on Unlawful Interference with the assistance of the Aviation Security Panel (AVSECP) and Council action in pursuance of Assembly Resolution A31-4	This amendment includes the introduction of new provisions in relation to the pre-employment checks and capabilities of persons engaged in implementing security controls, baggage accountability and authorization, measures to be applied to catering supplies and operators' stores and supplies, tests for programme effectiveness, and need for notification to the State of known or presumed destination of aircraft under a seized condition.	12 November 1996 31 March 1997 1 August 1997
10 (7th Edition)	Proposals of the Aviation Security Panel (AVSECP) and Council action in pursuance of Assembly Resolution A33-1	This amendment includes the introduction of various definitions and new provisions in relation to the applicability of this Annex to domestic operations, international cooperation relating to threat information, appropriate authority, National Aviation Security Committee, national quality control, access control, passengers and their cabin and hold baggage, in-flight security personnel and protection of the cockpit, code-sharing/collaborative arrangements, Human Factors and management of response to acts of unlawful interference. The status of a number of specifications was changed to Standards.	7 December 2001 15 April 2002 1 July 2002
11 (8th Edition)	Proposals of the Committee on Unlawful Interference with the assistance of the Aviation Security Panel (AVSECP) and Council action in pursuance of Assembly Resolution A35-9	This amendment includes provisions to further clarify the wording of existing Standards and Recommended Practices (SARPs) to facilitate both their common interpretation by Contracting States and their ease of auditing under the ICAO Universal Security Audit Programme (USAP). The amendment addresses the following: applicability of Annex 17; reinforcement of national civil aviation security control programme provisions; in-flight security officers (IFSOs); general aviation and aerial work; one-stop security concept for passengers and baggage; risk assessment concept; security for all-cargo operations; and definitions.	30 November 2005 10 April 2006 1 July 2006

<i>Amendment</i>	<i>Source(s)</i>	<i>Subject(s)</i>	<i>Adopted Effective Applicable</i>
12 (9th Edition)	Proposals of the Committee on Unlawful Interference with the assistance of the Aviation Security Panel (AVSECP) and Council action in pursuance of Assembly Resolution A36-20	This amendment includes provisions to further strengthen Standards and Recommended Practices in order to address new and emerging threats to civil aviation. The amendment includes the following: deployment of security equipment; security of air traffic service providers; training programmes and instructor certification system; random and unpredictable security measures; supply chain security; security for all-cargo operations; cyber threats; and definitions.	17 November 2010 26 March 2011 1 July 2011
13	Proposals of the Committee on Unlawful Interference with the assistance of the Aviation Security Panel (AVSECP), the recommendations of the 2012 High-level Conference on Aviation Security, and Council action in pursuance of Assembly Resolution A37-17.	This amendment includes a revision to access control measures with respect to persons other than passengers. The amendment also introduces a definition of and security requirements for transfer cargo and high-risk cargo, and establishes common baseline measures for cargo carried on passenger and all-cargo aircraft.	13 November 2012 15 March 2013 15 July 2013
14	Proposals of the Committee on Unlawful Interference with the assistance of the Aviation Security Panel (AVSECP), and Council action, in pursuance of Assembly Resolution A38-15.	This amendment includes a definition of unpredictability in relation to the implementation of security controls. It also includes a new Standard on appropriate screening methods for cargo and mail, and new Recommended Practices on international cooperation, landside security, security awareness training, oversight of external security service providers, and critical information and communications technology systems.	26 February 2014 14 July 2014 14 November 2014
15 (10th Edition)	Proposals of the 27th Meeting of the Aviation Security Panel (AVSECP/27) with the assistance of the Working Group on Annex 17 (WGA17).	This amendment includes a definition of behaviour detection in relation to the implementation of security controls. It also includes new/revised provisions on landside security, behaviour detection, innovation in aviation security and Man-Portable Air Defence Systems (MANPADS). In addition, the wording of existing provisions related to the conduct of risk assessments and measures relating to cyber threats have been revised for added clarity and improved readability.	23 November 2016 3 April 2017 3 August 2017
16	Proposals of the 28th Meeting of the Aviation Security Panel (AVSECP/28) with the assistance of the Working Group on Annex 17 (WGA17)	This amendment includes a reference to Aviation Security Training Packages. It also includes new/revised provisions on information sharing, measures relating to passengers and cabin baggage, measures relating to cargo, mail and other goods, and cyber threats.	14 March 2018 16 July 2018 16 November 2018

## CHAPTER 1. DEFINITIONS

**Acts of unlawful interference.** These are acts or attempted acts such as to jeopardize the safety of civil aviation, including but not limited to:

- unlawful seizure of aircraft,
- destruction of an aircraft in service,
- hostage-taking on board aircraft or on aerodromes,
- forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility,
- introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes,
- use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment,
- communication of false information such as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.

**Aerial work.** An aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

**Aircraft security check.** An inspection of the interior of an aircraft to which passengers may have had access and an inspection of the hold for the purposes of discovering suspicious objects, weapons, explosives or other dangerous devices, articles and substances.

**Aircraft security search.** A thorough inspection of the interior and exterior of the aircraft for the purpose of discovering suspicious objects, weapons, explosives or other dangerous devices, articles or substances.

**Airside.** The movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled.

**Background check.** A check of a person's identity and previous experience, including where legally permissible, any criminal history, as part of the assessment of an individual's suitability to implement a security control and/or for unescorted access to a security restricted area.

**Behaviour detection.** Within an aviation security environment, the application of techniques involving the recognition of behavioural characteristics, including but not limited to physiological or gestural signs indicative of anomalous behaviour, to identify persons who may pose a threat to civil aviation.

**Cargo.** Any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage.

**Certification.** A formal evaluation and confirmation by or on behalf of the appropriate authority for aviation security that a person possesses the necessary competencies to perform assigned functions to an acceptable level as defined by the appropriate authority.

**Commercial air transport operation.** An aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.

**Corporate aviation.** The non-commercial operation or use of aircraft by a company for the carriage of passengers or goods as an aid to the conduct of company business, flown by a professional pilot employed to fly the aircraft. (Note that corporate aviation is a subset of general aviation.)

**Disruptive passenger.** A passenger who fails to respect the rules of conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or crew members and thereby disturbs the good order and discipline at an airport or on board the aircraft.

**General aviation operation.** An aircraft operation other than a commercial air transport operation or an aerial work operation.

**High-risk cargo or mail.** Cargo or mail presented by an unknown entity or showing signs of tampering shall be considered high risk if, in addition, it meets one of the following criteria:

- a) specific intelligence indicates that the cargo or mail poses a threat to civil aviation; or
- b) the cargo or mail shows anomalies that give rise to suspicion; or
- c) the nature of the cargo or mail is such that baseline security measures alone are unlikely to detect prohibited items that could endanger the aircraft.

Regardless of whether the cargo or mail comes from a known or unknown entity, a State's specific intelligence about a consignment may render it as high risk.

**Human Factors principles.** Principles which apply to design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance.

**Human performance.** Human capabilities and limitations which have an impact on the safety, security and efficiency of aeronautical operations.

**In-flight security officer.** A person who is authorized by the government of the State of the Operator and the government of the State of Registration to be deployed on an aircraft with the purpose of protecting that aircraft and its occupants against acts of unlawful interference. This excludes persons employed to provide exclusive personal protection for one or more specific people travelling on the aircraft, such as personal bodyguards.

**Known consignor.** A consignor who originates cargo or mail for its own account and whose procedures meet common security rules and standards sufficient to allow the carriage of cargo or mail on any aircraft.

**Regulated agent.** An agent, freight forwarder or any other entity who conducts business with an operator and provides security controls that are accepted or required by the appropriate authority in respect of cargo or mail.

**Screening.** The application of technical or other means which are intended to identify and/or detect weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference.

*Note.— Certain dangerous articles or substances are classified as dangerous goods by Annex 18 and the associated Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284) and must be transported in accordance with those instructions. In addition, the Aviation Security Manual (Doc 8973 — Restricted) provides a list of prohibited items that must never be carried in the cabin of an aircraft.*

**Security.** Safeguarding civil aviation against acts of unlawful interference. This objective is achieved by a combination of measures and human and material resources.

**Security audit.** An in-depth compliance examination of all aspects of the implementation of the national civil aviation security programme.

**Security control.** A means by which the introduction of weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference can be prevented.

**Security inspection.** An examination of the implementation of relevant national civil aviation security programme requirements by an airline, airport, or other entity involved in security.

**Security restricted area.** Those areas of the airside of an airport which are identified as priority risk areas where in addition to access control, other security controls are applied. Such areas will normally include, *inter alia*, all commercial aviation passenger departure areas between the screening checkpoint and the aircraft, the ramp, baggage make-up areas, including those where aircraft are being brought into service and screened baggage and cargo are present, cargo sheds, mail centres, airside catering and aircraft cleaning premises.

**Security survey.** An evaluation of security needs including the identification of vulnerabilities which could be exploited to carry out an act of unlawful interference, and the recommendation of corrective actions.

**Security test.** A covert or overt trial of an aviation security measure which simulates an attempt to commit an unlawful act.

**Transfer cargo and mail.** Cargo and mail departing on an aircraft other than that on which it arrived.

**Unidentified baggage.** Baggage at an airport, with or without a baggage tag, which is not picked up by or identified with a passenger.

**Unpredictability.** The implementation of security measures in order to increase their deterrent effect and their efficiency, by applying them at irregular frequencies, different locations and/or with varying means, in accordance with a defined framework.

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## CHAPTER 2. GENERAL PRINCIPLES

### 2.1 Objectives

2.1.1 Each Contracting State shall have as its primary objective the safety of passengers, crew, ground personnel and the general public in all matters related to safeguarding against acts of unlawful interference with civil aviation.

2.1.2 Each Contracting State shall establish an organization and develop and implement regulations, practices and procedures to safeguard civil aviation against acts of unlawful interference taking into account the safety, regularity and efficiency of flights.

2.1.3 Each Contracting State shall ensure that such an organization and such regulations, practices and procedures:

- a) protect the safety of passengers, crew, ground personnel and the general public in all matters related to safeguarding against acts of unlawful interference with civil aviation; and
- b) are capable of responding rapidly to meet any increased security threat.

2.1.4 **Recommendation.**— *Each Contracting State should ensure appropriate protection of aviation security information.*

2.1.5 **Recommendation.**— *Each Contracting State should employ security equipment, where appropriate, to the extent operationally, technically and financially practicable, to achieve civil aviation security objectives.*

### 2.2 Applicability

2.2.1 Each Contracting State shall apply the Standards and shall endeavour to apply the Recommended Practices contained in Annex 17 to international civil aviation operations.

2.2.2 Each Contracting State shall ensure that measures designed to safeguard against acts of unlawful interference are applied to domestic operations to the extent practicable, based upon a security risk assessment carried out by the relevant national authorities.

### 2.3 Security and facilitation

**Recommendation.**— *Each Contracting State should whenever possible arrange for the security controls and procedures to cause a minimum of interference with, or delay to the activities of, civil aviation provided the effectiveness of these controls and procedures is not compromised.*



## 2.4 International cooperation

2.4.1 Each Contracting State shall ensure that requests from other Contracting States for additional security measures in respect of a specific flight(s) by operators of such other States are met, as far as may be practicable. The requesting State shall give consideration to alternative measures of the other State that are equivalent to those requested.

2.4.2 Each Contracting State shall cooperate with other States in the development and exchange of information concerning national civil aviation security programmes, training programmes and quality control programmes, as necessary.

2.4.3 Each Contracting State shall establish and implement procedures to share with other Contracting States threat information that applies to the aviation security interests of those States, to the extent practicable.

2.4.4 Each Contracting State shall establish and implement suitable protection and handling procedures for security information shared by other Contracting States, or security information that affects the security interests of other Contracting States, in order to ensure that inappropriate use or disclosure of such information is avoided.

2.4.5 **Recommendation.**— *Each Contracting State should share, as appropriate, and consistent with its sovereignty, the results of the audit carried out by ICAO and the corrective actions taken by the audited State if requested by another State.*

2.4.6 **Recommendation.**— *Each Contracting State should include in each of its bilateral agreements on air transport a clause related to aviation security, taking into account the model clause developed by ICAO.*

2.4.7 **Recommendation.**— *Each Contracting State should make available to other Contracting States on request a written version of the appropriate parts of its national civil aviation security programme.*

2.4.8 **Recommendation.**— *Each Contracting State should notify ICAO where it has shared information under 2.4.5.*

2.4.9 **Recommendation.**— *Each Contracting State should consider entering into collaborative arrangements in order to increase the sustainability of the aviation security system by avoiding unnecessary duplication of security controls. The arrangement should be based on verification of equivalence of the security outcome ensured by the application of effective security controls at origin.*

## 2.5 Innovation, research and development

2.5.1 **Recommendation.**— *Each Contracting State should promote research and development of new security equipment, processes and procedures which will better achieve civil aviation security objectives and should cooperate with other Contracting States in this matter.*

2.5.2 **Recommendation.**— *Each Contracting State should ensure that the development of new security equipment takes into consideration Human Factors principles.*

2.5.3 **Recommendation.**— *Each Contracting State should consider implementing innovative processes and procedures to allow operational differentiation of screening and security controls based on clearly defined criteria.*

## CHAPTER 3. ORGANIZATION

### 3.1 National organization and appropriate authority

3.1.1 Each Contracting State shall establish and implement a written national civil aviation security programme to safeguard civil aviation operations against acts of unlawful interference, through regulations, practices and procedures which take into account the safety, regularity and efficiency of flights.

3.1.2 Each Contracting State shall designate and specify to ICAO an appropriate authority within its administration to be responsible for the development, implementation and maintenance of the national civil aviation security programme.

3.1.3 Each Contracting State shall keep under constant review the level and nature of threat to civil aviation within its territory and airspace above it, and establish and implement policies and procedures to adjust relevant elements of its national civil aviation security programme accordingly, based upon a security risk assessment carried out by the relevant national authorities.

3.1.4 Each Contracting State shall establish and implement procedures to share, as appropriate, with its airport operators, aircraft operators, air traffic service providers or other entities concerned, in a practical and timely manner, relevant information to assist them to conduct effective security risk assessments relating to their operations.

3.1.5 Each Contracting State shall require the appropriate authority to define and allocate tasks and coordinate activities between the departments, agencies and other organizations of the State, airport and aircraft operators, air traffic service providers and other entities concerned with or responsible for the implementation of various aspects of the national civil aviation security programme.

3.1.6 Each Contracting State shall establish a national aviation security committee or similar arrangements for the purpose of coordinating security activities between the departments, agencies and other organizations of the State, airport and aircraft operators, air traffic service providers and other entities concerned with or responsible for the implementation of various aspects of the national civil aviation security programme.

3.1.7 Each Contracting State shall require the appropriate authority to ensure the development and implementation of a national training programme for personnel of all entities involved with or responsible for the implementation of various aspects of the national civil aviation security programme. This training programme shall be designed to ensure the effectiveness of the national civil aviation security programme.

3.1.8 Each Contracting State shall ensure the development and implementation of training programmes and an instructor certification system in accordance with the national civil aviation security programme.

3.1.9 Each Contracting State shall ensure that the appropriate authority arranges for the supporting resources and facilities required by the aviation security services to be available at each airport serving civil aviation.

3.1.10 Each Contracting State shall make available to its airport and aircraft operators and air traffic service providers operating in its territory and other entities concerned, a written version of the appropriate parts of its national civil aviation security programme and/or relevant information or guidelines enabling them to meet the requirements of the national civil aviation security programme.

3.1.11 **Recommendation.**— *Each Contracting State should ensure that personnel of all entities involved with or responsible for the implementation of various aspects of the national civil aviation security programme and those authorized to have unescorted access to airside areas receive periodic security awareness training.*

### 3.2 Airport operations

3.2.1 Each Contracting State shall require each airport serving civil aviation to establish, implement and maintain a written airport security programme appropriate to meet the requirements of the national civil aviation security programme.

3.2.2 Each Contracting State shall ensure that an authority at each airport serving civil aviation is responsible for coordinating the implementation of security controls.

3.2.3 Each Contracting State shall ensure that an airport security committee at each airport serving civil aviation is established to assist the authority mentioned under 3.2.2 in its role of coordinating the implementation of security controls and procedures as specified in the airport security programme.

3.2.4 Each Contracting State shall ensure that airport design requirements, including architectural and infrastructure-related requirements necessary for the implementation of the security measures in the national civil aviation security programme, are integrated into the design and construction of new facilities and alterations to existing facilities at airports.

### 3.3 Aircraft operators

3.3.1 Each Contracting State shall ensure that commercial air transport operators providing service from that State have established, implemented and maintained a written operator security programme that meets the requirements of the national civil aviation security programme of that State.

3.3.2 **Recommendation.**— *Each Contracting State should ensure that each entity conducting general aviation operations, including corporate aviation operations, using aircraft with a maximum take-off mass greater than 5 700 kg, has established, implemented and maintained a written operator security programme that meets the requirements of the national civil aviation security programme of that State.*

3.3.3 **Recommendation.**— *Each Contracting State should ensure that each entity conducting aerial work operations has established, implemented and maintained a written operator security programme that meets the requirements of the national civil aviation security programme of that State. The programme shall contain operations features specific to the type of operations conducted.*

3.3.4 **Recommendation.**— *Each Contracting State should take into account the ICAO model as a basis for operators' or entities' security programmes under 3.3.1, 3.3.2 and 3.3.3.*

3.3.5 **Recommendation.**— *Each Contracting State should require operators providing service from that State and participating in code-sharing or other collaborative arrangements with other operators to notify the appropriate authority of the nature of these arrangements, including the identity of the other operators.*

### 3.4 Quality control and qualifications

3.4.1 Each Contracting State shall ensure that the persons implementing security controls are subject to background checks and selection procedures.

3.4.2 Each Contracting State shall ensure that the persons implementing security controls possess all competencies required to perform their duties and are appropriately trained according to the requirements of the national civil aviation security programme and that appropriate records are maintained up to date. Relevant standards of performance shall be established and initial and periodic assessments shall be introduced to maintain those standards.

3.4.3 Each Contracting State shall ensure that the persons carrying out screening operations are certified according to the requirements of the national civil aviation security programme to ensure that performance standards are consistently and reliably achieved.

3.4.4 Each Contracting State shall require the appropriate authority to develop, implement and maintain a national civil aviation security quality control programme to determine compliance with and validate the effectiveness of its national civil aviation security programme.

3.4.5 Each Contracting State shall ensure that the implementation of security measures is regularly subjected to verification of compliance with the national civil aviation security programme. The priorities and frequency of monitoring shall be determined on the basis of risk assessment carried out by the relevant authorities.

3.4.6 Each Contracting State shall arrange for security audits, tests, surveys and inspections to be conducted on a regular basis, to verify compliance with the national civil aviation security programme and to provide for the rapid and effective rectification of any deficiencies.

3.4.7 Each Contracting State shall ensure that the management, setting of priorities and organization of the national civil aviation security quality control programme shall be undertaken independently from the entities and persons responsible for the implementation of the measures taken under the national civil aviation security programme. Each Contracting State shall also:

- a) ensure that the personnel carrying out security audits, tests, surveys and inspections are trained to appropriate standards for these tasks in accordance with the national civil aviation security programme;
- b) ensure that the personnel carrying out security audits, tests, surveys and inspections are afforded the necessary authority to obtain information to carry out these tasks and to enforce corrective actions;
- c) supplement the national civil aviation security quality control programme by establishing a confidential reporting system for analysing security information provided by sources such as passengers, crew and ground personnel; and
- d) establish a process to record and analyse the results of the national civil aviation security quality control programme, to contribute to the effective development and implementation of the national civil aviation security programme, including identifying the causes and patterns of non-compliance and verifying that corrective actions have been implemented and sustained.

3.4.8 Each Contracting State concerned with an act of unlawful interference shall require its appropriate authority to re-evaluate security controls and procedures and in a timely fashion take action necessary to remedy weaknesses so as to prevent recurrence. These actions shall be shared with ICAO.

3.4.9 **Recommendation.**— *Each Contracting State should ensure that each entity responsible for the implementation of relevant elements of the national civil aviation security programme periodically verifies that the implementation of security measures outsourced to external service providers is in compliance with the entity's security programme.*

**3.5 Air traffic service providers**

Each Contracting State shall require air traffic service providers operating in that State to establish and implement appropriate security provisions to meet the requirements of the national civil aviation security programme of that State.

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## CHAPTER 4. PREVENTIVE SECURITY MEASURES

### 4.1 Objective

4.1.1 Each Contracting State shall establish measures to prevent weapons, explosives or any other dangerous devices, articles or substances, which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorized, from being introduced, by any means whatsoever, on board an aircraft engaged in civil aviation.

4.1.2 **Recommendation.**— *Each Contracting State should promote the use of random and unpredictable security measures. Unpredictability could contribute to the deterrent effect of security measures.*

4.1.3 **Recommendation.**— *Each Contracting State should consider integrating behaviour detection into its aviation security practices and procedures.*

### 4.2 Measures relating to access control

4.2.1 Each Contracting State shall ensure that the access to airside areas at airports serving civil aviation is controlled in order to prevent unauthorized entry.

4.2.2 Each Contracting State shall ensure that security restricted areas are established at each airport serving civil aviation designated by the State based upon a security risk assessment carried out by the relevant national authorities.

4.2.3 Each Contracting State shall ensure that identification systems are established in respect of persons and vehicles in order to prevent unauthorized access to airside areas and security restricted areas. Identity shall be verified at designated checkpoints before access is allowed to airside areas and security restricted areas.

4.2.4 Each Contracting State shall ensure that background checks are conducted on persons other than passengers granted unescorted access to security restricted areas of the airport prior to granting access to security restricted areas.

4.2.5 Each Contracting State shall ensure that the movement of persons and vehicles to and from the aircraft is supervised in security restricted areas in order to prevent unauthorized access to aircraft.

4.2.6 Each Contracting State shall ensure that persons other than passengers, together with items carried, prior to entry into airport security restricted areas serving international civil aviation operations, are subject to screening and security controls.

4.2.7 Each Contracting State shall ensure that vehicles being granted access to security restricted areas, together with items contained within them, are subject to screening or other appropriate security controls in accordance with a risk assessment carried out by the relevant national authorities.

4.2.8 **Recommendation.**— *Each Contracting State should ensure that identity documents issued to aircraft crew members provide a harmonized and reliable international basis for recognition and validation of documentation to permit authorized access to airside and security restricted areas by conforming to the relevant specifications set forth in Doc 9303, Machine Readable Travel Documents.*

4.2.9 **Recommendation.**— *Each Contracting State should ensure that checks specified in 4.2.4 be reapplied on a regular basis to all persons granted unescorted access to security restricted areas.*

### 4.3 Measures relating to aircraft

4.3.1 Each Contracting State shall ensure that aircraft security checks of originating aircraft engaged in commercial air transport movements are performed or an aircraft security search is carried out. The determination of whether it is an aircraft security check or a search that is appropriate shall be based upon a security risk assessment carried out by the relevant national authorities.

4.3.2 Each Contracting State shall ensure that measures are taken to ensure that any items left behind by passengers disembarking from transit flights are removed from the aircraft or otherwise dealt with appropriately before departure of an aircraft engaged in commercial flights.

4.3.3 Each Contracting State shall require its commercial air transport operators to take measures as appropriate to ensure that during flight unauthorized persons are prevented from entering the flight crew compartment.

*Note.*— *Provisions for security of the flight crew compartment of aircraft engaged in commercial air transportation are contained in Annex 6, Part I, Chapter 13, Section 13.2.*

4.3.4 Each Contracting State shall ensure that an aircraft subject to 4.3.1 is protected from unauthorized interference from the time the aircraft search or check has commenced until the aircraft departs.

4.3.5 **Recommendation.**— *Each Contracting State should ensure that security controls are established to prevent acts of unlawful interference with aircraft when they are not in security restricted areas.*

4.3.6 Each Contracting State, in accordance with the risk assessment carried out by its relevant national or local authorities, shall ensure that appropriate measures on the ground or operational procedures are established to mitigate possible attacks against aircraft using Man-Portable Air Defence Systems (MANPADS) and other weapons representing a similar threat to aircraft at or near an airport.

### 4.4 Measures relating to passengers and their cabin baggage

4.4.1 Each Contracting State shall establish measures to ensure that originating passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft departing from a security restricted area.

4.4.2 Each Contracting State shall ensure the use of appropriate screening methods that are capable of detecting the presence of explosives and explosive devices carried by passengers on their persons or in cabin baggage. Where these methods are not applied continuously, they shall be used in an unpredictable manner.

4.4.3 Each Contracting State shall ensure that transfer passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft, unless it has established a validation process and continuously implements procedures, in collaboration with the other Contracting State where appropriate, to ensure that such passengers and their cabin baggage have been screened to an appropriate level at the point of origin and subsequently protected from unauthorized interference from the point of screening at the originating airport to the departing aircraft at the transfer airport.

4.4.4 Each Contracting State shall ensure that passengers and their cabin baggage which have been screened are protected from unauthorized interference from the point of screening until they board their aircraft. If mixing or contact does take place, the passengers concerned and their cabin baggage shall be re-screened before boarding an aircraft.

4.4.5 Each Contracting State shall establish at an airport measures for transit operations to protect transit passengers and their cabin baggage from unauthorized interference and protect the integrity of the security of the airport of transit.

4.4.6 **Recommendation.**— *Each Contracting State should ensure that practices are established at airports and on board aircraft to assist in the identification and resolution of suspicious activity that may pose a threat to civil aviation.*

#### 4.5 Measures relating to hold baggage

4.5.1 Each Contracting State shall establish measures to ensure that originating hold baggage is screened prior to being loaded onto an aircraft engaged in commercial air transport operations departing from a security restricted area.

4.5.2 Each Contracting State shall ensure that all hold baggage to be carried on a commercial aircraft is protected from unauthorized interference from the point it is screened or accepted into the care of the carrier, whichever is earlier, until departure of the aircraft on which it is to be carried. If the integrity of hold baggage is jeopardized, the hold baggage shall be re-screened before being placed on board an aircraft.

4.5.3 Each Contracting State shall ensure that commercial air transport operators do not transport the baggage of persons who are not on board the aircraft unless that baggage is identified as unaccompanied and subjected to appropriate screening.

4.5.4 Each Contracting State shall ensure that transfer hold baggage is screened prior to being loaded onto an aircraft engaged in commercial air transport operations, unless it has established a validation process and continuously implements procedures, in collaboration with the other Contracting State where appropriate, to ensure that such hold baggage has been screened at the point of origin and subsequently protected from unauthorized interference from the originating airport to the departing aircraft at the transfer airport.

4.5.5 Each Contracting State shall ensure that commercial air transport operators transport only items of hold baggage which have been individually identified as accompanied or unaccompanied, screened to the appropriate standard and accepted for carriage on that flight by the air carrier. All such baggage should be recorded as meeting these criteria and authorized for carriage on that flight.

4.5.6 **Recommendation.**— *Each Contracting State should establish procedures to deal with unidentified baggage in accordance with a security risk assessment carried out by the relevant national authorities.*

#### 4.6 Measures relating to cargo, mail and other goods

4.6.1 Each Contracting State shall ensure that appropriate security controls, including screening where practicable, are applied to cargo and mail, prior to their being loaded onto an aircraft engaged in commercial air transport operations.

4.6.2 Each Contracting State shall establish a supply chain security process, which includes the approval of regulated agents and/or known consignors, if such entities are involved in implementing screening or other security controls of cargo and mail.

4.6.3 Each Contracting State shall ensure that cargo and mail to be carried on a commercial aircraft are protected from unauthorized interference from the point screening or other security controls are applied until departure of the aircraft.

4.6.4 Each Contracting State shall ensure that enhanced security measures apply to high-risk cargo and mail to appropriately mitigate the threats associated with it.



4.6.5 Each Contracting State shall ensure that operators do not accept cargo or mail for carriage on an aircraft engaged in commercial air transport operations unless the application of screening or other security controls is confirmed and accounted for by a regulated agent, or an entity that is approved by an appropriate authority. Cargo and mail which cannot be confirmed and accounted for by a regulated agent or an entity that is approved by an appropriate authority shall be subjected to screening.

4.6.6 Each Contracting State shall ensure that catering, stores and supplies intended for carriage on commercial flights are subjected to appropriate security controls, which may include a supply chain security process or screening, and thereafter protected until loaded onto the aircraft.

4.6.7 Each Contracting State shall ensure that merchandise and supplies introduced into security restricted areas are subjected to appropriate security controls, which may include a supply chain security process or screening.

4.6.8 Each Contracting State shall ensure that cargo and mail that has been confirmed and accounted for shall then be issued with a security status which shall accompany, either in an electronic format or in writing, the cargo and mail throughout the secure supply chain.

4.6.9 Each Contracting State shall ensure that transfer cargo and mail has been subjected to appropriate security controls prior to being loaded on an aircraft engaged in commercial air transport operations departing from its territory.

4.6.10 Each Contracting State shall ensure that, where screening of cargo and mail is conducted, screening is carried out using an appropriate method or methods, taking into account the nature of the consignment.

4.6.11 **Recommendation.**— *Each Contracting State should establish appropriate mechanisms to confirm that transfer cargo and mail entering its territory has been subjected to appropriate security controls.*

#### 4.7 Measures relating to special categories of passengers

4.7.1 Each Contracting State shall develop requirements for air carriers for the carriage of potentially disruptive passengers who are obliged to travel because they have been the subject of judicial or administrative proceedings.

4.7.2 Each Contracting State shall ensure that operators providing service from that State include in their security programmes, measures and procedures to ensure safety on board their aircraft when passengers are to be carried who are obliged to travel because they have been the subject of judicial or administrative proceedings.

4.7.3 Each Contracting State shall ensure that the aircraft operator and the pilot-in-command are informed when passengers are obliged to travel because they have been the subject of judicial or administrative proceedings, in order that appropriate security controls can be applied.

4.7.4 Each Contracting State shall ensure that the carriage of weapons on board aircraft, by law enforcement officers and other authorized persons, acting in the performance of their duties, requires special authorization in accordance with the laws of the States involved.

4.7.5 Each Contracting State shall consider requests by any other State to allow the travel of armed personnel, including in-flight security officers, on board aircraft of operators of the requesting State. Only after agreement by all States involved shall such travel be allowed.

4.7.6 Each Contracting State shall ensure that the carriage of weapons in other cases is allowed only when an authorized and duly qualified person has determined that they are not loaded, if applicable, and then only if stowed in a place inaccessible to any person during flight time.

4.7.7 Each Contracting State that decides to deploy in-flight security officers shall ensure that they are government personnel who are specially selected and trained, taking into account the safety and security aspects on board an aircraft and deployed according to the threat assessment of the competent authority. The deployment of such officers shall be coordinated with concerned States and kept strictly confidential.

4.7.8 Each Contracting State shall ensure that the pilot-in-command is notified as to the number of armed persons and their seat location.

#### 4.8 Measures relating to the landside

4.8.1 Each Contracting State shall ensure that landside areas are identified.

4.8.2 Each Contracting State shall ensure that security measures are established for landside areas to mitigate the risk of and to prevent possible acts of unlawful interference in accordance with risk assessments carried out by the relevant authorities or entities.

4.8.3 Each Contracting State shall ensure coordination of landside security measures in accordance with Standards 3.1.6, 3.2.2 and 3.2.3 between relevant departments, agencies, other organizations of the State, and other entities, and identify appropriate responsibilities for landside security in its national civil aviation security programme.

#### 4.9 Measures relating to cyber threats

4.9.1 Each Contracting State shall ensure that operators or entities as defined in the national civil aviation security programme or other relevant national documentation identify their critical information and communications technology systems and data used for civil aviation purposes and, in accordance with a risk assessment, develop and implement, as appropriate, measures to protect them from unlawful interference.

4.9.2 **Recommendation.**—*Each Contracting State should ensure that the measures implemented protect, as appropriate, the confidentiality, integrity and availability of the identified critical systems and/or data. The measures should include, inter alia, security by design, supply chain security, network separation, and the protection and/or limitation of any remote access capabilities, as appropriate and in accordance with the risk assessment carried out by its relevant national authorities.*

## **CHAPTER 5. MANAGEMENT OF RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE**

### **5.1 Prevention**

5.1.1 Each Contracting State shall establish measures, when reliable information exists that an aircraft may be subjected to an act of unlawful interference, to safeguard the aircraft if it is still on the ground and to provide as much prior notification as possible of the arrival of such aircraft to relevant airport authorities and air traffic services of the States concerned if the aircraft has already departed.

5.1.2 Each Contracting State shall ensure, when reliable information exists that an aircraft may be subjected to an act of unlawful interference, that the aircraft is searched for concealed weapons, explosives or other dangerous devices, articles or substances. Prior notification of the search shall be provided to the operator concerned.

5.1.3 Each Contracting State shall ensure that arrangements are made to investigate, render safe and/or dispose of, if necessary, suspected dangerous devices or other potential hazards at airports.

5.1.4 Each Contracting State shall ensure that contingency plans are developed and resources made available to safeguard civil aviation against acts of unlawful interference. The contingency plans shall be tested on a regular basis.

5.1.5 Each Contracting State shall ensure that authorized and suitably trained personnel are readily available for deployment at its airports serving civil aviation to assist in dealing with suspected, or actual, cases of unlawful interference with civil aviation.

5.1.6 Each Contracting State shall ensure that its national civil aviation security programme defines processes for the reporting of information concerning incidents of acts of unlawful interference and preparatory acts thereto, by any entity responsible for the implementation of the national civil aviation security programme in a practical and timely manner to the relevant authorities, as appropriate, taking into account 2.1.4.

### **5.2 Response**

5.2.1 Each Contracting State shall take appropriate measures for the safety of passengers and crew of an aircraft, which is subjected to an act of unlawful interference, while on the ground in the territory of the Contracting State, until their journey can be continued.

5.2.2 Each Contracting State responsible for providing air traffic services for an aircraft, which is the subject of an act of unlawful interference, shall collect all pertinent information on the flight of that aircraft and transmit that information to all other States responsible for the air traffic services units concerned, including those at the airport of known or presumed destination, so that timely and appropriate safeguarding action may be taken en route and at the aircraft's known, likely or possible destination.

5.2.3 Each Contracting State shall provide assistance to an aircraft subjected to an act of unlawful seizure, including the provision of navigation aids, air traffic services and permission to land as may be necessitated by the circumstances.

5.2.4 Each Contracting State shall take measures, as it may find practicable, to ensure that an aircraft subjected to an act of unlawful seizure which has landed in its territory is detained on the ground unless its departure is necessitated by the overriding duty to protect human life. However, these measures need to recognize the grave hazard attending further flight. States shall also recognize the importance of consultations, wherever practicable, between the State where that aircraft has landed and the State of the Operator of the aircraft, and notification by the State where the aircraft has landed to the States of assumed or stated destination.

5.2.5 Each Contracting State in which an aircraft subjected to an act of unlawful interference has landed shall notify by the most expeditious means the State of Registry of the aircraft and the State of the Operator of the landing and shall similarly transmit by the most expeditious means all other relevant information to:

- a) the two above-mentioned States;
- b) each State whose citizens suffered fatalities or injuries;
- c) each State whose citizens were detained as hostages;
- d) each State whose citizens are known to be on board the aircraft; and
- e) the International Civil Aviation Organization.

5.2.6 **Recommendation.**— *Each Contracting State should ensure that information received as a consequence of action taken in accordance with 5.2.2 is distributed locally to the air traffic services units concerned, the appropriate airport administrations, the operator and others concerned as soon as practicable.*

5.2.7 **Recommendation.**— *Each Contracting State should cooperate with other States for the purpose of providing a joint response in connection with an act of unlawful interference. When taking measures in their territory to free passengers and crew members of an aircraft subjected to an act of unlawful interference, each Contracting State should use, as necessary, the experience and capability of the State of the Operator, the State of manufacture and the State of Registry of that aircraft.*

### 5.3 Exchange of information and reporting

5.3.1 Each Contracting State concerned with an act of unlawful interference shall provide ICAO with all pertinent information concerning the security aspects of the act of unlawful interference as soon as practicable after the act is resolved.

5.3.2 **Recommendation.**— *Each Contracting State should exchange information with other Contracting States as considered appropriate on the management of response to an act of unlawful interference, at the same time supplying such information to ICAO.*

## ATTACHMENT TO ANNEX 17

### EXTRACTS FROM ANNEX 2 — RULES OF THE AIR

#### CHAPTER 3. GENERAL RULES

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#### 3.7 Unlawful interference

3.7.1 An aircraft which is being subjected to unlawful interference shall endeavour to notify the appropriate ATS unit of this fact, any significant circumstances associated therewith and any deviation from the current flight plan necessitated by the circumstances, in order to enable the ATS unit to give priority to the aircraft and to minimize conflict with other aircraft.

*Note 1.— Responsibility of ATS units in situations of unlawful interference is contained in Annex 11.*

*Note 2.— Guidance material for use when unlawful interference occurs and the aircraft is unable to notify an ATS unit of this fact is contained in Attachment B to this Annex.*

*Note 3.— Action to be taken by SSR-, ADS-B- and ADS-C-equipped aircraft which are being subjected to unlawful interference is contained in Annex 11, the PANS-ATM (Doc 4444) and the PANS-OPS (Doc 8168).*

*Note 4.— Action to be taken by CPDLC-equipped aircraft which are being subjected to unlawful interference is contained in Annex 11, the PANS-ATM (Doc 4444), and guidance material on the subject is contained in the Manual of Air Traffic Services Data Link Applications (Doc 9694).*

3.7.2 If an aircraft is subjected to unlawful interference, the pilot-in-command shall attempt to land as soon as practicable at the nearest suitable aerodrome or at a dedicated aerodrome assigned by the appropriate authority unless considerations aboard the aircraft dictate otherwise.

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#### ATTACHMENT B. UNLAWFUL INTERFERENCE

##### 1. General

The following procedures are intended as guidance for use by aircraft when unlawful interference occurs and the aircraft is unable to notify an ATS unit of this fact.

##### 2. Procedures

2.1 If the pilot-in-command cannot proceed to an aerodrome in accordance with the rules in Chapter 3, 3.7.2, he/she should attempt to continue flying on the assigned track and at the assigned cruising level at least until able to notify an ATS unit or until within radar or ADS-B coverage.

2.2 When an aircraft subjected to an act of unlawful interference must depart from its assigned track or its assigned cruising level without being able to make radiotelephony contact with ATS, the pilot-in-command should, whenever possible:

- a) attempt to broadcast warnings on the VHF channel in use or the VHF emergency frequency, and other appropriate channels, unless considerations aboard the aircraft dictate otherwise. Other equipment such as on-board transponders and data links should also be used when it is advantageous to do so and circumstances permit; and
- b) proceed in accordance with applicable special procedures for in-flight contingencies, where such procedures have been established and promulgated in the *Regional Supplementary Procedures* (Doc 7030); or
- c) if no applicable regional procedures have been established, proceed at a level which differs from the cruising levels normally used for IFR flight by:
  - 1) 150 m (500 ft) in an area where a vertical separation minimum of 300 m (1 000 ft) is applied; or
  - 2) 300 m (1 000 ft) in an area where a vertical separation minimum of 600 m (2 000 ft) is applied.

*Note.— Action to be taken by an aircraft which is intercepted while being subject to an act of unlawful interference is prescribed in 3.8 of this Annex.*

**EXTRACTS FROM ANNEX 6 — OPERATION OF AIRCRAFT  
PART I — INTERNATIONAL COMMERCIAL AIR TRANSPORT — AEROPLANES**

## CHAPTER 13. SECURITY\*

### 13.1 Domestic commercial operations

**Recommendation.**— *International Standards and Recommended Practices set forth in this chapter should be applied by all Contracting States also in case of domestic commercial operations (air services).*

### 13.2 Security of the flight crew compartment

13.2.1 In all aeroplanes which are equipped with a flight crew compartment door, this door shall be capable of being locked, and means shall be provided by which cabin crew can discreetly notify the flight crew in the event of suspicious activity or security breaches in the cabin.

13.2.2 All passenger-carrying aeroplanes of a maximum certificated take-off mass in excess of 45 500 kg or with a passenger seating capacity greater than 60 shall be equipped with an approved flight crew compartment door that is designed to resist penetration by small arms fire and grenade shrapnel, and to resist forcible intrusions by unauthorized persons. This door shall be capable of being locked and unlocked from either pilot's station.

13.2.3 In all aeroplanes which are equipped with a flight crew compartment door in accordance with 13.2.2:

- a) this door shall be closed and locked from the time all external doors are closed following embarkation until any such door is opened for disembarkation, except when necessary to permit access and egress by authorized persons; and

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\* In the context of this chapter, the word “security” is used in the sense of prevention of illicit acts against civil aviation.

- b) means shall be provided for monitoring from either pilot's station the entire door area outside the flight crew compartment to identify persons requesting entry and to detect suspicious behaviour or potential threat.

**13.2.4 Recommendation.**— *All passenger-carrying aeroplanes should be equipped with an approved flight crew compartment door, where practicable, that is designed to resist penetration by small arms fire and grenade shrapnel, and to resist forcible intrusions by unauthorized persons. This door should be capable of being locked and unlocked from either pilot's station.*

**13.2.5 Recommendation.**— *In all aeroplanes which are equipped with a flight crew compartment door in accordance with 13.2.4:*

- a) *the door should be closed and locked from the time all external doors are closed following embarkation until any such door is opened for disembarkation, except when necessary to permit access and egress by authorized persons; and*
- b) *means should be provided for monitoring from either pilot's station the entire door area outside the flight crew compartment to identify persons requesting entry and to detect suspicious behaviour or potential threat.*

### 13.3 Aeroplane search procedure checklist

The operator shall ensure that there is on board a checklist of the procedures to be followed in searching for a bomb in case of suspected sabotage and for inspecting aeroplanes for concealed weapons, explosives or other dangerous devices when a well-founded suspicion exists that the aeroplane may be the object of an act of unlawful interference. The checklist shall be supported by guidance on the appropriate course of action to be taken should a bomb or suspicious object be found and information on the least-risk bomb location specific to the aeroplane.

### 13.4 Training programmes

13.4.1 The operator shall establish and maintain an approved security training programme which ensures crew members act in the most appropriate manner to minimize the consequences of acts of unlawful interference. As a minimum, this programme shall include the following elements:

- a) determination of the seriousness of any occurrence;
- b) crew communication and coordination;
- c) appropriate self-defence responses;
- d) use of non-lethal protective devices assigned to crew members whose use is authorized by the State of the Operator;
- e) understanding of behaviour of terrorists so as to facilitate the ability of crew members to cope with hijacker behaviour and passenger responses;
- f) live situational training exercises regarding various threat conditions;
- g) flight crew compartment procedures to protect the aeroplane; and
- h) aeroplane search procedures and guidance on least-risk bomb locations where practicable.

13.4.2 The operator shall also establish and maintain a training programme to acquaint appropriate employees with preventive measures and techniques in relation to passengers, baggage, cargo, mail, equipment, stores and supplies intended for carriage on an aeroplane so that they contribute to the prevention of acts of sabotage or other forms of unlawful interference.

### 13.5 Reporting acts of unlawful interference

Following an act of unlawful interference, the pilot-in-command shall submit, without delay, a report of such an act to the designated local authority.

### 13.6 Miscellaneous

13.6.1 **Recommendation.**— *Specialized means of attenuating and directing the blast should be provided for use at the least-risk bomb location.*

13.6.2 **Recommendation.**— *Where the operator accepts the carriage of weapons removed from passengers, the aeroplane should have provision for stowing such weapons in a place so that they are inaccessible to any person during flight time.*

## EXTRACTS FROM ANNEX 8 — AIRWORTHINESS OF AIRCRAFT

### PART III. LARGE AEROPLANES

#### PART IIIA. AEROPLANES OVER 5 700 KG FOR WHICH APPLICATION FOR CERTIFICATION WAS SUBMITTED ON OR AFTER 13 JUNE 1960, BUT BEFORE 2 MARCH 2004

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#### CHAPTER 11. SECURITY

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#### 11.2 Least-risk bomb location

For aeroplanes of a maximum certificated take-off mass in excess of 45 500 kg or with a passenger seating capacity greater than 60 and for which the application for certification was submitted on or after 12 March 2000, consideration shall be given during the design of the aeroplane to the provision of a least-risk bomb location so as to minimize the effects of a bomb on the aeroplane and its occupants.

#### 11.3 Protection of the flight crew compartment

**Recommendation.**— *In all aeroplanes, which are required by Annex 6, Part I, Chapter 13 to have an approved flight crew compartment door, and for which an application for amending the Type Certificate to include a derivative type design is submitted to the appropriate national authority, consideration should be given to reinforcing the flight crew compartment bulkheads, floors and ceilings so as to resist penetration by small arms fire and grenade shrapnel and to resist forcible intrusions, if these areas are accessible in flight to passengers and cabin crew.*



*Note.— Standards and Recommended Practices concerning the requirements for the flight crew compartment door in all commercial passenger-carrying aeroplanes are contained in Annex 6, Part I, Chapter 13.*

#### 11.4 Interior design

For aeroplanes of a maximum certificated take-off mass in excess of 45 500 kg or with a passenger seating capacity greater than 60 and for which the application for certification was submitted on or after 12 March 2000, consideration shall be given to design features that will deter the easy concealment of weapons, explosives or other dangerous objects on board aircraft and that will facilitate search procedures for such objects.

### PART IIIB. AEROPLANES OVER 5 700 KG FOR WHICH APPLICATION FOR CERTIFICATION WAS SUBMITTED ON OR AFTER 2 MARCH 2004

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#### CHAPTER 10. SECURITY

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#### 10.2 Least-risk bomb location

For aeroplanes of a maximum certificated take-off mass in excess of 45 500 kg or with a passenger seating capacity greater than 60, consideration shall be given during the design of the aeroplane to the provision of a least-risk bomb location so as to minimize the effects of a bomb on the aeroplane and its occupants.

#### 10.3 Protection of the flight crew compartment

10.3.1 In all aeroplanes, which are required by Annex 6, Part I, Chapter 13 to have an approved flight crew compartment door, and for which an application for the issue of a Type Certificate is first submitted to the appropriate national authority on or after 20 May 2006, the flight crew compartment bulkheads, floors and ceilings shall be designed to resist penetration by small arms fire and grenade shrapnel and to resist forcible intrusions, if these areas are accessible in flight to passengers and cabin crew.

10.3.2 **Recommendation.**— *In all aeroplanes, which are required by Annex 6, Part I, Chapter 13 to have an approved flight crew compartment door, and for which an application for amending the Type Certificate to include a derivative type design is submitted to the appropriate national authority on or after 20 May 2006, consideration should be given to reinforcing the flight crew compartment bulkheads, floors and ceilings so as to resist penetration by small arms fire and grenade shrapnel and to resist forcible intrusions, if these areas are accessible in flight to passengers and cabin crew.*

*Note.— Standards and Recommended Practices concerning the requirements for the flight crew compartment door in all commercial passenger-carrying aeroplanes are contained in Annex 6, Part I, Chapter 13.*

#### 10.4 Interior design

For aeroplanes of a maximum certificated take-off mass in excess of 45 500 kg or with a passenger seating capacity greater than 60, consideration shall be given to design features that will deter the easy concealment of weapons, explosives or other dangerous objects on board aircraft and that will facilitate search procedures for such objects.

EXTRACTS FROM ANNEX 9 — <i>FACILITATION</i>
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**CHAPTER 2. ENTRY AND DEPARTURE  
OF AIRCRAFT**

**A. General**

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2.2 In developing procedures aimed at the efficient clearance of entering or departing aircraft, Contracting States shall take into account the application of aviation security and narcotics control measures, where appropriate.

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**CHAPTER 3. ENTRY AND DEPARTURE  
OF PERSONS AND THEIR BAGGAGE**

**A. General**

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3.2 In developing procedures aimed at the efficient application of border controls on passengers and crew, Contracting States shall take into account the application of aviation security, border integrity, narcotics control and immigration control measures, where appropriate.

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3.4 Contracting States shall not extend the validity of their machine readable travel documents.

*Note.— Specifications for machine readable travel documents (Doc 9303, Series) do not permit alteration of the expiration date and other data in the machine readable zone.*

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**C. Security of travel documents**

3.7 Contracting States shall regularly update security features in new versions of their travel documents, to guard against their misuse and to facilitate detection of cases where such documents have been unlawfully altered, replicated or issued.

3.8 Contracting States shall establish controls to safeguard against the theft of their blank travel documents and the misappropriation of newly issued travel documents.

3.8.1 Contracting States shall establish appropriate controls over the entire travel document application, adjudication and issuance processes to ensure a high level of integrity and security.

**3.9 Recommended Practice.**— *Contracting States should incorporate biometric data in their machine readable passports, visas and other official travel documents, using one or more optional data storage technologies to supplement the machine readable zone, as specified in Doc 9303, Machine Readable Travel Documents. The required data stored on the integrated circuit chip is the same as that printed on the data page, that is, the data contained in the machine-readable zone plus the digitized photographic image. Fingerprint image(s) and/or iris image(s) are optional biometrics for Contracting States wishing to supplement the facial image with another biometric in the passport. Contracting States incorporating biometric data in their Machine Readable Passports are to store the data in a contactless integrated circuit chip complying with ISO/IEC 14443 and programmed according to the Logical Data Structure as specified by ICAO.*

**3.9.1 Recommended Practice.**— *Contracting States issuing or intending to issue eMRTDs should join the ICAO Public Key Directory (PKD) and upload their information to the PKD.*

**3.9.2 Recommended Practice.**— *Contracting States implementing checks on eMRTDs at border controls should join the ICAO Public Key Directory (PKD) and use the information available from the PKD to validate eMRTDs at border controls.*

3.10 Contracting States shall promptly report accurate information about stolen, lost, and revoked travel documents, issued by their State, to INTERPOL for inclusion in the Stolen and Lost Travel Documents (SLTD) database.

**3.10.1 Recommended Practice.**— *Each Contracting State should, as far as practicable, query, at entry and departure border control points, the travel documents of individuals travelling internationally against the INTERPOL Stolen and Lost Travel Documents (SLTD) database.*

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## I. Inspection of travel documents

3.33 Contracting States shall assist aircraft operators in the evaluation of travel documents presented by passengers, in order to deter fraud and abuse.

**3.34 Recommended Practice.**— *Contracting States should consider making arrangements with other Contracting States to permit the positioning of liaison officers at airports in order to assist aircraft operators to establish the validity and authenticity of the travel documents of embarking persons.*

3.35 Aircraft operators shall take necessary precautions at the point of embarkation to ensure that persons are in possession of the documents prescribed by the States of transit and destination for control purposes as described in this chapter.

3.35.1 The public authorities of each Contracting State shall seize fraudulent, falsified or counterfeit travel documents. The public authorities shall also seize the travel documents of a person impersonating the rightful holder of the travel document. Such documents shall be removed from circulation immediately and returned to the appropriate authorities of the State named as issuer or to the resident Diplomatic Mission of that State.

3.35.2 Contracting States shall not require aircraft operators to seize documents referred to in Standard 3.35.1.

3.35.3 Contracting States shall not require an aircraft operator to carry a passenger from a point of departure or transit, to the intended final destination, when the travel document presented by that passenger is determined by the State to be fraudulent, falsified or counterfeit, or is held by a person other than to whom the document was legitimately issued.

*Note.— Nothing in this provision is to be construed so as to prevent the return of inadmissible passengers whose travel document(s) are fraudulent, falsified or counterfeit or held by an imposter, and have been seized by a Contracting State, in accordance with Standard 3.35.1 and who are travelling under a covering letter issued in accordance with Standard 5.7.*

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**K. Entry procedures and responsibilities**

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3.48 Each Contracting State that introduces an Advance Passenger Information (API) system under its national legislation shall adhere to international recognized standards for the transmission of Advance Passenger Information.

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**N. Identification and entry of crew and other aircraft operators' personnel**

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3.66 If Contracting States issue Crew Member Certificates, then these shall be issued only in the form of machine readable cards in accordance with the specifications of Doc 9303, Part 5.

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3.68 CMCs shall be issued only after a background check has been carried out by or on behalf of the relevant public authority. In addition, adequate controls such as a certification of employment status of an applicant prior to issuance, controls on blank card stock, and accountability requirements for issuing personnel, shall be placed on the issuance of CMCs.

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**CHAPTER 4. ENTRY AND DEPARTURE OF CARGO AND OTHER ARTICLES**

**A. General**

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4.6 Contracting States shall not normally require the physical examination of cargo to be imported or exported and shall use risk management to determine which goods shall be examined and the extent of that examination.

4.7 Where practicable, in order to improve efficiency, modern screening or examination techniques shall be used to facilitate the physical examination of goods to be imported or exported.

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**CHAPTER 5. INADMISSIBLE PERSONS AND DEPORTEES**

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**B. Inadmissible persons**

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5.8 Contracting States that have reason to believe that an inadmissible person might offer resistance to his removal shall inform the aircraft operator concerned as far in advance as possible of scheduled departure so that the aircraft operator can take precautions to ensure the security of the flight.

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### C. Deportees

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5.19 Contracting States, when making arrangements with an aircraft operator for the removal of a deportee, shall make available the following information as soon as possible, but in any case not later than 24 hours before the scheduled time of departure of the flight:

- a) a copy of the deportation order, if legislation of the Contracting State allows for it;
- b) a risk assessment by the State and/or any other pertinent information that would help the aircraft operator assess the risk to the security of the flight; and
- c) the names and nationalities of any escorts.

*Note.— In order to ensure coordination of facilitation and security standards, attention is drawn to the applicable provisions of Annex 17, Chapter 4.*

5.19.1 The aircraft operator and/or the pilot-in-command shall have the option to refuse to transport a deportee on a specific flight when reasonable concerns relating to the safety and security of the flight in question exist.

*Note.— Reference is made to the ICAO Aviation Security Manual (Doc 8973 — Restricted), paragraphs 12.2.1.3 and 12.2.1.6.*

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## CHAPTER 6. INTERNATIONAL AIRPORTS — FACILITIES AND SERVICES FOR TRAFFIC

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### A. General

6.1.4 Each Contracting State, in consultation with airport operators, shall ensure that facilities and services provided at international airports are, where possible, flexible and capable of expansion to meet traffic growth, an increase in security requirements arising from increased threat, or other changes to support border integrity measures.

*Note.— With respect to aviation security requirements, attention is drawn to the relevant specification in Annex 17, Chapter 2, 2.3.\**

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### B. Airport traffic flow arrangements

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#### III. Outbound passengers, crew and baggage

6.16 **Recommended Practice.**— *Each Contracting State should allow airport and aircraft operators to provide off-airport check-in facilities, so long as all necessary security measures and other control requirements are met.*

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\* The specification reads as follows:

**Recommendation.**— *Each Contracting State should whenever possible arrange for the security controls and procedures to cause a minimum of interference with, or delay to the activities of, civil aviation provided the effectiveness of these controls and procedures is not compromised.*

**EXTRACTS FROM ANNEX 10 — *AERONAUTICAL TELECOMMUNICATIONS,*  
VOLUME IV (*SURVEILLANCE AND COLLISION AVOIDANCE SYSTEMS*)**

**CHAPTER 2. GENERAL**

**2.1 SECONDARY SURVEILLANCE RADAR (SSR)**

**2.1.4 Mode A reply codes (information pulses)**

2.1.4.2.1 Code 7700 to provide recognition of an aircraft in an emergency.

2.1.4.2.3 Code 7500 to provide recognition of an aircraft which is being subjected to unlawful interference.

2.1.4.3 Appropriate provisions shall be made in ground decoding equipment to ensure immediate recognition of Mode A codes 7500, 7600 and 7700.

**EXTRACTS FROM ANNEX 11 — *AIR TRAFFIC SERVICES***

**CHAPTER 2. GENERAL**

**2.24 Service to aircraft in the event  
of an emergency**

2.24.1 An aircraft known or believed to be in a state of emergency, including being subjected to unlawful interference, shall be given maximum consideration, assistance and priority over other aircraft as may be necessitated by the circumstances.

*Note.— To indicate that it is in a state of emergency, an aircraft equipped with an appropriate data link capability and/or an SSR transponder might operate the equipment as follows:*

- a) on Mode A, Code 7700; or*
- b) on Mode A, Code 7500, to indicate specifically that it is being subjected to unlawful interference; and/or*
- c) activate the appropriate emergency and/or urgency capability of ADS-B or ADS-C; and/or*
- d) transmit the appropriate emergency message via CPDLC.*

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2.24.2 When an occurrence of unlawful interference with an aircraft takes place or is suspected, ATS units shall attend promptly to requests by the aircraft. Information pertinent to the safe conduct of the flight shall continue to be transmitted and necessary action shall be taken to expedite the conduct of all phases of the flight, especially the safe landing of the aircraft.

2.24.3 When an occurrence of unlawful interference with an aircraft takes place or is suspected, ATS units shall, in accordance with locally agreed procedures, immediately inform the appropriate authority designated by the State and exchange necessary information with the operator or its designated representative.

*Note 1.— A strayed or unidentified aircraft may be suspected as being the subject of unlawful interference. See 2.25.1.3.*

*Note 2.— Procedures relating to the handling of strayed or unidentified aircraft are contained in 2.25.1.*

*Note 3.— The PANS-ATM (Doc 4444), Chapter 15, 15.1.3 contains more specific procedures related to unlawful interference.*

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## CHAPTER 5. ALERTING SERVICE

### 5.1 Application

5.1.1 Alerting service shall be provided:

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c) to any aircraft known or believed to be the subject of unlawful interference.

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### 5.2 Notification of rescue coordination centres

5.2.1 Without prejudice to any other circumstances that may render such notification advisable, air traffic services units shall, except as prescribed in 5.5.1, notify rescue coordination centres immediately an aircraft is considered to be in a state of emergency in accordance with the following:

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b) *Alert phase* when:

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except when evidence exists that would allay apprehension as to the safety of the aircraft and its occupants, or when

4) an aircraft is known or believed to be the subject of unlawful interference.

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### 5.5 Information to the operator

5.5.1 When an area control or a flight information centre decides that an aircraft is in the uncertainty or the alert phase, it shall, when practicable, advise the operator prior to notifying the rescue coordination centre.

*Note.— If an aircraft is in the distress phase, the rescue coordination centre has to be notified immediately in accordance with 5.2.1.*

5.5.2 All information notified to the rescue coordination centre by an area control or flight information centre shall, whenever practicable, also be communicated, without delay, to the operator.

### 5.6 Information to aircraft operating in the vicinity of an aircraft in a state of emergency

5.6.1 When it has been established by an air traffic services unit that an aircraft is in a state of emergency, other aircraft known to be in the vicinity of the aircraft involved shall, except as provided in 5.6.2, be informed of the nature of the emergency as soon as practicable.

5.6.2 When an air traffic services unit knows or believes that an aircraft is being subjected to unlawful interference, no reference shall be made in ATS air-ground communications to the nature of the emergency unless it has first been referred to in communications from the aircraft involved and it is certain that such reference will not aggravate the situation.

<p><b>EXTRACT FROM ANNEX 13 — AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION</b></p>
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## CHAPTER 5. INVESTIGATION

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### ORGANIZATION AND CONDUCT OF THE INVESTIGATION

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#### RESPONSIBILITY OF THE STATE CONDUCTING THE INVESTIGATION

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#### *Informing aviation security authorities*

5.11 If, in the course of an investigation it becomes known, or it is suspected, that an act of unlawful interference was involved, the investigator-in-charge shall immediately initiate action to ensure that the aviation security authorities of the State(s) concerned are so informed.



**EXTRACTS FROM ANNEX 14 — AERODROMES,  
VOLUME I — AERODROME DESIGN AND OPERATIONS**

**CHAPTER 3. PHYSICAL CHARACTERISTICS**

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**3.14 Isolated aircraft parking position**

3.14.1 An isolated aircraft parking position shall be designated or the aerodrome control tower shall be advised of an area or areas suitable for the parking of an aircraft which is known or believed to be the subject of unlawful interference, or which for other reasons needs isolation from normal aerodrome activities.

3.14.2 **Recommendation.**— *The isolated aircraft parking position should be located at the maximum distance practicable and in any case never less than 100 m from other parking positions, buildings or public areas, etc. Care should be taken to ensure that the position is not located over underground utilities such as gas and aviation fuel and, to the extent feasible, electrical or communication cables.*

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**CHAPTER 5. VISUAL AIDS FOR NAVIGATION**

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**5.3 Lights**

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5.3.24 Apron floodlighting  
(see also 5.3.17.1 and 5.3.18.1)

***Application***

5.3.24.1 **Recommendation.**— *Apron floodlighting should be provided on an apron, on a de-icing/anti-icing facility and on a designated isolated aircraft parking position intended to be used at night.*

*Note 1. — Where a de-icing/anti-icing facility is located in close proximity to the runway and permanent floodlighting could be confusing to pilots, other means of illumination of the facility may be required.*

*Note 2. — The designation of an isolated aircraft parking position is specified in 3.14.*

*Note 3. — Guidance on apron floodlighting is given in the Aerodrome Design Manual (Doc 9157), Part 4.*

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## CHAPTER 8. ELECTRICAL SYSTEMS

### 8.1 Electric power supply systems for air navigation facilities

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#### *Application*

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8.1.10 **Recommendation.**— *The following aerodrome facilities should be provided with a secondary power supply capable of supplying power when there is a failure of the primary power supply:*

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- e) *essential security lighting, if provided in accordance with 9.11;*

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## CHAPTER 9. AERODROME OPERATIONAL SERVICES, EQUIPMENT AND INSTALLATIONS

### 9.1 Aerodrome emergency planning

#### *General*

*Introductory Note.*— *Aerodrome emergency planning is the process of preparing an aerodrome to cope with an emergency occurring at the aerodrome or in its vicinity. The objective of aerodrome emergency planning is to minimize the effects of an emergency, particularly in respect of saving lives and maintaining aircraft operations. The aerodrome emergency plan sets forth the procedures for coordinating the response of different aerodrome agencies (or services) and of those agencies in the surrounding community that could be of assistance in responding to the emergency. Guidance material to assist the appropriate authority in establishing aerodrome emergency planning is given in the Airport Services Manual (Doc 9137), Part 7.*

9.1.1 An aerodrome emergency plan shall be established at an aerodrome, commensurate with the aircraft operations and other activities conducted at the aerodrome.

9.1.2 The aerodrome emergency plan shall provide for the coordination of the actions to be taken in an emergency occurring at an aerodrome or in its vicinity.

*Note 1.*— *Examples of emergencies are: aircraft emergencies, sabotage including bomb threats, unlawfully seized aircraft, dangerous goods occurrences, building fires, natural disaster and public health emergencies.*

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9.1.3 The plan shall coordinate the response or participation of all existing agencies which, in the opinion of the appropriate authority, could be of assistance in responding to an emergency.

*Note 1.*— *Examples of agencies are:*

- *on the aerodrome: air traffic control units, rescue and firefighting services, aerodrome administration, medical and ambulance services, aircraft operators, security services, and police;*

- *off the aerodrome: fire departments, police, health authorities (including medical, ambulance, hospital and public health services), military, and harbour patrol or coast guard.*

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9.1.4 **Recommendation.**— *The plan should provide for cooperation and coordination with the rescue coordination centre, as necessary.*

9.1.5 **Recommendation.**— *The aerodrome emergency plan document should include at least the following:*

- a) *types of emergencies planned for;*
- b) *agencies involved in the plan;*
- c) *responsibility and role of each agency, the emergency operations centre and the command post, for each type of emergency;*
- d) *information on names and telephone numbers of offices or people to be contacted in the case of a particular emergency; and*
- e) *a grid map of the aerodrome and its immediate vicinity.*

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#### **Emergency operations centre and command post**

9.1.7 **Recommendation.**— *A fixed emergency operations centre and a mobile command post should be available for use during an emergency.*

9.1.8 **Recommendation.**— *The emergency operations centre should be a part of the aerodrome facilities and should be responsible for the overall coordination and general direction of the response to an emergency.*

9.1.9 **Recommendation.**— *The command post should be a facility capable of being moved rapidly to the site of an emergency, when required, and should undertake the local coordination of those agencies responding to the emergency.*

9.1.10 **Recommendation.**— *A person should be assigned to assume control of the emergency operations centre and, when appropriate, another person the command post.*

#### **Communication system**

9.1.11 **Recommendation.**— *Adequate communication systems linking the command post and the emergency operations centre with each other and with the participating agencies should be provided in accordance with the plan and consistent with the particular requirements of the aerodrome.*

#### **Aerodrome emergency exercise**

9.1.12 The plan shall contain procedures for periodic testing of the adequacy of the plan and for reviewing the results in order to improve its effectiveness.

*Note.— The plan includes all participating agencies and associated equipment.*

9.1.13 The plan shall be tested by conducting:

- a) a full-scale aerodrome emergency exercise at intervals not exceeding two years; and partial emergency exercises in the intervening year to ensure that any deficiencies found during the full-scale aerodrome emergency exercise have been corrected; or
- b) a series of modular tests commencing in the first year and concluding in a full-scale aerodrome emergency exercise at intervals not exceeding three years; and

reviewed thereafter, or after an actual emergency, so as to correct any deficiency found during such exercises or actual emergency.

*Note 1.— The purpose of a full-scale exercise is to ensure the adequacy of the plan to cope with different types of emergencies. The purpose of a partial exercise is to ensure the adequacy of the response to individual participating agencies and components of the plan, such as the communications system. The purpose of modular tests is to enable concentrated effort on specific components of established emergency plans.*

## 9.10 Fencing

### *Application*

9.10.2 A fence or other suitable barrier shall be provided on an aerodrome to deter the inadvertent or premeditated access of an unauthorized person onto a non-public area of the aerodrome.

*Note 1.— This is intended to include the barring of sewers, ducts, tunnels, etc., where necessary to prevent access.*

*Note 2.— Special measures may be required to prevent the access of an unauthorized person to runways or taxiways which overpass public roads.*

9.10.3 Suitable means of protection shall be provided to deter the inadvertent or premeditated access of unauthorized persons into ground installations and facilities essential for the safety of civil aviation located off the aerodrome.

### *Location*

9.10.4 The fence or barrier shall be located so as to separate the movement area and other facilities or zones on the aerodrome vital to the safe operation of aircraft from areas open to public access.

9.10.5 **Recommendation.**— *When greater security is thought necessary, a cleared area should be provided on both sides of the fence or barrier to facilitate the work of patrols and to make trespassing more difficult. Consideration should be given to the provision of a perimeter road inside the aerodrome fencing for the use of both maintenance personnel and security patrols.*

### 9.11 Security lighting

**Recommendation.**— *At an aerodrome where it is deemed desirable for security reasons, a fence or other barrier provided for the protection of international civil aviation and its facilities should be illuminated at a minimum essential level. Consideration should be given to locating lights so that the ground area on both sides of the fence or barrier, particularly at access points, is illuminated.*

**EXTRACTS FROM ANNEX 18 — THE SAFE TRANSPORT OF  
DANGEROUS GOODS BY AIR**

## CHAPTER 2. APPLICABILITY

.....

### 2.2 Dangerous Goods Technical Instructions

2.2.1 Each Contracting State shall take the necessary measures to achieve compliance with the detailed provisions contained in the Technical Instructions. Each Contracting State shall also take the necessary measures to achieve compliance with any amendment to the Technical Instructions which may be published during the specified period of applicability of an edition of the Technical Instructions.

2.2.2 **Recommendation.**— *Each Contracting State should inform ICAO of difficulties encountered in the application of the Technical Instructions and of any amendments which it would be desirable to make to them.*

.....

## CHAPTER 10. TRAINING PROGRAMMES

### 10.1 Establishment of training programmes

Initial and recurrent dangerous goods training programmes shall be established and maintained in accordance with the Technical Instructions.

.....

## CHAPTER 13. DANGEROUS GOODS SECURITY PROVISIONS

Each Contracting State shall establish dangerous goods security measures, applicable to shippers, operators and other individuals engaged in the transport of dangerous goods by air, to be taken to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment. These measures should be commensurate with security provisions specified in other Annexes and the Technical Instructions.

**EXTRACTS FROM DOC 9284 — TECHNICAL INSTRUCTIONS  
FOR THE SAFE TRANSPORT OF DANGEROUS GOODS BY AIR**

Part 1. GENERAL

.....

**Chapter 4  
TRAINING**

*Parts of this Chapter are affected by State Variations AE 2, BR 7, CA 11, HK 1, VE 5, VE 6; see Table A1*

.....

**4.1 DANGEROUS GOODS TRAINING PROGRAMMES**

**4.1.1 Establishment and maintenance**

Initial and recurrent dangerous goods training programmes must be established and maintained by or on behalf of:

.....

g) agencies engaged in the security screening of passengers and crew and their baggage and/or cargo or mail; and

.....

**EXTRACTS FROM THE PROCEDURES FOR AIR NAVIGATION SERVICES —  
AIR TRAFFIC MANAGEMENT (DOC 4444)**

**CHAPTER 5. SEPARATION METHODS AND MINIMA**

.....

**5.2 PROVISIONS FOR THE SEPARATION OF CONTROLLED TRAFFIC**

.....

5.2.1.3 Larger separations than the specified minima should be applied whenever exceptional circumstances such as unlawful interference or navigational difficulties call for extra precautions. This should be done with due regard to all relevant factors so as to avoid impeding the flow of air traffic by the application of excessive separations.

*Note — Unlawful interference with an aircraft constitutes a case of exceptional circumstances which might require the application of separations larger than the specified minima, between the aircraft being subjected to unlawful interference and other aircraft.*

.....

## CHAPTER 15. PROCEDURES RELATED TO EMERGENCIES, COMMUNICATION FAILURE AND CONTINGENCIES

### 15.1 EMERGENCY PROCEDURES

#### 15.1.1 General

15.1.1.1 The various circumstances surrounding each emergency situation preclude the establishment of exact detailed procedures to be followed. The procedures outlined herein are intended as a general guide to air traffic services personnel. Air traffic control units shall maintain full and complete coordination, and personnel shall use their best judgement in handling emergency situations.

*Note 1.— Additional procedures to be applied in relation to emergencies and contingencies while using an ATS surveillance system are contained in Chapter 8, 8.8.1.*

*Note 2.— If the pilot of an aircraft encountering a state of emergency has previously been directed by ATC to select a specific transponder code and/or a specific ADS-B emergency mode, that code and/or mode will normally be maintained unless, in special circumstances, the pilot has decided or has been advised otherwise. Where ATC has not requested a code or emergency mode to be set, the pilot will set the transponder to Mode A Code 7700 and/or the appropriate ADS-B emergency mode.*

*Note 3.— Some aircraft equipped with first generation ADS-B avionics have the capability to transmit a general emergency alert only, regardless of the code selected by the pilot.*

*Note 4.— Some aircraft equipped with first generation ADS-B avionics do not have the capability of squawking IDENT while the emergency and/or urgency mode is selected.*

15.1.1.2 When an emergency is declared by an aircraft, the ATS unit should take appropriate and relevant action as follows:

- a) unless clearly stated by the flight crew or otherwise known, take all necessary steps to ascertain aircraft identification and type, the type of emergency, the intentions of the flight crew as well as the position and level of the aircraft;
- b) decide upon the most appropriate type of assistance which can be rendered;
- c) enlist the aid of any other ATS unit or other services which may be able to provide assistance to the aircraft;
- d) provide the flight crew with any information requested as well as any additional relevant information, such as details on suitable aerodromes, minimum safe altitudes, weather information;
- e) obtain from the operator or the flight crew such of the following information as may be relevant: number of persons on board, amount of fuel remaining, possible presence of hazardous materials and the nature thereof; and
- f) notify the appropriate ATS units and authorities as specified in local instructions.

15.1.1.3 Changes of radio frequency and SSR code should be avoided if possible and should normally be made only when or if an improved service can be provided to the aircraft concerned. Manoeuvring instructions to an aircraft experiencing engine failure should be limited to a minimum. When appropriate, other aircraft operating in the vicinity of the aircraft in emergency should be advised of the circumstances.

*Note.— Requests to the flight crew for the information contained in 15.1.1.2 e) will be made only if the information is not available from the operator or from other sources and will be limited to essential information.*

### 15.1.2 Priority

An aircraft known or believed to be in a state of emergency, including being subjected to unlawful interference, shall be given priority over other aircraft.

### 15.1.3 Unlawful interference and aircraft bomb threat

15.1.3.1 Air traffic services personnel shall be prepared to recognize any indication of the occurrence of unlawful interference with an aircraft.

15.1.3.2 Whenever unlawful interference with an aircraft is suspected, and where automatic distinct display of SSR Mode A Code 7500 and Code 7700 is not provided, the controller shall attempt to verify any suspicion by setting the SSR decoder to Mode A Code 7500 and thereafter to Code 7700.

*Note.— An aircraft equipped with an SSR transponder is expected to operate the transponder on Mode A Code 7500 to indicate specifically that it is the subject of unlawful interference. The aircraft may operate the transponder on Mode A Code 7700, to indicate that it is threatened by grave and imminent danger and requires immediate assistance. An aircraft equipped with other surveillance system transmitters, including ADS-B and ADS-C, might send the emergency and/or urgency signal by all of the available means.*

15.1.3.3 Whenever unlawful interference with an aircraft is known or suspected or a bomb threat warning has been received, ATS units shall promptly attend to requests by, or to anticipated needs of, the aircraft, including requests for relevant information relating to air navigation facilities, procedures and services along the route of flight and at any aerodrome of intended landing, and shall take such action as is necessary to expedite the conduct of all phases of the flight.

15.1.3.3.1 ATS units shall also:

- a) transmit, and continue to transmit, information pertinent to the safe conduct of the flight, without expecting a reply from the aircraft;
- b) monitor and plot the progress of the flight with the means available, and coordinate transfer of control with adjacent ATS units without requiring transmissions or other responses from the aircraft, unless communication with the aircraft remains normal;
- c) inform, and continue to keep informed, appropriate ATS units, including those in adjacent FIRs, which may be concerned with the progress of the flight;

*Note.— In applying this provision, account must be taken of all the factors which may affect the progress of the flight, including fuel endurance and the possibility of sudden changes in route and destination. The objective is to provide, as far in advance as is practicable in the circumstances, each ATS unit with appropriate information as to the expected or possible penetration of the aircraft into its area of responsibility.*

- d) notify:
  - 1) the operator or its designated representative;
  - 2) the appropriate rescue coordination centre in accordance with appropriate alerting procedures;



- 3) the appropriate authority designated by the State;

*Note.— It is assumed that the designated security authority and/or the operator will in turn notify other parties concerned in accordance with pre-established procedures.*

- e) relay appropriate messages, relating to the circumstances associated with the unlawful interference, between the aircraft and designated authorities.

*Note.— These messages include, but are not limited to: initial messages declaring an incident; update messages on an existing incident; messages containing decisions made by appropriate decision makers; messages on transfer of responsibility; messages on acceptance of responsibility; messages indicating that an entity is no longer involved in an incident; and messages closing an incident.*

15.1.3.4 The following additional procedures shall apply if a threat is received indicating that a bomb or other explosive device has been placed on board a known aircraft. The ATS unit receiving the threat information shall:

- a) if in direct communication with the aircraft, advise the flight crew without delay of the threat and the circumstances surrounding the threat; or
- b) if not in direct communication with the aircraft, advise the flight crew by the most expeditious means through other ATS units or other channels.

15.1.3.5 The ATS unit in communication with the aircraft shall ascertain the intentions of the flight crew and report those intentions to other ATS units which may be concerned with the flight.

15.1.3.6 The aircraft shall be handled in the most expeditious manner while ensuring, to the extent possible, the safety of other aircraft and that personnel and ground installations are not put at risk.

15.1.3.7 Aircraft in flight shall be given re-clearance to a requested new destination without delay. Any request by the flight crew to climb or descend for the purpose of equalizing or reducing the differential between the outside air pressure and the cabin air pressure shall be approved as soon as possible.

15.1.3.8 An aircraft on the ground should be advised to remain as far away from other aircraft and installations as possible and, if appropriate, to vacate the runway. The aircraft should be instructed to taxi to a designated or isolated parking area in accordance with local instructions. Should the flight crew disembark passengers and crew immediately, other aircraft, vehicles and personnel should be kept at a safe distance from the threatened aircraft.

15.1.3.9 ATS units shall not provide any advice or suggestions concerning action to be taken by the flight crew in relation to an explosive device.

15.1.3.10 An aircraft known or believed to be the subject of unlawful interference or which for other reasons needs isolation from normal aerodrome activities shall be cleared to the designated isolated parking position. Where such an isolated parking position has not been designated, or if the designated position is not available, the aircraft shall be cleared to a position within the area or areas selected by prior agreement with the aerodrome authority. The taxi clearance shall specify the taxi route to be followed to the parking position. This route shall be selected with a view to minimizing any security risks to the public, other aircraft and installations at the aerodrome.

*Note.— See Annex 14, Volume I, Chapter 3.*

**EXTRACTS FROM THE PROCEDURES FOR AIR NAVIGATION SERVICES —  
AIRCRAFT OPERATIONS (DOC 8168), VOLUME I — FLIGHT PROCEDURES**

**PART III. AIRCRAFT OPERATING PROCEDURES**

**SECTION 3. — SECONDARY SURVEILLANCE RADAR (SSR)  
TRANSPONDER OPERATING PROCEDURES**

**Chapter 1**

**OPERATION OF TRANSPONDERS**

.....

**1.4 EMERGENCY PROCEDURES**

The pilot of an aircraft in a state of emergency shall set the transponder to Mode A Code 7700 unless ATC has previously directed the pilot to operate the transponder on a specified code. In the latter case, the pilot shall continue to use the specified code unless otherwise advised by ATC. However, a pilot may select Mode A Code 7700 whenever there is a specific reason to believe that this would be the best course of action.

.....

**1.6 UNLAWFUL INTERFERENCE WITH AIRCRAFT IN FLIGHT**

1.6.1 If there is unlawful interference with an aircraft in flight, the pilot-in-command shall attempt to set the transponder to Mode A Code 7500 in order to indicate the situation. If circumstances so warrant, Code 7700 should be used instead.

1.6.2 If a pilot has selected Mode A Code 7500 and has been requested to confirm this code by ATC (in accordance with 1.1.5), the pilot shall, according to circumstances, either confirm this or not reply at all.

*Note.— If the pilot does not reply, ATC will take this as confirmation that the use of Code 7500 is not an inadvertent false code selection.*

— END —

## **Annex 21**

*Letter* from Abdulla Nasser Turki Al-Subaey, Chairman of Qatar Civil Aviation Authority, to Fang Liu, ICAO Secretary General (5 June 2017)





الهيئة العامة للطيران المدني  
CIVIL AVIATION AUTHORITY



**Dr Fang Liu**  
Secretary General  
**International Civil Aviation Organization**  
999 University Street  
Montreal, Quebec  
Canada H3C 5H7

**QCAA/ANS.02/502/17**  
**05 June 2017**

Subject: **Subject: Unilateral action taken by Bahrain, Egypt, Saudi Arabia and the United Arab Emirates (UAE) in closing their respective Flight Information Regions (FIR) for all flight to/from the State of Qatar, breaching the spirit of the Chicago Convention.**

Dear Madam,

We were surprised to note the unilateral action taken by concerned States regarding the closure of Bahrain, Cairo, Jeddah and UAE Flight Information Regions for traffic to/from Qatar, including Qatar Airways flights landing to/or overflying the respective FIRs. This has resulted in practically isolating the State of Qatar to the outside world.

It is to be noted that the State of Qatar has delegated provision of services above its territorial airspace to Bahrain. Qatar lies within Bahrain FIR and we control traffic within our Terminal Control Area (TMA) up to Flight Level 245 (FL 245). We need urgent decision from ICAO on provision of services from Qatar over the high seas airspace.

The action taken by the concerned States is not in accordance with the Spirit of the Chicago Convention and will have major impact on safety and efficiency of international air transport in the region and we fail to understand the rationale behind this drastic approach.

We are accordingly working with the ICAO Regional Office to develop contingency plans passing through international airspace for traffic to/from Qatar.

We would invite you to consider bringing this issue to the attention of the ICAO Council, with a view to make an appeal in accordance with the "Settlement of Dispute" mechanism in conformance with Article 84 of the Chicago Convention.

Accept Madam, the assurances of our highest consideration.

Sincerely,

**Abdulla Nasser Turki Al-Subaey**  
Chairman Civil Aviation Authority

Copy: 1. President of the ICAO Council  
2. Regional Director ICAO Middle East office



## **Annex 22**

*Letter* from Fang Liu, ICAO Secretary General, to Abdulla Nasser Turki Al-Subaey, Chairman of Qatar Civil Aviation Authority, Reference No. AN 13/4/3/Open-AMO66892 (7 June 2017)







International  
Civil Aviation  
Organization

Organisation  
de l'aviation civile  
internationale

Organización  
de Aviación Civil  
Internacional

Международная  
организация  
гражданской  
авиации

منظمة الطيران  
المدني الدولي

国际民用  
航空组织

THE SECRETARY GENERAL

Ref.: AN 13/4.3.Open-AMO66892

7 June 2017

Mr. Abdulla Nasser Turki Al-Subaey  
Chairman  
Qatar Civil Aviation Authority  
P.O. Box 3000  
Doha  
Qatar  
Email: [chairman@caa.gov.qa](mailto:chairman@caa.gov.qa)  
[a.subaey@caa.gov.qa](mailto:a.subaey@caa.gov.qa)

Dear Mr. Al-Subaey,

I wish to refer to your letter dated 5 June 2017, reference QCAA/ANS.02/502/17, regarding "the closure of Bahrain, Cairo, Jeddah and UAE Flight Information Regions (FIRs) for traffic to/from Qatar, including Qatar Airways flights landing to/or overflying the respective FIRs".

This is to inform you that I have brought the matter to the attention of the relevant Representatives on the Council of ICAO and, with regards to international flights in the region, emphasised the importance of the safe and efficient flow of air traffic. I also highlighted that operation of international scheduled flights is governed by air services agreements (ASAs) and the International Air Services Transit Agreement (Chicago, 1944), for the parties thereto. Furthermore, besides some ASAs, Article 5 of the Convention on International Civil Aviation (Chicago, 1944; "the Chicago Convention") governs the operation of international non-scheduled flights. I also referred to Assembly Resolution A38-12, Appendix G *Delimitation of air traffic services (ATS) airspaces*, Resolving Clause 7 which states: "...the provision by a State of air traffic services within airspace over the high seas does not imply recognition of sovereignty of that State over the airspace concerned".

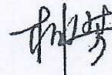
Concerning the provision of services from Qatar over the high seas airspace, while I am mindful that you are exploring potential traffic management options, at this juncture I have my staff focussed exclusively on developing contingency plans to facilitate traffic flow to/from Hamad International Airport-Doha. I have spoken to Mr. Mohamed Rahma, ICAO Regional Director, Middle East Office in Cairo, and he and his team can assist you as required.

With reference to Article 84 of the Chicago Convention, I am also pleased to attach herewith a copy of the related *Rules for the Settlement of Differences* (Doc 7782/2).

- 2 -

The ongoing support of your Administration, with respect to our shared commitment to the safety, security and efficiency of civil aviation, is highly appreciated.

Yours sincerely,



Fang Liu

**Enclosure:**

Rules for the Settlement of Differences (Doc 7782/2)

cc: President of the Council of ICAO  
Embassy of the State of Qatar - Ottawa

## **Annex 23**

ICAO Council, 211<sup>th</sup> Session, *Ninth Meeting: Summary of Decisions*, ICAO Doc. C-DEC 211/9  
(21 June 2017)





C-DEC 211/9  
28/6/17

## COUNCIL — 211TH SESSION

### NINTH MEETING

(THE COUNCIL CHAMBER, WEDNESDAY, 21 JUNE 2017, AT 1000 HOURS)

### SUMMARY OF DECISIONS

#### CLOSED MEETING

#### Settlement of Differences: Brazil and the United States (2016) – Preliminary Objection stage (Subject Nos. 16 and 26)

1. On behalf of the Council, the President extended a welcome to Mr. Olyntho Vieira, the Authorized Agent of Brazil, Ms. Katherine McManus, the Authorized Agent of the United States, and their respective Delegations.
2. The Council then proceeded to consider the above case on the basis of: **C-WP/14617 Restricted (with Addendum No. 1)**, in which the Secretary General provided an overview of the procedure applicable to the disagreement between Brazil and the United States during the preliminary objection stage; memorandum **SG 2360/17** dated 10 April 2017, in which the Secretary General transmitted the Statement of Preliminary Objection filed by the Delegation of the United States to ICAO in accordance with Article 5 of the *Rules for the Settlement of Differences* (Doc 7782), and related memorandum **SG 2362/17** dated 23 May 2017; memorandum **SG 2364/17** (with Blue rider) dated 24 May 2017, in which the Secretary General transmitted the Comments in response to the Statement of Preliminary Objection, including exhibits, filed on behalf of Brazil; and memorandum **SG 2368/17** dated 20 June 2017, in which the Secretary General transmitted a Note Verbale from the Delegation of the United States to ICAO dated, and received on, 16 June 2017, submitting two documents as additional evidence and requesting their inclusion in the record.
3. The paper presented, in paragraph 2, the Application and Memorial filed by Brazil on 2 December 2016 for the settlement, under Article 84 of the Chicago Convention and Article 2 of the *Rules for the Settlement of Differences* (Doc 7782), of the disagreement with the United States regarding the application of Article 12 of the Chicago Convention and Standard 3.1.1 of its Annex 2 – *Rules of the Air* in the aftermath of “the collision, on September 29<sup>th</sup> 2006, of the air carrier Boeing 737-8EH operating a regular flight GLO 1907, and air jet Legacy EMB-135BJ operating a flight by ExcelAire Services Inc.” The four types of relief sought from the Council by Brazil, as Applicant, were also set forth in that paragraph.
4. The Statement of Preliminary Objection submitted by the United States, as Respondent, on 27 March 2017 in accordance with Article 5 of the *Rules for the Settlement of Differences* (Doc 7782) requested that the Applicant’s claim be dismissed by the Council as time-barred under the generally-accepted international law principle of extinctive prescription.

5. Pursuant to Article 5 (3) of the said Rules, upon a preliminary objection being filed, the proceedings on the merits shall be suspended and, with respect to the time-limit fixed under Article 3 (1) (c) of the Rules as regards to the Counter-Memorial, time shall cease to run from the moment the preliminary objection is filed until the objection is decided by the Council

6. Addendum No. 1 to the paper summarized the Comments submitted by the Applicant (Brazil) on 19 May 2017 in response to the Statement of Preliminary Objection of the Respondent (United States), in which the Applicant requested the Council to: reject the propositions in the Respondent's Preliminary Objection and reaffirm the Council's competence to consider Brazil's Application and Memorial; and order that the period given to the Respondent for the filing of its Counter-Memorial shall begin to run again immediately following the Council's rejection of the Preliminary Objection.

7. In the executive summary of the paper, the Council was invited to hear the arguments of the Parties relating to the Preliminary Objection and to take a decision on the matter in line with the procedure set forth in Article 5 of the *Rules for the Settlement of Differences* (Doc 7782), paragraph (4) of which specified that "If a preliminary objection has been filed, the Council, after hearing the Parties, shall decide the question as a preliminary issue before any further steps are taken under these Rules." The requirements set forth in Article 15 of the said Rules were referenced in paragraph 5.3 of the paper.

8. It was recalled that, for the case before it, the Council was sitting as a judicial body under Article 84 of the Chicago Convention, taking its decisions on the basis of the submission of written documents by the Parties, as well as on the basis of oral arguments. The Council's consideration was limited to the United States' Statement of Preliminary Objection and to Brazil's Comments in response thereto, and would not address the merits of the case. The *Rules for the Settlement of Differences* (Doc 7782) and the *Rules of Procedure for the Council* (Doc 7559) served as reference documents.

9. At the invitation of the President of the Council, the Authorized Agent of the United States presented the Statement of Preliminary Objection, which was followed by a presentation by the Authorized Agent of Brazil of the Comments in response to the Statement of Preliminary Objection. Each Party then responded to the other Party's presentation of its arguments. All oral arguments were duly noted and recorded for the minutes of the meeting.

10. On a proposal made by the Representative of the United Arab Emirates and supported by the majority of Representatives, the Council proceeded to a vote by secret ballot, pursuant to Article 50 of the *Rules of Procedure for the Council* (Doc 7559), on the question "Do you accept the Preliminary Objection of the United States?". Under Article 52 of the Chicago Convention, decisions by the Council required approval by a majority of its Members. As the Council comprised 36 Members, acceptance of the Preliminary Objection required 19 positive votes. Brazil and the United States were not entitled to vote under Article 84 of the Chicago Convention and Article 15 (5) of the *Rules for the Settlement of Differences* (Doc 7782), which specified that "No Member of the Council shall vote in the consideration by the Council of any dispute to which it is a Party". Following the completion of the secret ballot, the three Vice-Presidents of the Council, namely, the Representatives of the United Arab Emirates, Sweden and Colombia, monitored and scrutinized the tallying of all of the votes cast for the purpose of ensuring its accuracy.

11. The result of the secret ballot, in which 34 votes were cast by the Council Members eligible to vote, was as follows:

In favour	4 votes
Against	19 votes
Abstentions	11 votes

There were no invalid ballots or blank votes.

12. Based on this result, the President declared that the Statement of Preliminary Objection filed by the United States, as Respondent, was not accepted by the Council.

13. Following a further exchange of views, the Council unanimously decided that as the statements and arguments made in the Respondent's Preliminary Objection and in the Applicant's Comments in response did not possess, in the circumstances of the case, an exclusively preliminary character, they may be joined to the merits of the case and included in the Respondent's Counter-Memorial and any additional pleadings.

14. Notwithstanding that 11 calendar days remained for the submission of the Respondent's Counter-Memorial under the original time-limit established therefor under Article 3 (1) (c) of the *Rules for the Settlement of Differences* (Doc 7782), the Council, further to a request by the Authorized Agent of the United States for additional time, unanimously decided to set the time-limit for the submission of the Counter-Memorial at two weeks from the Respondent's receipt of the Council-approved minutes of the present meeting, which constituted the official record of the oral proceedings on the Preliminary Objection. It was noted that the Applicant (Brazil) could also take advantage of the said minutes, and that it may, in accordance with the said Rules, file a pleading in reply to the Counter-Memorial to provide comments in response.

15. The Council unanimously decided to invite the two Parties to engage in direct negotiations pursuant to Article 14 (1) of the *Rules for the Settlement of Differences* (Doc 7782) with a view to achieving a satisfactory resolution of their disagreement. In accepting, the Parties indicated that prior to the present meeting they had discussed the issue of continuing negotiations and that both were willing to do so and to accept the assistance of the President of the Council or any other individual he might appoint whom they found to be mutually-acceptable.

16. Accordingly, the Council unanimously decided to invite the President to be available to provide his good offices as Conciliator during the Parties' renewed negotiations.

17. Furthermore, the Council unanimously decided not to set a time-limit for the completion of the negotiations in order to give both Parties full opportunity to successfully resolve their disagreement, on the understanding that a progress report on the status of the negotiations would be presented for its consideration during its next (212th) session in October/November 2017.

18. On behalf of the Council, the President expressed appreciation to both Parties for their spirit of compromise, and their willingness to resolve their disagreement amicably.

19. It was noted that, on the basis of the Council's above deliberations, the President would prepare and circulate the draft text of the Council's decision in the Preliminary Objection stage of the case *Settlement of Differences: Brazil and the United States* (2016), which would be tabled for the Council's consideration and approval at its next meeting (211/10) on Friday, 23 June 2017.





## **Annex 24**

ICAO Council, 211<sup>th</sup> Session, *Summary Minutes of the Tenth Meeting*, ICAO Doc. C-MIN  
211/10 (23 June 2017)





**International Civil Aviation Organization**

C-MIN 211/10 (Closed-AM)  
11/7/17

**COUNCIL — 211TH SESSION**

**SUMMARY MINUTES OF THE TENTH MEETING**

**(THE COUNCIL CHAMBER, FRIDAY, 23 JUNE 2017, AT 1000 & 1200 HOURS)**

**CLOSED MEETING**

President of the Council: Dr. Olumuyiwa Benard Aliu

Secretary: Dr. Fang Liu, Secretary General

**PRESENT:**

Algeria	— Mr. A.D. Mesroua	Kenya	— Ms. M.B. Awori
Argentina	— Mr. G.E. Ainchil	Malaysia	— Mr. Y.-H. Lim
Australia	— Mr. S. Lucas	Mexico	— Mr. D. Méndez Mayora
Brazil	— Mrs. M.G. Valente da Costa	Nigeria	— Mr. M.S. Nuhu
Cabo Verde	— Mr. C. Monteiro	Panama	— Mr. G.S. Oller
Canada	— Mr. M. Pagé	Republic of Korea	— Mr. J. Hur
China	— Mr. Shengjun Yang	Russian Federation	— Mr. A.A. Novgorodov
Colombia	— Mr. A. Muñoz Gómez	Saudi Arabia	— Mr. S.A.R. Hashem
Congo	— Mr. R.M. Ondzotto	Singapore	— Mr. T.C. Ng
Cuba	— Mrs. M. Crespo Frasquieri	South Africa	— Mr. M.D.T. Peege
Ecuador	— Mr. I. Arellano	Spain	— Mr. V.M. Aguado
Egypt	— Mr. A. Khedr	Sweden	— Ms. H. Jansson Saxe
France	— Mr. P. Bertoux	Turkey	— Mr. A.R. Çolak
Germany	— Mr. U. Schwierczinski	United Arab Emirates	— Miss A. Alhameli
India	— Mr. A. Shekhar	United Kingdom	— Mr. M. Rodmell
Ireland	— Mrs. A. Smith Floch	United Republic of	— Mr. R.W. Bokango
Italy	— Mr. M.R. Rusconi	Tanzania	— Mr. S. Kotis (Alt.)
Japan	— Mr. S. Matsui	United States	— Mr. M. Vidal
		Uruguay	

**ALSO PRESENT:**

Dr. N. Luongo (Alt.)	— Argentina
Mrs. M.F. Loguzzo (Alt.)	— Argentina
Mr. O. Vieira (Authorized Agent)	— Brazil
Mr. L. Sacchi Guadagnin (Alt.)	— Brazil
Mr. G. do Prado Lima (Alt.)	— Brazil
Mr. R. da Rosa Costa (Alt.)	— Brazil
Mr. D.A. Tavares Taufner (Alt.)	— Brazil
Mr. Chunyu Ding (Alt.)	— China
Mr. M. Millefert (Alt.)	— France
Mr. N. Naoumi (Alt.)	— Germany
Mr. M. Usami (Alt.)	— Japan
Mr. K.A. Ismail (Alt.)	— Malaysia
Mrs. D. Valle Álvarez (Alt.)	— Mexico
Mr. S. Kim (Alt.)	— Republic of Korea
Mr. K. Lee (Alt.)	— Republic of Korea
Mr. D. Subbotin (Alt.)	— Russian Federation
Mr. M.S. Habib (Alt.)	— Saudi Arabia
Mr. S. Vuokila (Alt.)	— Sweden

**SECRETARIAT:**

Mrs. J. Yan	— C/OSG
Mr. B. Djibo	— D/ATB
Mr. J. Augustin	— D/LEB
Mr. S. Creamer	— D/ANB
Mr. V. Smith	— D/ADB
Mr. A. Opolot	— LO
Mr. A. Larcos	— ACC
Miss A. Tyo	— Précis-writer

**ALSO PRESENT (CONTINUED):**

Mr. Ö. Doğrukol (Alt.)	— Turkey
Mr. A. Alnaqbi (Alt.)	— United Arab Emirates
Mr. J.C. Salazar (Alt.)	— United Arab Emirates
Mrs. L. Coquard-Patry (Alt.)	— United Arab Emirates
Mrs. K.L. Riensema (Alt.)	— United Kingdom
Ms. K. McManus (Authorized Agent)	— United States
Mr. W. Voss (Alt.)	— United States
Mr. J. Méndez (Alt.)	— Uruguay

Representatives to ICAO

Chile  
Cyprus  
Ethiopia  
Greece  
Indonesia  
Lebanon  
Paraguay  
Sudan  
Venezuela (Bolivarian Republic of)

Airports Council International (ACI)  
International Air Transport Association (IATA)  
European Union (EU)

**Subject No. 16:           Legal work of the organization**  
**Subject No. 26:           Settlement of disputes between Contracting States**

**Settlement of Differences: Brazil and United States – preliminary objection stage**

1.           The Council resumed consideration of this item, which had been first discussed at the Ninth Meeting of the current session on Wednesday, 21 June 2017. In doing so, it was recalled that at the previous meeting, the President had indicated his intention to prepare and circulate the draft text of the Council's decision on the preliminary objection in the matter: Brazil and United States, so that it could be considered and approved at this the Tenth Meeting of the 211th Session (C-DEC 211/9 refers). In this connection, it was noted that the draft text of the decision had been circulated (in all languages) to Council Representatives on the afternoon of Thursday, 22 June 2017.

2.           Following consideration, the Council adopted the decision, which is reproduced in the Attachment to this C-MIN.

3.           The Representative of Brazil thanked all the delegates who took part in the settlement process and expressed her gratitude to the Legal Affairs and External Relations Bureau (LEB) for its excellent work in leading the parties through a very difficult situation, a task which it had undertaken despite the demands of other important pressing assignments. She also commended the President of the Council for his leadership role in this endeavour and availed herself of the opportunity to express her appreciation of the constructive process that the Brazilian Delegation had had with the Delegation of the United States. She was confident that the two Delegations would work well together in future and congratulated the United States Delegation on the very constructive process and on the views that they had demonstrated to her delegation since the decision.

4.           The Authorized Agent of the United States (Ms. Katherine McManus) thanked the Secretary General for her assistance and the President of the Council for his guiding hand on this matter. Although the Council did not reach the decision that the United States Delegation had hoped for when it filed its preliminary objection, the matter was now in a posture with which her delegation was comfortable. She also thanked the many members of the Council who played constructive roles and helped the parties reach this point. The United States Delegation extended its gratitude to the Secretariat, particularly the LEB, for their excellent work in bringing about the result that the Council had now adopted. She assured that the United States would negotiate with its Brazilian counterparts in good faith, and it was hoped that these negotiations would come to a constructive and mutually beneficial resolution within a reasonable time. She added that a preliminary discussion of modalities with Brazil had already taken place, and expressed her appreciation of the offer from the President of the Council of further assistance as needed in this regard.

5.           The President of the Council congratulated the delegations of Brazil and the United States for the spirit of compromise and consensus that had been exhibited. Both delegations had displayed exemplary leadership in the statements presented and in their readiness to work together. The President confirmed his availability to support the continuing process in whatever way possible, but stressed that the key element was the determination of both sides to continue direct bilateral negotiations.

6.           The Council reconvened in open session at 1015 hours to consider the remaining items on its order of business. The closed session was then reconvened at 1200 to consider the following item.

**Subject No. 27: Convention on International Civil Aviation (Chicago Convention)****Item under Article 54 n) of the *Convention on International Civil Aviation***

7. The Council had for consideration the Oral Report by the Secretary General on a State's request under Article 54 n) of the *Convention on International Civil Aviation* – request of Qatar.

8. Prior to commencing consideration of this item, the Council decided that despite this matter being considered in closed session, the representatives of the European Union, International Air Transport Association (IATA), and Airports Council International (ACI), should be permitted to attend and observe the proceedings.

9. The Secretary General presented her Oral Report, as follows:

“A series of correspondence from the State of Qatar related to a request to the Council of ICAO to consider a matter pursuant to Article 54 n) of the Chicago Convention under which it is a mandatory function of the Council “to consider any matter relating to the Convention which any contracting State refers to it”. Such consideration under Article 54 n) may be about a dispute but is not part of the process for settlement of disputes provided in Article 84; in other words, the consideration of a matter under Article 54 n) is fully governed by the *Rules of Procedure for the Council*, not by the *Rules for the Settlement of Differences*. Consideration of a matter by the Council under Article 54 n) is not uncommon as there were several cases over the years. In terms of outcomes, the Council approved a variety of actions that are recorded either in Decisions, Declarations or Resolutions.

“In a letter dated 8 June 2017 addressed to the President of the Council, the Chairman of the Civil Aviation Authority of Qatar requested “the intervention of the ICAO Council in the Matter of the Actions of the Arab Republic of Egypt, the Kingdom of Saudi Arabia, the United Arab Emirates (UAE) and the Kingdom of Bahrain to close their Airspace to aircraft registered in the State of Qatar”. He indicated Qatar's intention to make an application under Article 84 of the Chicago Convention and requested that the Council urgently consider under Article 54 n) certain actions of Bahrain.

“By letter dated 13 June 2017, the President of the Council advised the Chairman of the Civil Aviation Authority of Qatar that the authorities of Bahrain had been duly informed of Qatar's request under Article 54 n) but, considering that his afore-mentioned letter of 8 June addressed a range of issues, involving several States at various degrees, the President further requested from Qatar a separate and dedicated communication specifically on the Article 54 n) request, which would be circulated to the Council for decision on adding this item to its Work Programme.

“Following a letter dated 15 June supplemented by supporting documentation provided by e-mail message dated 16 June addressed to me, the Chairman of the Civil Aviation Authority of Qatar, by letter dated 17 June 2017 to the President of the Council, confirmed “the decision of the State of Qatar to invoke Article 54 n)” of the Chicago Convention. He further requested the Council to include this matter on a “top-urgent” basis as an item in the Work Programme of the current 211th Session. The letter referenced earlier correspondence from the State of Qatar which specifically requested the intervention of the Council under Article 54 n) “in the Matter of the Actions of the Arab Republic of Egypt, the Kingdom of Bahrain, the Kingdom of Saudi Arabia and the UAE to Close their Airspace to Aircraft Registered in the State of Qatar”, i.e. not only the actions of Bahrain.

“As regards the technical aspects of the issue, you will recall that I provided you with a technical brief on 9 June and so I will not repeat here all those points but I wish to point out the following:

- During the week of 5 June and subsequently, after coordination by the ICAO Regional Office in Cairo supported by Headquarters and the Air Navigation Bureau (ANB) with the States concerned, a number of NOTAMs promulgating restrictions were modified, clarifying that restrictions against Qatari-registered aircraft was over their airspace – meaning territory of the State within the Flight Information Region(s) (FIR) concerned.
- From 12 June until today three contingency routes have been promulgated by Bahrain, Iran (Islamic Republic of) and Oman, to add to some existing air traffic services (ATS) routes over the Gulf already being utilized for arrival and departures to/from Qatar.
- An additional contingency route; an extension of an existing ATS route via the Emirates FIR has been turned down for operational reasons. The ICAO Regional Office in Cairo continues to press for more effective contingency routes and arrangements to facilitate the traffic flow in and out of Qatar for Qatari-registered aircraft with the support of the Headquarters and the ANB.
- On 15 June, a technical delegation from Qatar visited ICAO Headquarters in Montréal, as well as a high-level delegation from Bahrain, Egypt, Saudi Arabia and UAE. Also, the Directors General of these four States have agreed to hold a Special Technical meeting with ICAO in Cairo on 6 July. I decided to send Chief Air Navigation Bureau from headquarters to join the Regional Office in Cairo to participate in this meeting.”

10. The Secretary General reported as additional information not pertaining to Article 54 *n*) but regarding Article 84:

- By letter dated 13 June 2017 from H.E. Jassim Bin Saif Al-Sulaiti, Minister of Transport and Communications of the State of Qatar, it was stated that formal applications by the State of Qatar, pursuant to Article 84, would be lodged, one regarding the Chicago Convention and the other the International Air Services Transit Agreement, along with their supporting memorials, which would be submitted under separate cover.
- Such separate cover has since not been received from Qatar but meanwhile two Applications and Memorials were hand-delivered to me on 15 June 2017 and a letter of the same date further transmitted updates on evidence through related Appendices.
- In accordance with Article 3 (1) (a) of the Rules for the Settlement of Differences, upon receipt of an application, the Secretary General shall verify whether it complies in form with the requirements of Article 2 of the said Rules and, if necessary, require the applicant to supply any deficiencies appearing therein.
- Besides necessary clarification regarding any “separate cover” from Qatar authorities invoking Article 84 of the Chicago Convention as mentioned above, the two hand-delivered applications and memorials were verified and deficiencies were identified.

Accordingly, by letter dated 21 June, I requested the Chairman of the Qatar Civil Aviation Authority to provide necessary information so as to rectify such deficiencies.

11. The President of the Council thanked the Secretary General for providing this updated information on the technical work that had been done and the details of the plan moving forward. He then made the following introductory remarks:

“Further to my email dated 19 June 2017, in which I sought your comments regarding the State of Qatar’s request to include an item under Article 54 n) of the Convention on International Civil Aviation in the current 211th Session, please note the following:

- A majority of members on the Council were in favour of including an item in the Work Programme of the Council. With respect to this session, a significant number but not the majority of members accepted to include the item in the current 211th Session, while others, noting practical challenges, suggested that it could be dealt with at a later session or at an extraordinary session, that is a session between this session and next session. There were also suggestions for an informal briefing as soon as possible.
- Many Representatives also indicated the need to prepare properly for the meeting, provide opportunities to States that have special interest to participate and make submissions and that the focus of the meeting should be strictly on technical matters of safety, security and regularity of air navigation.
- And finally that the Council’s consideration of the item should not be seen to discuss nor escalate any political differences.”

12. The President of the Council advised that the discussion of the current meeting would focus on how the Council would address this issue. As a first step the Council had been apprised of the technical developments on the contingency arrangements and that ongoing consultation was taking place between ICAO Headquarters, the Middle East Regional Office in Cairo and the States. The President then announced that on 30 June 2017 a detailed informal briefing by the Secretariat led by the Secretary General, and presented by the Director of the Air Navigation Bureau (D/ANB), would inform on the exact situation as of that date with respect to the issues of flights, contingency arrangements, efficiency and safety of operations in the Region. At that stage it would be necessary to identify a period for an extraordinary meeting by the Council to be held between its 211th Session and the scheduled start of its 212th Session.

13. The Council availed itself of the opportunity to thank the Secretary General for her Oral Report, and the Secretariat, in particular the Middle East Regional Office in Cairo, for the prompt action taken in response to the situation in the region in the service of international air navigation. The Council also expressed its appreciation to the President of the Council for the efforts made in his key role in addressing the urgent matter under consideration.

14. The Representative of Mexico supported the steps proposed by the President of the Council and relayed his belief that this delicate topic should be addressed urgently, in good faith and in a responsible manner, and that the differences between the States concerned be examined solely with a view to ensuring the safety, security and regularity of air operations regardless of the registration number of the aircraft, in line with the mandate of ICAO. Although cognizant of the urgency of the matter, he was of the view that reliable information was needed when taking the matter under review, and the Council should consider whether the information provided was sufficient. He suggested that the States concerned could formally share their positions with the Council so as to support it in determining the priority of the



case and determining how it should be resolved. He cautioned against acting in an overly hasty manner which could lead to an unfair or incomplete decision that could negatively impact on the safety and continuity of air travel.

15. Conveying his respect to the State that had requested that this item be presented to the Council, the Representative of Saudi Arabia agreed that the focus of the discussion should rest on safety, security and air navigation. He noted that two communications had been presented: one addressed to the President of the Council under Article 54 n) of the Chicago Convention that requested the submission of this item to the Council, and the other from the State of Qatar addressed to the Secretary General requesting the resolution of the settlement of this difference under Article 84 of the Convention. He opined that the Council's discussions should not address the settlement of the difference under Article 84 as he was of the view that this would be in contradiction to the Chicago Convention, and the Council could not take decisions that were contrary to the Convention. In response to the President's email request for comments, the Delegation of Saudi Arabia had asked for an update or briefing on the current situation so that the Council could be appraised of the safety plans and of the arrangements taken to guarantee the safety and security of air navigation. The Representative of Saudi Arabia took the opportunity to underline that Saudi Arabia considered air safety as a sacred subject and no State should violate or compromise it.

16. The Representative of the United States informed the Council that his State had been closely monitoring the situation. It was his understanding that Qatari aircraft had been restricted from operating in certain portions of the region, and this included flights originating from and destined for Qatar. His State had also been reviewing information shared by the Government of Qatar alleging that these actions, including the discontinuation of a vital airway, were creating an unsafe operational environment in already congested airspace. Over the last week, the United States Delegation had met with special representatives and high-level officials from all parties to this dispute and had heard their concerns concerning these extraordinary measures. The operational situation had also been discussed with experts from both the United States Federal Aviation Administration and the ANB of ICAO. While welcoming the informal briefings, he believed that the respective positions of the countries involved must be considered immediately in light of ICAO's primary responsibility to ensure the safety and security of international civil aviation in the region. He opined that the immediate concern was to ensure the safe operation of civil aviation in the region and stressed that all steps should be taken to ensure that transit aircraft were not placed in unsafe conditions due to the ongoing dispute between the Gulf countries. It was incumbent on ICAO to determine if contingency routes that allowed for the safe and regular passage of international traffic on international routes had been properly established or if additional measures were warranted. As the delegation of administrative control of international airspace was an ICAO responsibility, it was incumbent upon ICAO to react quickly to situations where aviation safety in these areas might be jeopardized.

17. In light of the received complaint and disputed statements on the ability of ICAO's Middle East Office to reach an agreement between the parties, the Representative of the United States believed it was incumbent on the ICAO Council to address this aspect of the dispute with a sense of urgency and called on the Council to take up this action immediately and without delay. In addition, as these measures hindered international aviation, his delegation urged the States concerned to continue to negotiate their differences. He advised that his State was in close communication with all parties to de-escalate and resolve the underlying irritants that had led to the airspace closures. It was critical that strong ties be maintained among key partners to sustain the fight against terrorism and violent extremist ideology. Such ties extended to commercial aviation activities so he reiterated that all steps should be taken to ensure safe and secure civil aviation operations.

18. The Representative of the United Arab Emirates (UAE) supported the comments of the Representative of Saudi Arabia and while averring that every State had the right to seek a hearing by

ICAO, she reminded that rules and procedures existed within the Organization and these needed to be followed. It was necessary to distinguish between what was to be considered urgent and what needed to follow established procedures. In particular the Secretariat of ICAO and the Middle East Regional Office needed to advise what was occurring on the ground, what contingency plans were in place, and what procedures were to be followed before the Council could make any assumptions about whether any aspects of this case needed to be dealt with urgently. She urged the Council to consider all the facts with open minds and reminded that two articles, Article 54 *n*) and Article 84, were involved but that these were separate issues. ✓

19. The Representative of France stated that ICAO must stick strictly to its prerogatives and not enter into political issues which fell under the mandate of other institutions. His view was that sustainable solutions must be found quickly in order to ensure the international aviation regulations in accordance with the Chicago Convention were respected. While he supported the Secretariat's proposal to hold a technical meeting on 6 July 2017, as well as the proposal to hold an informal briefing on 30 June, he felt these measures were insufficient. There was a legitimate need for the Council to listen to all parties involved in this issue. Since a formal, urgent request relating to Article 54 *n*) had been presented, the Council should abide by the provisions of the Chicago Convention. Member States that did not sit on the Council must not be left behind. It would be regrettable for third parties not to be included, when the President of the Council and the Secretary General had already made fruitful efforts in this regard. The Representative of France was of the view that the deadlines needed to be tightened, and that a formal extraordinary meeting of the Council should be held as soon as possible where all sides could present their cases. This action would send a necessary message that ICAO was addressing the quick resolution of the relevant measures and abiding by its mandate to ensure the highest level possible of safety in the region.

20. Wishing to underscore that the work of ICAO was on the technical aspects of air navigation safety only, the Representative of Egypt opined that the Organization should not delve into political considerations or address subjects that were under the purview of other international entities. He also emphasized his State's full respect for international conventions and treaties and for international law. The Chicago Convention, as the legal framework that governed the work of ICAO, underlined the sovereignty of States and in its Article 4 underlined the commitment of all Contracting States not to abuse or misuse air navigation for other purposes. Under consideration at the current meeting were the actions taken by certain States, including Egypt, who he stated had evidence that Qatar was misusing civil aviation in violation of Article 4 of the Chicago Convention. He added that the recent period had borne witness to the cooperation of civil aviation authorities with ICAO in order to guarantee the security and safety of aviation in international airspace to ensure aviation would not be affected by the actions taken in the region. He underlined his State's readiness to continue to cooperate with the Secretary General, either through ANB or through the Regional Office in Cairo, in order to solve any problems and to respond to any request to continue the flow of air traffic in international airspace. He expressed agreement with the proposal to hold an informal briefing, in coordination with the Middle East Regional Office, so as to enable the Council to be appraised of all aspects of the matter. He also emphasized the view that the actions taken were exclusively related to Egyptian airspace against a country which his State considered to have misused civil aviation for purposes inconsistent with the aims of the Chicago Convention.

21. The Representative of Turkey conveyed his sadness at witnessing this problem among good friends in the same region and expressed the hope that political solutions would be found to this issue as soon as possible. Because it was not ICAO's role to find a political solution, however, the Organization needed to focus on safety, security and air navigation and to do so promptly. He added that it would be useful for the Council to be provided with the text of the Secretary General's oral report for further reference. He expressed support for the remarks made by the Representatives of the United States and of France for the need to act quickly on this matter. While the informal briefing would assist in establishing a clear vision of events taking place in the region, subsequent to that informal briefing there

should not be a long delay before hearing from the Qatari authorities because their demand followed from Article 54 *n*) of the Chicago Convention and had been accepted by the Council. He believed that the Article 54 *n*) hearing should be implemented immediately after the informal briefing, and notwithstanding the technical meeting forecast for 6 July in the Middle East Office, it was important to hear from the State of Qatar to determine the nature of its request. He concluded with the suggestion that every attempt should be made for the Article 54 *n*) Council meeting to take place as early as possible in the month of July.

22. The request to have the Secretary General's oral report made available to the Council for consultation was seconded by the Representative of the United Kingdom who felt it outlined aspects of the history of the case, and it was important that the Representatives report the facts accurately to their respective authorities. Referring to the views put forward by the Representatives of the United States, France, and Turkey regarding the action being proposed, he agreed that the Council should have the information to hand, and he felt it necessary to show a certain degree of urgency. In particular, as a specific request had been received from a Contracting State of the Organization and it appeared that a majority of Council Representatives had agreed that this matter be taken quite soon, he feared that inaction would risk the appearance of a lack of urgency in addressing this matter which could reflect badly on the Organization. He expressed the hope that the current meeting would come to a clear decision in that respect.

23. The Representative of Singapore expressed his appreciation for the briefing provided by the Secretariat and to the delegations of Egypt, Saudi Arabia, and the UAE for tirelessly updating the Council on many of these issues. He advised that Singapore was also closely monitoring the developments in the Gulf region with all concerned and, as a friend of all the Gulf Cooperation Council (GCC) Member States, Singapore hoped that all sides would take steps to reduce tensions. The ongoing efforts to find a peaceful resolution to the dispute through diplomacy and dialogue and on the basis of international law were welcomed. The Middle East countries played an important role in countering terrorism, and it was essential for the GCC Members and the Arab countries to stay united and to work together as this would ensure that ongoing multinational efforts, of which Singapore was a part, to combat terrorism remained unaffected.

24. Having listened carefully to all the comments, the Representative of Singapore agreed that the present was a complex and sensitive political issue involving more than civil aviation, and, as the United Nations agency responsible for international aviation with clear jurisdiction over global aviation matters, ICAO needed to look at this issue. Having listened to all parties including Saudi Arabia, the UAE and Egypt, he was of the opinion that none on the Council would disagree on the importance of the rule of law which was premised in international law and agreements. For over 70 years, civil aviation had been built upon Member States individually and together upholding the rule of law. Member States had fulfilled their commitments to international law and to the agreements that they had signed and ratified to ensure freedom of overflight for international aviation traffic, including international agreements such as the Chicago Convention and the International Air Services Transit Agreement, through which Member States ensured that air navigation services were provided professionally and objectively based on operational and technical considerations with safety being paramount. He expressed the opinion that, looking to the future, Member States must and would continue to uphold the same commitments for civil aviation to grow from strength to strength benefiting people around the world. He urged that more work be done so that operational solutions could be found to ease the situation and to guarantee the unhindered flow of air traffic in the region. He agreed with the viewpoints expressed by the Representatives of the UAE and of Turkey that all available information be presented and expressed support for the informal briefing set for 30 June. On procedural matters, he queried, with regard to the hearing on Article 54 *n*) of the Convention, whether the governments of Qatar and of the States concerned would be required to table working papers for the Council's consideration.

25. The President of the Council commented that some speakers had made clear the requirement to provide opportunities to States to present submissions to the Council, and it was on that basis he anticipated that those submissions to be made by the relevant States would outline what action the Council was expected to take. Further, the President stressed that for the Council it was necessary to differentiate the Article 54 *n*) process from the Article 84 resolution mechanism.

26. With regard to Article 54 *n*) proceedings, the Director of the Legal Affairs and External Relations Bureau (D/LEB) explained that there were a variety of ways that this could be brought to the Council in terms of information from the State, but ideally the State should provide a comprehensive, cohesive document which clearly outlined an action item which the State would request from the Council. In this particular case it would be important to sever the Article 54 *n*) proceedings from Article 84 proceedings. LEB had received numerous communications that had combined references to Article 54 *n*) and to Article 84. It was not the task of the Secretariat, but rather that of the requesting State, to decide which aspects fell under Article 54 *n*) and which fell under Article 84. As an example of a working paper that had invoked Article 54 *n*), D/LEB referenced a resolution attached to C-MIN 203/1 on the issue of the Malaysia Airlines Flight MH17, the discussion of which had raised the invoking of Article 54 *n*) of the Chicago Convention.

27. The President of the Council confirmed that it was his expectation that matters proceed in accordance with the *Rules of the Procedure for the Council*. It was his expectation that the State requesting consideration of Article 54 *n*) would be required to submit a working paper which would contain an action item for consideration by the Council. Thereafter, it would also be important, in accordance with the *Rules of Procedure for the Council*, to ensure that States with an interest in the matter be invited, if they so wished, to submit a working paper with an action item.

28. In view of the urgency of the situation, the Representative of Canada supported the position of the Representatives of France, Turkey, the United States and the United Kingdom to the effect that the Council of ICAO should address the matter as soon as possible.

29. Having listened carefully and with the greatest respect to the various contributions, the Representative of Spain welcomed the comments by the Representatives of Egypt and the UAE with regard to being faithful to the Chicago Convention and to upholding the rule of law. Noting that time was passing in addressing this crisis, which was both delicate and complex, he was of the view that the situation had possibly improved somewhat according to the latest information received. While he expressed support for the proposal to hold an informal briefing on 30 June, nevertheless, there was a need to distinguish between the receipt of information and the obligations of the Organization with respect to Article 54 *n*). The actions taken by the Council, as guardians of the Chicago Convention, needed to comply with the Convention and to align to ICAO's strategic objectives of safety and efficiency of air transport. On that basis, he proposed that the Council schedule an extraordinary meeting to take place as soon as practicable following the technical briefing set for 6 July in Cairo.

30. The Representative of Uruguay prefaced his comments by thanking the Representatives of Saudi Arabia, the UAE and Egypt for the timely information provided. He was pleased to be able to share information directly with them and with the pertinent regional groups. He agreed with previous speakers that the focus should be on essential air navigation matters, these being the technical issues of aviation safety and security. All parties concerned should be given the opportunity to speak directly on this urgent matter and in particular it was important in this case to uphold international law. He agreed with the Representative of Mexico and others on the importance of possessing reliable information upon which the Council would make an appropriate determination. He concluded by adding that the timeframe suggested by the Representative of Spain seemed to him to be sensible and should be given consideration.

31. The Representative of Germany concurred with all the speakers who expressed their concern over the situation and its impact on international civil aviation as regards safety, security and efficiency, as well as with the views expressed that the Council should consider this matter as one of urgency and of the highest priority. He considered this a fundamental function and responsibility of the ICAO Council, and urgent attention was necessary to provide the urgently needed clarity on the situation based on reliable facts in the interest of the international civil aviation.

32. Endorsing the contextual observations by the Representative of Singapore, the Representative of Australia wished to emphasize that the Australian Government looked forward to a resolution of these kind of issues from diplomatic efforts. For ICAO, procedurally it was important firstly that information be shared and secondly that the concerns of a Member State be heard. It was also important on this issue that the Council engage and satisfy itself as to the appropriateness of the Organization's response. Consideration of the matter in the Council following the informal briefing should not be delayed, and the Council's discussion should focus on ICAO's jurisdiction, being the safety of air navigation and the measures ICAO had taken and could yet take on contingency and other planning to ensure the safety of civil air navigation in the region.

33. Noting that previous speakers had referred to the technical work that needed to be done by the Organization, the Representative of Argentina reminded that nonetheless it was necessary to recognize the political dimension of the situation. International terrorism was the enemy of all and no effort should be spared to combat it. He echoed the support of other speakers for the informal briefing to be held on 30 June and shared the view as well that the right of a Member State to have its formal request heard by the Council must be respected. As "justice delayed was justice denied", a Member State of the Organization could not be prevented or delayed from making its case. The world would look upon ICAO, including its Council and all its bodies, and judge it by the measures it took. He supported the timeline proposed by the Representative of Spain, and noting the complexity of the problem and that the region comprised a very congested air space, believed it would be helpful to relay the technical information to the Council as quickly as possible so that the Council could meet soon after. In particular, he did not believe that the month of July should pass without the extraordinary meeting taking place subsequent to the technical meeting in Cairo.

34. Expressing her agreement with the majority of speakers, the Representative of Brazil opined that information and security were important and that the Council's commitment was to see that aviation security was upheld in civil aviation. She affirmed that the extraordinary meeting of the Council should be held immediately after the Cairo meeting on 6 July so as to consider the way forward to help in creating safe and secure airline traffic for all.

35. The Representative of Saudi Arabia agreed with the Representatives of Spain and Argentina, and wished to remind that the Organization had technical committees and expert panels which dealt with safety and security under the aegis of the Secretary General. The Cairo meeting on 6 July would give the technical experts an opportunity to transmit their assessment to the Council. Proper preparation for a subsequent Council meeting would entail a review of these findings. As well, following submission by Qatar of its working paper, the Representative suggested that a two-week interval period might be required to allow for its assessment and for the preparation of a response by the other States concerned.

36. The views expressed by the Representative of Saudi Arabia were strongly supported by the Representatives of the United Arab Emirates and of Egypt.

37. In support of the timeline proposed by the Representative of Spain, the Representative of the United States felt that any delay by the Organization in taking action risked damage to its reputation. Therefore he called for the extraordinary meeting of the Council to be scheduled as soon as possible

following the Cairo technical meeting. Outside observers would not be interested in the internal procedures of the Organization, but would want only to know what ICAO did to ensure the safety of passengers from all countries flying through the region. He hoped that the Council's role as the only resident Council of any United Nations technical agency and ICAO's unique structure and format would be called into play to address this situation proactively and as soon as practicable.

38. In response to the preceding intervention, the Representative of Saudi Arabia emphasized from a legal point of view, the right of all States concerned to have sufficient time to rebut the position that Qatar might submit in its documentation.

39. Expressing support for the comments made by the Representative of the United States and in support of the view that in accordance with the Chicago Convention, it was the right of a Member State not represented on the Council to be given the opportunity to be heard, the Representative of Turkey reminded that the matter was not open ended, and that it was important to address the issue within a reasonable timeframe. All States concerned should be given the opportunity to present their cases to the Council, after which the technical process could continue.

40. The President of the Council took the opportunity to remind all present that the Council's consideration of the item should not be seen to discuss nor escalate any political differences and called on all Council Members to focus on technical matters but in so doing to also ensure that opportunities be given to all interested parties to be heard. Of the interested States, two, Qatar and Bahrain, did not enjoy representation on the Council, and both States should be given the opportunity of a hearing. Summarizing the discussion thus far, the President said that, first, there was clear support for the need for credible information. He suggested that credible information was the essence of the upcoming informal briefing wherein the Secretariat would explain the current situation. Second, it was agreed that the technical coordination meeting in Cairo should be continued and the participation of Headquarters in that process was welcomed. Third was the need to ensure that the Council formally consider this item as soon as possible following the Cairo technical meeting and that the Council meeting should be properly but expeditiously prepared.

41. It had been noted that the process regarding Article 54 n) was different from that for Article 84, and that those two processes should not be confused. The State of Qatar had submitted three requests, one with respect to Article 54 n), and two with respect with Article 84, and the Secretariat was in the process of clarifying the three requests. Therefore the President advised that what still needed to be done was for the Council to set a date for its consideration of this subject. A proposal had been brought forth that the meeting of the Council should be held during the month of July. Rule 19 a) of the *Rules of Procedure for the Council* stated that "between two consecutive sessions of the Council, the President, on his own initiative or at the request of a Contracting State, after consulting the Members of the Council and with the approval of the majority of the Members of the Council, shall call an extraordinary session or change the date which the Council has set for the opening of the next session. No such action shall result in a Council Meeting being held on less than seven days' notice." The President advised that the extraordinary meeting would take place in July falling between the 211th and 212th Sessions. He advised that he would consult with the Secretariat on the exact date of the Council extraordinary meeting following the informal briefing set for 30 June. All States would be kept informed and would be given the opportunity to prepare working papers with clear action items for the Council. States of special interest in particular would have the opportunity to prepare their own working papers, with action items by the Council. The President then requested that the Council decide at the current meeting to ask the Secretariat to work expeditiously on all the operational and contingency arrangements to ensure the safety and efficiency of international civil aviation and in that regard to undertake necessary consultations with all States concerned.

42. The summary by the President of the Council was supported by the Representatives of Congo, Ecuador, Kenya, Saudi Arabia, South Africa and United Republic of Tanzania, without additional comment.
43. The Representative of Turkey agreed with the summary outlined by the President of the Council and on the need for expeditious action for the sake of ICAO's reputation and with regard to public opinion. He stressed the need to uphold the Chicago Convention and the role of Article 54 n).
44. Thanking the President of the Council for his summary, the Representative of Spain highlighted that it was important for the Middle East Regional Office and the ANB to progress in their endeavours and to make the necessary arrangements for a contingency plan for the region. It should be emphasized that this Secretariat action should not wait for the extraordinary meeting of the Council, which should be held as soon as possible.
45. Responding to a query from the Representative of France for clarification on the status of consultations, and a desire that, if they had not already commenced, such consultations begin immediately, the President of the Council advised that consultation with the Secretariat had been ongoing with regard to the request from Qatar, but subsequent to the current meeting, it was necessary to continue to review the situation. He reiterated that the extraordinary Council meeting would take place in July, and States would be informed accordingly.
46. The Representative of the United States voiced his appreciation for the President's summary and wished to ensure that the proposal from the Representative of Spain to have the extraordinary Council meeting follow immediately from the Cairo technical meeting had been noted as it comported closely with the sense of urgency expressed by many speakers.
47. The Representative of Egypt supported the summary presented by the President and reiterated the earlier request from the Representative of Saudi Arabia regarding the need to allow ample time after the dissemination of the working paper from the State of Qatar in order that other delegations might have sufficient time to prepare their comments and submit their own documentation.
48. The proposed summary from the President was supported by the Representative of the United Arab Emirates, who also supported the preceding intervention from the Representative of Egypt.
49. The Representative of Colombia supported the summary and stated that the position of the Council was above and beyond State disputes. In the midst of turmoil, the Council Representatives had the obligation, because they were elected by all Member States, to ensure the stability of air transport. Thus he appealed to all parties to set aside any differences in so far as possible and to take the fairest possible decision as expeditiously as possible for the good of international civil aviation.
50. The Representative of Nigeria supported the President's summary and echoed the sentiments of the Representative of Colombia that, despite any political differences, ICAO was a technical body and the Organization needed to work for the interests of air transportation.
51. Following a query from the Representative of the United Kingdom on the application of the *Rules of Procedures for the Council* as regarded the extraordinary Council meeting to be held under Article 54 n), the President of the Council confirmed that the said Rules would apply including the requirement that all Council members receive all the working papers at least five days before the meeting.
52. Following consideration, the Council requested that an informal briefing on technical issues arising should be provided by the Secretariat and the date set for this informal briefing would be

Friday, 30 June 2017 at 1500 hours. It was understood that further information regarding this informal briefing would be circulated in due course.

53. In addition, the Council agreed that in accordance with Rule 19 of the *Rules of Procedure for the Council*, an extraordinary session of the Council would be scheduled as soon as practicable following the technical meeting that would take place in the Regional Office in Cairo on 6 July 2017, on the understanding that the extraordinary session would occur before the end of the month of July 2017, taking into account the need to ensure that representatives from all the parties could attend as well as the need to prepare and circulate documentation that would form the basis for deliberations by the Council at the said extraordinary session.

54. In advance of the extraordinary session of the Council, the Secretariat was requested to continue to work cooperatively, diligently and expeditiously with all the parties involved in this matter.

55. Finally, the Council emphasized that in its deliberations on this item at subsequent sessions, it would be necessary to clearly differentiate between any actions that it as a governing body might consider taking in relation to Article 54 *n*) and any actions that it might consider taking in relation to Article 84 of the *Convention on International Civil Aviation*.

56. The meeting reconvened in open session at 1430 hours to consider the remaining items on its order of business.

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## ATTACHMENT

**DECISION OF THE ICAO COUNCIL  
ON THE PRELIMINARY OBJECTION  
IN THE MATTER: BRAZIL AND UNITED STATES (2016)**

*THE COUNCIL,*

*ACTING* under Article 84 of the *Convention on International Civil Aviation* and the *Rules for the Settlement of Differences*;

*COMPOSED* of the following Representatives entitled to vote: Mr. A.D. Mesroua (Algeria), Mr. G.E. Ainchil (Argentina), Mr. S. Lucas (Australia), Mr. C. Monteiro, (Cabo Verde), Mr. M. Pagé (Canada), Mr. Shengjun Yang (China), Mr. A. Muñoz Gómez (Colombia), Mr. R.M. Ondzotto (Congo), Mrs. M. Crespo Frasnieri (Cuba), Mr. I. Arellano (Ecuador), Mr. A. Khedr (Egypt), Mr. P. Bertoux (France), Mr. U. Schwierczinski (Germany), Mr. A. Shekhar (India), Mrs. A. Smith Floch (Ireland), Mr. M.R. Rusconi (Italy), Mr. S. Matsui (Japan), Ms. M.B. Awori (Kenya), Mr. Y.-H. Lim (Malaysia), Mr. D. Méndez Mayora (Mexico), Mr. M.S. Nuhu (Nigeria), Mr. G.S. Oller (Panama), Mr. J. Hur (Republic of Korea), Mr. A.A. Novgorodov (Russian Federation), Mr. S.A.R. Hashem (Saudi Arabia), Mr. T.C. Ng (Singapore), Mr. M.D.T. Peege (South Africa), Mr. V.M. Aguado (Spain), Ms. H. Jansson Saxe (Sweden), Mr. A.R. Çolak (Turkey), Miss A. Alhameli (United Arab Emirates), Mr. M. Rodmell (United Kingdom), Mr. R.W. Bokango (United Republic of Tanzania), Mr. M. Vidal (Uruguay).

*THE PARTIES* being: Brazil (Applicant), represented by Mr. Olyntho Vieira, Authorized Agent, assisted by Mrs. Mitzi Gurgel Valente da Costa, Mr. Norberto Moretti, Ms. Andrezza Brandão Barbosa, Mr. Lucio Alves Angelo Junior, Mr. Nil Castro da Silva, Mr. Luis Henrique Sacchi Guadagnin, Mr. Guilherme do Prado Lima, Mr. Roberto da Rosa Costa, Mr. Dário Alexandre Tavares Taufner, and Mr. Rodrigo Henriques Godinho on the one hand; and the United States (Respondent), represented by Ms. Katherine McManus, Authorized Agent, assisted by Mr. Samuel Kotis, Ms. Wynne Teel, Ms. Danielle Polebaum, Mr. David Sullivan, Mr. Amen Iyi-Eweka, Mr. Carl Burleson, Mr. John Duncan, Mr. Jeffrey Klang, and Ms. Lorrie Fussell on the other hand;

*CONSIDERING* that an Application and Memorial by Brazil under Article 84 of the *Convention on International Civil Aviation* was filed on 2 December 2016; that a Statement of preliminary objection of the United States was filed on 27 March 2017; and that Comments to the Statement of preliminary objection were filed by Brazil on 19 May 2017;

*HAVING HEARD* the Parties in the above matter on the preliminary objection and having held its deliberations at the ninth meeting of its 211th Session on 21 June 2017;

*HAVING CONSIDERED* the preliminary objection of the Respondent, namely that the Council should dismiss the proceeding as time-barred under the generally accepted international law principle of extinctive prescription;

*CONSIDERING* that the question before the Council was whether to accept the preliminary objection of the Respondent;

**DECIDES** as follows:

1. The preliminary objection of the Respondent is not accepted.

2. The statements and arguments made in the preliminary objection of the Respondent and in the comments of the Applicant not possessing, in the circumstances of the case, an exclusively preliminary character, may be joined to the merits of the case and included in the counter-memorial and any additional pleadings.
3. The time-limit for the Respondent to submit its counter-memorial is set at two weeks from the date of receipt by the Respondent of the minutes of the ninth meeting of the 211th Session of the Council, which will include a record of the oral proceedings on the preliminary objection.
4. The Parties having accepted an invitation to continue to seek a settlement of the matter in dispute, it is desirable for such negotiations to continue.
5. The President of the Council is invited to be available to provide his good offices as Conciliator during such negotiations.
6. No time-limit is set for the completion of negotiations, although the Council will be informed of the progress of the negotiations at its 212th Session.

Decision number 1, on the question whether to accept the preliminary objection of the Respondent, was taken by a secret ballot with 4 Members voting in favor, a majority of 19 Members voting against, and 11 Members abstaining. Decisions numbers 2 to 6 were taken unanimously without a vote.

Rendered on 23 June 2017 in Montréal.

## **Annex 25**

ICAO Council, 211<sup>th</sup> Session, *Tenth Meeting, Summary of Decision*, ICAO Doc. C-DEC 211/10  
(23 June 2017)





C-DEC 211/10  
27/06/17

## COUNCIL — 211TH SESSION

### TENTH MEETING

(THE COUNCIL CHAMBER, FRIDAY, 23 JUNE 2017, AT 1000 HOURS)

### SUMMARY OF DECISIONS

#### OPEN MEETING

##### Condolences

1. The Council observed a minute of silence and expressed its condolences at the recent passing away on 17 June 2017 of the President of Vanuatu, Father Baldwin Lonsdale Womtelo.

#### CLOSED MEETING

##### **Settlement of Differences: Brazil and United States – preliminary objection stage** (Subject Nos. 16 & 26)

2. The Council resumed consideration of this item, which had been first discussed at the Ninth Meeting of the current session on Wednesday, 21 June 2017. In doing so, it was recalled that at the previous meeting, the President had indicated his intention to prepare and circulate the draft text of the Council's decision on the preliminary objection in the matter: Brazil and United States, so that it could be considered and approved at this the Tenth Meeting of the 211th Session (C-DEC 211/9 refers). In this connection, it was noted that the draft text of the decision had been circulated (in all languages) to Council Representatives on the afternoon of Thursday, 22 June 2017.

3. Following consideration, the Council adopted the decision, which is reproduced in the Attachment to this C-DEC.

#### OPEN MEETING

##### **Proposal for an ICAO Crisis Response Policy and Disaster Risk Reduction** (Subject No. 45)

4. The Council resumed consideration of this item (C211/6) on the basis of C-WP/14612, which pursuant to Assembly Resolution A39-24, Operative Clause 3, proposed an ICAO Crisis Response Policy as well as a Disaster Risk Reduction Strategy. The Council also had for consideration an oral report thereon from the Implementation, Strategy and Planning Group (ISPG).

5. It was recalled that in the earlier consideration of this item during the sixth meeting of the current session, the Council had requested (C-DEC 211/6 refers) the ISPG to review the draft Crisis Response Policy taking into account the various issues raised in the Council's preliminary consideration, and present a revised policy for further review by the Council at this meeting of the session. The Secretariat was also requested to provide information to the Council regarding the organizational procedures to implement the policy. In addition, Representatives were invited to submit any proposals they might have to enhance the draft policy.

6. It was noted that the ISPG had met on 15 June 2017 to review the proposed policy and had in principle expressed its support for the draft Crisis Response Policy. It was further noted that the ISPG had concluded that there was insufficient time to undertake an in-depth analysis and present a revised version of the policy to the Council before the end of the current session. In particular, the ISPG had indicated that additional time would be required to:

- a) gain an understanding of the United Nations Crisis Response Framework and how ICAO would operate within and complement this existing structure;
- b) exercise due diligence to review the policy and ensure that it is consistent with the remit of the Organization and the available resources of the Secretariat in order to implement the policy; and
- c) clarify the overall ‘concept of operations’ envisaged for the implementation of the policy.

7. Taking into account the conclusions reached by the ISPG, as indicated in the preceding paragraph, the Council decided that:

- a) the Secretariat should organize an informal briefing for the Council early in the 212th Session to provide an overview of the United Nations Crisis Response Framework, lessons learned by ICAO in responding to previous crises, overview of the proposal, resources available to support implementation, and review of the coherence of this proposal within the remit of the Organization;
- b) following the informal briefing, the ISPG should finalize its in-depth analysis of the proposed Crisis Response Policy and Disaster Risk Reduction Strategy, so that a revised policy could be presented to the Council for consideration during the 212th Session; and
- c) a working paper on the proposal together with an oral report by the ISPG, should be presented during the 212th Session.

8. The Council also took the opportunity to note the importance of appropriate discussion of policy proposals such as this taking place in the Committees of the Council as well as relevant working groups before they were presented to the Council. It was emphasized that this would help to facilitate more efficient deliberations by the Council by ensuring that all such proposals were clearly understood and thoroughly discussed in advance.

#### **Update on work on a Global Market-Based Measure (GMBM) scheme (Subject No. 50)**

9. The Council considered this item on the basis of C-WP/14620, which as part of the capacity-building and assistance activities for the implementation of the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA), reported on the regional seminars that were held in five venues throughout March and April 2017, followed by a global seminar held at ICAO Headquarters in May 2017. The document also updated on the status of the work being undertaken by the Committee on Aviation Environmental Protection (CAEP) on the development of CORSIA-related SARPs and guidance and also presented the proposed procedures of work for the Interim Programme Assessment Group (IPAG), which was established by the CAEP in February 2016, with the aim of recommending to the Council programmes (and potentially project types) whose emissions units would be eligible for early action by aircraft operators.

10. In its consideration of this item, the Council also had the benefit of an oral report by the Advisory Group on CORSIA (AGC), which indicated that in its recent meetings held in June 2017, discussions had focused on the results of CORSIA seminars and possible means to provide further capacity-building and assistance, progress in the development of CORSIA-related draft SARPs and guidance, early action and the CAEP Interim Programme Assessment Group (IPAG).

11. The Council noted that the AGC had highlighted in particular, the importance of keeping track of the readiness of States for the implementation of CORSIA so that the Secretariat could effectively plan and provide necessary support to States. In this regard, note was taken of concerns that had been expressed about the lack of clarity on the availability of resources for capacity-building. In addition, the Council took note of the suggestion that as more information became available for CORSIA-related requirements, necessary actions for States and operators should be well-communicated and for progress to be monitored, in cooperation with Regional Offices.

12. In taking into account the recommendations presented by the AGC in its oral report, the Council:

- a) requested the Secretariat to continue to provide capacity-building and assistance for the implementation of CORSIA, as identified in paragraph 1.6 of C-WP/14620 and taking into account the views articulated by the AGC as noted in the preceding paragraph above;
- b) recognized the progress being made by CAEP in the development of CORSIA-related draft SARPs and guidance, while requesting CAEP to keep the Council and the AGC informed of further progress, and in this connection agreed that any references in SARPs to emissions units criteria should reiterate that the Council was the responsible entity for taking such decisions;
- c) agreed that further consideration should be given to the specific location of emissions units criteria in a structured package of the CORSIA-related draft SARPs and guidance;
- d) noted that while CAEP had undertaken work on early action, this task was not requested by Assembly Resolution A39-3, so that the Council did not consider this work on early action to be a priority at this stage and requested that priority should instead be given to the work on eligible emissions units for CORSIA, as stipulated by Assembly Resolution A39-3, operative clauses 20 c) and d), and in addition, requested CAEP to deliver emissions units criteria for consideration by the Council at the 212th Session; and
- e) requested CAEP, subject to the decision to be taken by the Council during the 212th Session, to further progress work on the application of the emissions units criteria, including the informal testing of some programmes against the criteria, with a view to providing technical input to the Council, when requested, on the establishment of a Technical Advisory Body (TAB) and its process of work to evaluate programmes with resultant recommendations to the Council on the eligible emissions units for use by CORSIA in accordance with Assembly Resolution A39-3, operative clause 20 d).

13. In addition, the Council noted the importance of ensuring that CAEP also prioritizes its work on the monitoring, reporting and verification (MRV) system under CORSIA in order to assist Member States in their implementation efforts in this regard.

#### **Progress report on the ICAO web library of risk-based information (Subject No. 14)**

14. The Council resumed consideration of this item (C211/5) on the basis of information paper C-WP/14611, which reported on the implementation and progress of the modification of the ICAO Conflict Zone Information Repository (CZIR) into a library of links to States' websites with aeronautical information related to risks to civil operations over or near conflict zones through a designated State focal

point. In doing so, it was recalled that during the fifth meeting of the 210th Session, the Council had on a provisional basis approved this modification of the CZIR into a library of links to States' websites where such risk-based information would be made available.

15. While noting concerns expressed by some Representatives in relation to the perceived intelligibility of the content of State letter SMM 1/4-17/51 that had been issued on 5 May 2017, in order to inform States about the discontinuation of the CZIR and the establishment of the web-based library of links relating to risk-based information, the Council nonetheless agreed that in order to avoid potential confusion, a subsequent State letter on the same matter should not be issued. However, the Council requested the Secretariat to liaise with Member States to ensure that there was coherence and a clear understanding on the part of their designated focal parts as to the purpose of the web-based library of links and the importance of ensuring that the information being provided thereon via the links should relate to risks to civil operations over or near conflict zones. It was requested that the Secretariat provide an update on progress in this regard at the 212th Session.

### CLOSED MEETING

#### **Item under Article 54 n) of the *Convention on International Civil Aviation*** (Subject No. 27)

16. Prior to commencing consideration of this item, the Council decided that despite this matter being considered in closed session, the representatives of the European Union, International Air Transport Association (IATA), and Airports Council International (ACI), should be permitted to attend and observe the proceedings.

17. The President informed the Council that further to his e-mail message dated 19 June 2017, in which he informed Representatives regarding correspondence that had been received from Qatar requesting, under Article 54 n) of the *Convention on International Civil Aviation*, the inclusion of an item in the work programme of the Council for the current 211th session, a significant number of Representatives had indicated their agreement to this request while others had noted the option of considering the item at an extraordinary session of the Council to be convened in accordance with Rule 19 of the *Rules of Procedure for the Council*.

18. The Secretary General then provided some preliminary background information on the matter. It was explained that Article 54 n) of the Chicago Convention stipulated that it was a mandatory function of the Council "to consider any matter relating to the Convention which any contracting State refers to it". Such consideration under Article 54 n) is not part of the process for the settlement of disputes provided for separately in Article 84. This meant that the consideration of a matter under Article 54 n) was fully governed by the *Rules of Procedure for the Council* and not by the *Rules for the Settlement of Differences*.

19. It was also elaborated that in the correspondence received from Qatar, the request for the intervention of the Council pursuant to Article 54 n) related to "the matter of the actions of the Arab Republic of Egypt, the Kingdom of Bahrain, the Kingdom of Saudi Arabia and the United Arab Emirates to close their airspace to aircraft registered in the State of Qatar".

20. The Secretary General indicated that separately, in a letter dated 13 June 2017, Qatar had stated that two formal applications along with supporting materials, would be lodged, one pursuant to Article 84 of the Chicago Convention and the other pursuant to the International Air Services Transit Agreement. Subsequently, two applications and memorials were delivered on 15 June 2017, which in accordance with Article 3 (1) (a) of the *Rules for the Settlement of Differences*, were examined by the Secretariat to confirm whether they complied in form with the requirements of Article 2 of the said Rules. Following this process, certain deficiencies were identified in both applications and in a letter dated 21 June



2017, the Secretary General requested the Chairman of the Civil Aviation Authority of Qatar to provide the necessary information so as to rectify these deficiencies.

21. The Council noted that:

- a) during the week of 5 June 2017 and subsequently, after coordination by the ICAO Regional Office in Cairo with the States concerned, a number of NOTAMs promulgating restrictions were modified, clarifying that restrictions against Qatari registered aircraft were over their sovereign airspace – meaning over the territory of the State within the Flight Information Regions (FIRs) concerned;
- b) in the period since 12 June 2017, three contingency routes had been promulgated by Bahrain, Islamic Republic of Iran, and Oman, to add to some existing ATS routes over the Persian Gulf already being utilized for arrival and departures to/from Qatar;
- c) an additional contingency route, an extension of an existing ATS route via the Emirates FIR had been turned down for operational reasons while the ICAO Regional Office in Cairo continued to press for more effective contingency routes and arrangements to facilitate the traffic flow in and out of Qatar for Qatari registered aircraft; and
- d) on 15 June 2017, a technical delegation from Qatar visited ICAO Headquarters in Montreal, as had a high-level delegation from Bahrain, Egypt, Saudi Arabia and the United Arab Emirates, while the Directors-General of Civil Aviation (DGCA) of the latter four States had agreed to hold a special technical meeting with ICAO in the Regional Office in Cairo on 6 July 2017, which would also be attended by the Chief, Airspace Management and Optimization Section (C/AMO) from the Air Navigation Bureau.

22. Following consideration, the Council requested that an informal briefing on technical issues arising should be provided by the Secretariat and the date set for this informal briefing would be Friday, 30 June 2017 at 1500 hours. It was understood that further information regarding this informal briefing would be circulated in due course.

23. In addition, the Council agreed that in accordance with Rule 19 of the *Rules of Procedure for the Council*, an extraordinary session of the Council would be scheduled as soon as practicable following the technical meeting that would take place in the Regional Office in Cairo on 6 July 2017 (cf. sub-paragraph d) above), on the understanding that the extraordinary session would occur before the end of the month of July 2017, taking into account the need to ensure that representatives from all the parties could attend as well as the need to prepare and circulate documentation that would form the basis for deliberations by the Council at the said extraordinary session.

24. In advance of the extraordinary session of the Council, the Secretariat was requested to continue to work cooperatively, diligently and expeditiously with all the parties involved in this matter.

25. Finally, the Council emphasized that in its deliberations on this item at subsequent sessions, it would be necessary to clearly differentiate between any actions that it as a governing body might consider taking in relation to Article 54 n) and any actions that it might consider taking in relation to Article 84 of the *Convention on International Civil Aviation*.

**OPEN MEETING****Elections by the Council** (Subject Nos. 5, 6.3 and 46)

26. The Council considered this item on the basis of C-WP/14605, which related to the election of the three Vice-Presidents of the Council, the Members and Alternates of the Air Transport, Joint Support, Finance, Unlawful Interference, Technical Cooperation, and Human Resources Committees (ATC, JSC, FIC, UIC, TCC and HRC) and the Chairpersons of these Committees; the composition of the Committee on Relations with the Host Country (RHCC); the appointment of whose members the Council had delegated to the President; and the election of its Chairperson; and the election of Members of the Edward Warner (EWA) Committee.

27. The Council agreed to suspend paragraph 3 of Appendix B and that part of paragraph 2 of Appendix E of the *Rules of Procedure for the Council* related to the elections taking place by secret ballot unless waived by unanimous decision of the Members represented at the meeting. The Council also agreed to suspend that part of Rule 9 of the *Rules of Procedure for the Council*, which provides that the term of office of a Vice-President shall commence from the date of election.

28. On the nomination of the Representative of Mexico, seconded by the Representative of Kenya, the Council elected the following Representatives as its Vice-Presidents for the period 2017-2018, with effect from the date of the extraordinary session of the Council (cf. paragraph 23 above), pursuant to Appendix B of its Rules of Procedure:

Mr. Tee Chiou Ng (Singapore) as First Vice-President  
Mr. Musa Shuaibu Nuhu (Nigeria) as Second Vice-President  
Mr. Germinal Sarasqueta Oller (Panama) as Third Vice-President

29. In electing the three incoming Vice-Presidents, the Council expressed its appreciation by acclamation to the three out-going Vice-Presidents: Ms. Aysha Alhameli (United Arab Emirates), Ms. Helene Jansson Saxe (Sweden), and Mr. Alberto Muñoz Gómez (Colombia).

30. Pursuant to Appendix E of the *Rules of Procedure for the Council*, as well as the Special Provisions of the *Rules of Procedure for Standing Committees of the Council*, the Council then elected the Members and Alternates of the JSC, FIC, UIC, TCC, and HRC, appearing in Appendix B of C-WP/14605, for the period 2017-2018, with effect from the date of the extraordinary session of the Council (cf. paragraph 23 above).

31. The Council noted the proposed composition of the Relations with the Host Country Committee (RHCC) for the period 2017-2018, as presented in Appendix B of C-WP/14605. In addition, the Council noted the proposed composition of the Edward Warner Award Committee, as presented in Appendix D of C-WP/14605.

32. On the nomination of the Representative of the United Arab Emirates, seconded by the Representative of the Russian Federation, the Council elected the following Representatives as the respective Chairpersons of its subsidiary bodies, for the period 2017-2018 with effect from the date of the extraordinary session of the Council (cf. paragraph 23 above):

Mr. Saud A. R. Hashem (Saudi Arabia) as Chairperson of the ATC  
Mr. Victor Aguado (Spain) as Chairperson of the JSC  
Mrs. Mitzi Gurgel Valente da Costa (Brazil) as Chairperson of the FIC  
Mr. Philippe Bertoux (France) as Chairperson of the UIC  
Mr. Raphael Bokango (United Republic of Tanzania) as Chairperson of the TCC

Mr. Iván Fernando Arellano Lascano (Ecuador) as Chairperson of the HRC  
Mr. Marco Riccardo Rusconi (Italy) as Chairperson of the RHCC

33. In electing the incoming Chairpersons of the Committees, the Council expressed its appreciation by acclamation to all the out-going Chairpersons of the Committees.

34. It was noted that the President, under authority delegated to him by the Council, was consulting with Representatives regarding the composition of the Working Group on Governance and Efficiency (WGGE), Implementation, Strategy and Planning Group (ISPG), and the Advisory Group on CORSIA (AGC), and would provide the Council with updated information in this regard in due course.

35. In relation to the Air Transport Committee (ATC), in accordance with the *Rules of Procedure for Standing Committees of the Council*, it was recalled that the members of the ATC had been appointed by the Council on 17 October 2016 (C-DEC 209/1 refers) and would serve until the end of the term of the current Council, insofar as the States that are represented continue to be Members of the Council until the Council elects the new Committee.

### CLOSED MEETING

#### **Work Programme of the Council and its Committees for the 212th Session** (Subject No. 13)

36. The Council considered this item on the basis of C-WP/14624, which presented the work programme for the 212th Session of the Council and its Committees. The Council also had for consideration an oral report thereon from the Working Group on Governance and Efficiency (WGGE).

37. The Council noted that the WGGE had recommended that no changes were necessary to the work programme contained in C-WP/14624, and accordingly, the Council approved the work programme of the Council and of its Committees for the 212th Session. It was understood that decisions taken in the course of the current (211th) Session that affect the work programme for the 212th Session in terms of additional items, amendments to titles of items, or deferral of items, and which were not currently reflected in the work programme, would be incorporated in a revised version of C-WP/14624 that would be issued in due course.

38. In relation to item 4 of Appendix B (Work Programme of the Air Transport Committee), which related to “Compliance with Standards of Annex 9 – *Facilitation*”, the Council noted that although this item was currently listed for consideration by the ATC only, it could, subject to the deliberations of the ATC, also be presented to the Council for consideration.

39. In relation to Appendix G (Work Programme of the Human Resources Committee), the Council noted a request by the Secretary General for an additional item concerning the review of a vacancy notice for the post of D-2 Director, Legal Affairs and External Relations Bureau, and agreed that this be left to further consultation with the President of the Council. Similarly, suggestions regarding the need to review the job description and reporting lines for the Director, Legal Affairs and External Relations Bureau in view of his/her responsibilities as Legal Adviser not only to the Secretariat but to the Council, its President and the Assembly was further noted for possible further consideration by the HRC and decision by the Council. Pending these further consultations, the Council approved the Work Programme of the HRC without any changes.

40. In relation to the proposed informal briefings for the 212th Session, the Council agreed that these should occur during the Committee phase of the 212th Session, which was scheduled from 18 September to 6 October 2017. It was noted that a range of topics were currently under consideration for this purpose including: State of the Industry, Council-ANC relationship, and United Nations Crisis Response Framework.

## OPEN MEETING

### **Any other business**

#### **Ballistic missile launches**

41. The Representative of Japan delivered a statement in which the attention of the Council was drawn to the security threat to international civil aviation that was posed by the recent launching of ballistic missiles by the Democratic People's Republic of Korea. The President undertook to provide further information to the Council on this matter in due course.

#### **United Nations meetings**

42. The Secretary General informed the Council that a special meeting of the United Nations Counter-Terrorism Committee was to be convened in New York on 7 July 2017 to discuss "Terrorist threats to civil aviation". She encouraged Representatives on the Council to join their national delegations to the UN and attend the special meeting. It was noted that the meeting would be open to Representatives of all Member States of the United Nations.

43. Separately, she also informed that pursuant to the adoption by the United Nations Security Council (UNSC) of Resolution 2309 ("Threats to international peace and security caused by terrorist acts – aviation security", adopted on 22 September 2016), it was anticipated that the UNSC would convene to consider issues arising on countering terrorist threats to civil aviation in September 2017, and that the ICAO Secretary General would be invited to be present at such a meeting of the Security Council, and if so, Representatives on the ICAO Council would be advised accordingly.

44. It was agreed that any submissions to be made by ICAO to the UNCTC or UNSC on these matters should be jointly reviewed by the Secretary General and the President of the Council.

#### **Rules for the Settlement of Differences**

45. The Council requested the Secretariat to review the *Rules for the Settlement of Differences* (Doc 7782/2), with the aim of determining whether the rules need to be revised and updated taking into account relevant developments that had occurred since the publication of the document. The Council further requested that this review should also take into account comparable documentation that is in use for similar purposes elsewhere in the United Nations system as well as international governmental organizations, and in particular the Rules of Court of the International Court of Justice. In undertaking this review, the Secretariat was specifically requested to advise on whether it would be necessary for this issue to be referred to the Legal Committee for consideration.

#### **Activities during the recess**

46. The Council took note of the forthcoming missions to be conducted by the President as well as the Secretary General during the recess following the conclusion of the current session.

#### **Farewell to Council Representatives and Alternates**

47. The Council bade farewell to Dr. N. Luongo (Alternate Representative of Argentina), and also to Mr. W. Voss (Alternate Representative of the United States).

## ATTACHMENT

**DECISION OF THE ICAO COUNCIL  
ON THE PRELIMINARY OBJECTION  
IN THE MATTER: BRAZIL AND UNITED STATES (2016)**

*THE Council,*

*ACTING* under Article 84 of the *Convention on International Civil Aviation* and the *Rules for the Settlement of Differences*;

*COMPOSED* of the following Representatives entitled to vote: Mr. A.D. Mesroua (Algeria), Mr. G.E. Ainchil (Argentina), Mr. S. Lucas (Australia), Mr. C. Monteiro, (Cabo Verde), Mr. M. Pagé (Canada), Mr. Shengjun Yang (China), Mr. A. Muñoz Gómez (Colombia), Mr. R.M. Ondzotto (Congo), Mrs. M. Crespo Frasquieri (Cuba), Mr. I. Arellano (Ecuador), Mr. A. Khedr (Egypt), Mr. P. Bertoux (France), Mr. U. Schwierczinski (Germany), Mr. A. Shekhar (India), Mrs. A. Smith Floch (Ireland), Mr. M.R. Rusconi (Italy), Mr. S. Matsui (Japan), Ms. M.B. Awori (Kenya), Mr. Y.-H. Lim (Malaysia), Mr. D. Méndez Mayora (Mexico), Mr. M.S. Nuhu (Nigeria), Mr. G.S. Oller (Panama), Mr. J. Hur (Republic of Korea), Mr. A.A. Novgorodov (Russian Federation), Mr. S.A.R. Hashem (Saudi Arabia), Mr. T.C. Ng (Singapore), Mr. M.D.T. Peege (South Africa), Mr. V.M. Aguado (Spain), Ms. H. Jansson Saxe (Sweden), Mr. A.R. Çolak (Turkey), Miss A. Alhameli (United Arab Emirates), Mr. M. Rodmell (United Kingdom), Mr. R.W. Bokango (United Republic of Tanzania), Mr. M. Vidal (Uruguay).

*THE PARTIES* being: Brazil (Applicant), represented by Mr. Olyntho Vieira, Authorized Agent, assisted by Mrs. Mitzi Gurgel Valente da Costa, Mr. Norberto Moretti, Ms. Andrezza Brandão Barbosa, Mr. Lucio Alves Angelo Junior, Mr. Nil Castro da Silva, Mr. Luis Henrique Sacchi Guadagnin, Mr. Guilherme do Prado Lima, Mr. Roberto da Rosa Costa, Mr. Dário Alexandre Tavares Taufner, and Mr. Rodrigo Henriques Godinho on the one hand; and the United States (Respondent), represented by Ms. Katherine McManus, Authorized Agent, assisted by Mr. Samuel Kotis, Ms. Wynne Teel, Ms. Danielle Polebaum, Mr. David Sullivan, Mr. Amen Iyi-Eweka, Mr. Carl Burleson, Mr. John Duncan, Mr. Jeffrey Klang, and Ms. Lorrie Fussell on the other hand;

*CONSIDERING* that an Application and Memorial by Brazil under Article 84 of the *Convention on International Civil Aviation* was filed on 2 December 2016; that a Statement of preliminary objection of the United States was filed on 27 March 2017; and that Comments to the Statement of preliminary objection were filed by Brazil on 19 May 2017;

*HAVING HEARD* the Parties in the above matter on the preliminary objection and having held its deliberations at the ninth meeting of its 211th Session on 21 June 2017;

*HAVING CONSIDERED* the preliminary objection of the Respondent, namely that the Council should dismiss the proceeding as time-barred under the generally accepted international law principle of extinctive prescription;

*CONSIDERING* that the question before the Council was whether to accept the preliminary objection of the Respondent;

***DECIDES*** as follows:

A-2

1. The preliminary objection of the Respondent is not accepted.
2. The statements and arguments made in the preliminary objection of the Respondent and in the comments of the Applicant not possessing, in the circumstances of the case, an exclusively preliminary character, may be joined to the merits of the case and included in the counter-memorial and any additional pleadings.
3. The time-limit for the Respondent to submit its counter-memorial is set at two weeks from the date of receipt by the Respondent of the minutes of the ninth meeting of the 211th Session of the Council, which will include a record of the oral proceedings on the preliminary objection.
4. The Parties having accepted an invitation to continue to seek a settlement of the matter in dispute, it is desirable for such negotiations to continue.
5. The President of the Council is invited to be available to provide his good offices as Conciliator during such negotiations.
6. No time-limit is set for the completion of negotiations, although the Council will be informed of the progress of the negotiations at its 212th Session.

Decision number 1, on the question whether to accept the preliminary objection of the Respondent, was taken by a secret ballot with 4 Members voting in favor, a majority of 19 Members voting against, and 11 Members abstaining. Decisions numbers 2 to 6 were taken unanimously without a vote.

Rendered on 23 June 2017 in Montréal.

— END —

## **Annex 26**

ICAO Council, First ATM Contingency Coordination Meeting For Qatar, *Summary of Discussions*, ICAO Doc. ACCM/1 (6 July 2017)







**INTERNATIONAL CIVIL AVIATION ORGANIZATION**  
**FIRST ATM CONTINGENCY COORDINATION MEETING FOR QATAR**  
**(ACCM/1)**

*(Cairo, Egypt, 6 July 2017)*

**SUMMARY OF DISCUSSIONS**

**1. PLACE AND DURATION**

1.1 The First ATM Contingency Coordination Meeting for Qatar (ACCM/1) was held at the ICAO MID Regional Office, Cairo, Egypt, on 6 July 2017.

**2. OPENING**

2.1 The Meeting was opened by Mohamed Khalifa Rahma, ICAO Regional Director, Middle East Office, Cairo. In his opening remarks, Mr. Rahma welcomed all delegates to Cairo and wished them a successful meeting. Mr. Rahma highlighted the main objectives of the meeting; and underlined that safety of civil aviation, which is considered as a continuous challenge, should be given the utmost importance and priority. He indicated that this meeting was dedicated to the four States who imposed the restrictions on the Qatar registered aircrafts and that the outcome of this meeting would be communicated to Qatar through an ICAO mission to Doha on Sunday, 9 July 2017. Mr. Rahma provided an overview about the ICAO Council Technical Briefing (Montreal, Canada, 30 June 2017), during which it was agreed that further actions would be agreed upon based on the outcome of the ACCM/1.

2.2 On behalf of ICAO and the Secretariat, Mr. Rahma expressed appreciation on the commitment and efforts made by the authorities of Bahrain, Egypt, Saudi Arabia and UAE to participate in the proceedings of the meeting despite the short notice. He also thanked IATA who attended the meeting in observer status for their support and being a key role player in the contingency situation.

2.3 Mr. Rahma thanked all parties who worked closely with the MID Office for the activation of the MID Region ATM Contingency Plan and the implementation of contingency measures and routes in a timely manner.

**3. ATTENDANCE**

3.1 The meeting was attended by fourteen (14) participants from four (4) States (Bahrain, Egypt, Saudi Arabia and UAE) and one (1) Organization (IATA). The list of participants is at **Attachment A**.

**4. OFFICERS AND SECRETARIAT**

4.1 The meeting was chaired by Mr. Chris Dalton, Chief Airspace Management and Optimization (AMO) Section at ICAO Headquarters, Montreal, Canada. Mr. Elie El Khoury, ICAO Regional Officer, Air Traffic Management/Search and Rescue (RO/ATM/SAR) Middle East Office was Secretary of the meeting, supported by Mr. Mohamed Smaoui, ICAO Deputy Regional Director, (DRD), MID Office.

## 5. LANGUAGE

5.1 Discussions were conducted, and documentation was provided in the English language.

## 6. DISCUSSIONS

6.1 The meeting adopted the following Agenda:

- AI 1. Introduction/background by ICAO
- AI 2. States presentations
- AI 3. Qatar's routes proposals over the high seas presented by ICAO
- AI 4. Discussions on contingency measures, the way forward, etc.
- AI 5. Closing

6.2 The Chairman congratulated the MID Region for its ability to cope rapidly with the challenges affecting the Air Traffic Management (ATM) operations through the Contingency Coordination Teams and the implementation of contingency measures in an effective and timely manner. The Chairman provided an overview of the ICAO provisions related to the operations over the high seas. In this respect, States were invited to consider the reasonableness of contingency route proposals in the portion over the high seas within their respective Flight Information Regions (FIRs). The Chairman indicated that the meeting could have gone in the same way and better if all parties concerned were present. Accordingly, he recommended that for any potential future meetings all concerned States should be present.

6.3 The meeting noted that ICAO's main concern is the safety of air transport, which has been maintained through the effective implementation of contingency routes/measures. In this respect, ICAO commended the actions undertaken by all concerned States and in particular Iran and Oman for the major changes introduced to their ATS route structure and the traffic flows in their FIRs.

6.4 Bahrain updated the meeting on the measures implemented to accommodate the Qatar registered aircraft rerouted away from Bahrain Airspace over the high seas within Bahrain FIR including the implementation of contingency ATS routes: DOH-ALVEN direct to EGMT in Tehran FIR (from 5 June to 22 June 2017) and T800 starting 22 June 2017. Bahrain highlighted that no military buffer zone had been established and the military areas T7 and T8 have been used on tactical basis, similar to activities over the last 30 years. Moreover, no Qatari flight was grounded or had not been provided with ATS over the high seas. Bahrain emphasized that BCAA has at all times recognised its undertakings under the ICAO convention and the Airspace users Agreements and has focused its priority on maintaining the highest levels of safety and the provision of the highest levels of service to all airspace stakeholders. The presentation of Bahrain is at **Appendix A**.

6.5 Bahrain underlined that the ATC supervisors at Doha Radar were requesting Bahrain ACC to vector Bahrain and Emirates registered aircraft flying to/from Bahrain Airport away from Qatar territory without formal dissemination of aeronautical publication. In any case, the action was generating workload for Bahrain ATCOs and could jeopardize safety. Accordingly, the meeting agreed that ICAO address the issue with Qatar during the meeting of 9 July 2017.

6.6 Egypt indicated their willingness to support the efforts contributing to ensure the safe air transport in the Region.

6.7 Saudi Arabia has emphasized their early active participation in the Contingency Coordination Team and the implementation of contingency measures and informed the meeting that on the first day of the crisis, the Letter of Agreement between Jeddah and Muscat Area Control Centres (ACCs) was amended. FL310 was released to Oman on 5 June 2017 and later FL350 was released to accommodate extra traffic coming from Qatar.

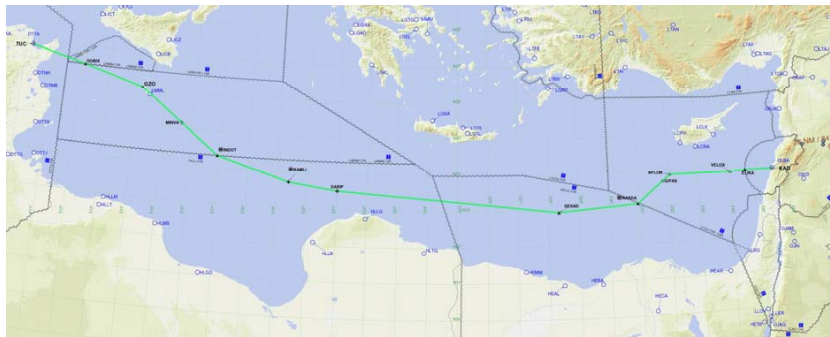
6.8 Saudi Arabia informed the meeting that the NOTAM issued by the Saudi NOTAM Office on behalf of Yemen was based on the request by the Chairman of CAMA-Yemen. The NOTAM was related to Yemen Airspace only. Accordingly, Qatar registered aircraft continued to use the routes over the high seas within Sana'a FIR.

- 3 -

6.9 In their presentations, UAE highlighted the contingency measures undertaken and, in particular, the release of FLs 310 and 350 to be used by Iran and Oman in addition to the changes in the traffic within Emirates FIR to cope with the changes implemented by Iran and Oman. UAE clarified why the initial route proposal provided by Qatar through L305 was not accepted due the operational requirements, and based on an ICAO request, alternative solutions had been studied. For more details, UAE presentation is at **Appendix B**.

6.10 The meeting discussed in detail the Qatar proposals related to the routes over the high seas provided to the ICAO MID Office. The meeting concluded to the following:

6.11 **Proposal 1-Egypt (for Qatar registered aircraft flights Beirut-Tunis-Beirut through Cairo FIR):** Egypt accepted the proposal in principal providing that FLs 300 and 310 would be allocated for the route use with 10 minutes longitudinal separation. With a view to minimizing coordination and simplifying the implementation process, it was agreed that the route should be connected to RASDA (Entry/Exist point between Cairo and Nicosia FIRs). Accordingly, the normal route network within Nicosia FIR could be used for the Qatari flights between Beirut and North Africa. It was noted that the route requires also coordination with Libya and Malta. The revised route is reflected in **Chart 1**:



**CHART 1**

6.12 **Proposal 2-Bahrain (additional inbound routes through KUVF and one parallel to MIDSJ):** Bahrain highlighted the operational challenges in implementing the proposed routes, which, in any case, may not provide significant efficiencies for Qatari flights, compared to the currently used routes. Accordingly, the proposed routes were not supported by Bahrain. However, the meeting noted that Bahrain had already implemented measures and routes over the high seas to facilitate traffic to/from Doha and is ready to introduce further enhancements to the current contingency routes/measures, as required. The proposed routes including Bahrain comments are reflected in **Chart 2**:

- 4 -

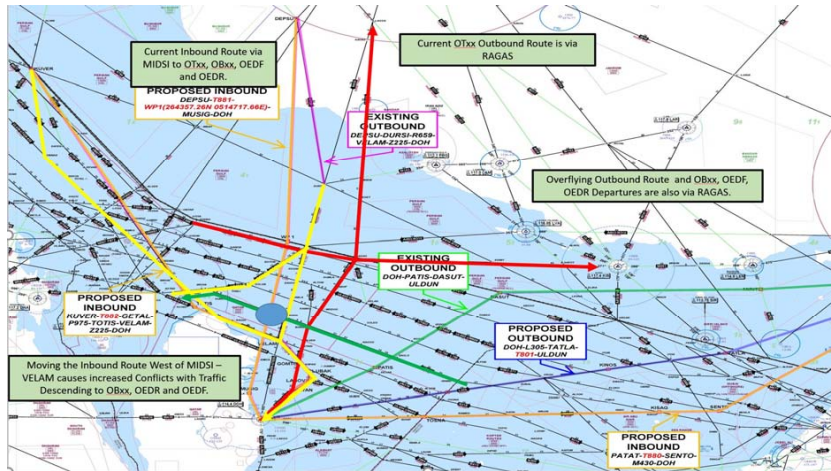


CHART 2

6.13 **Proposal 3-UAE (inbound route via M430 and outbound route via L305):** the meeting noted the concerns raised by UAE related to the impact on traffic within Emirates FIRs and that the proposed routes will cross the main traffic flows to/from the busiest Emirati airports. Accordingly, UAE accepted the route proposals within Emirates FIR with the following ATM measures:

**Inbound:** from Tehran FIR to Doha through Emirates FIR (over the high seas)

- the proposal is realigned to ensure 12NM distance from the Emirati Islands;
- 20NM longitudinal separation is implemented between Tehran ACC and Sheikh Zayed Centre (SZC); and
- Emirates will release traffic to Doha Radar at FL 220.

*Note: It would be beneficial if Doha Radar accept to additionally provide FLs 180 and 200 for inbound traffic to Doha and reduce the longitudinal separation applied with SZC from 10 to 5NM, and consequently enhance efficiency in managing the traffic and increase capacity.*

**Outbound:** from Doha through Emirates FIR (over high seas) using L305:

- the proposal has been accepted on condition that Doha Radar release traffic to SZC at FL 210;
- 30NM longitudinal separation should be implemented between Doha Radar and SZC; and
- Individual coordination for each flight would be required between SZC and Tehran ACC.

6.14 The meeting agreed that the proposals should be coordinated with Iran and some modifications maybe required based on Tehran ACC's operational needs. The meeting noted that UAE is able to implement the proposals after 48 hours from the date of the final agreement. The revised proposal is at **Chart 3:**

- 5 -

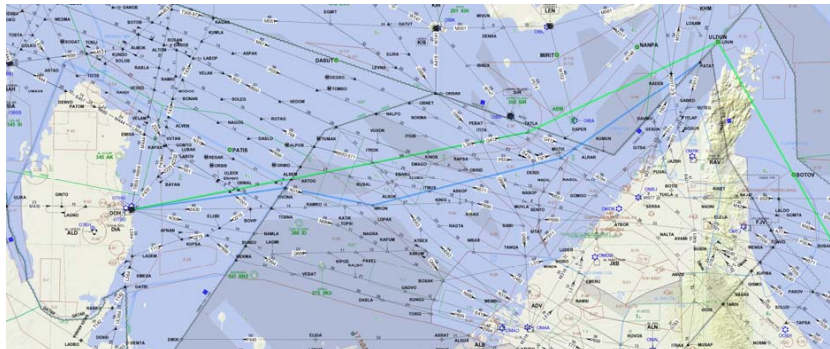


CHART 3

6.15 The meeting recognized the need to enhance the current route structure to ensure the safety and sustainability of air transport in and across the MID Region. In this respect, the meeting agreed that the implemented contingency routes should be considered during the review of the MID Region ATM Contingency Plan. The Contingency Routes over the high seas could also be included in the MID Air Navigation Plan as temporary routes to be activated by ICAO in coordination with the concerned States.

## 7. CLOSING

7.1 IATA appreciated the measures implemented by all States to accommodate the changes in the traffic flows in a very short time and thanked them for keeping the lines of communication open with the airspace users. IATA reaffirmed that the Contingency Coordination Team established for Qatar has successfully managed to provide a forum for sharing of information and coordination between the concerned parties.

7.2 The participants thanked ICAO for organizing such an important meeting, and commended the efforts and instrumental role of the MID Office.

7.3 In closing, the Chairman as well as Mr. Mohamed Khalifa Rahma expressed their appreciation for the successful deliberations and outcome of the meeting. They complimented the productivity of the meeting, stressed the benefit of optimal communication between all parties especially at the technical level to safe air operations, and indicated that the outcome of the meeting will be relayed to the Secretary General of ICAO and the President of the ICAO Council.

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KINGDOM OF BAHRAIN



Ministry of Transportation  
and Telecommunications

مملكة البحرين

وزارة المواصلات والاتصالات

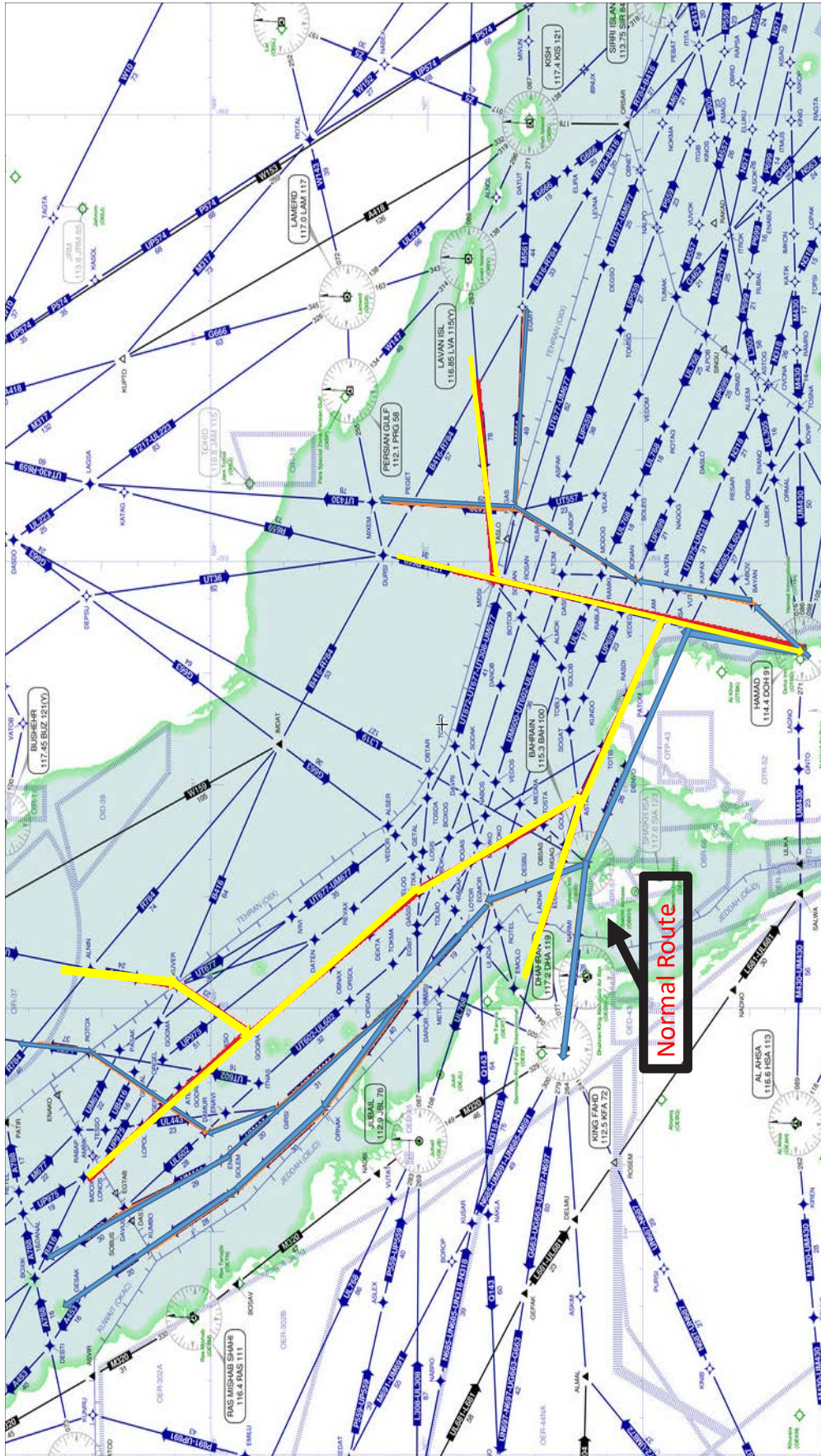
# Bahrain FIR Airspace

**Restricted**



**Prior to 6 June 2017**

**Normal Operations**



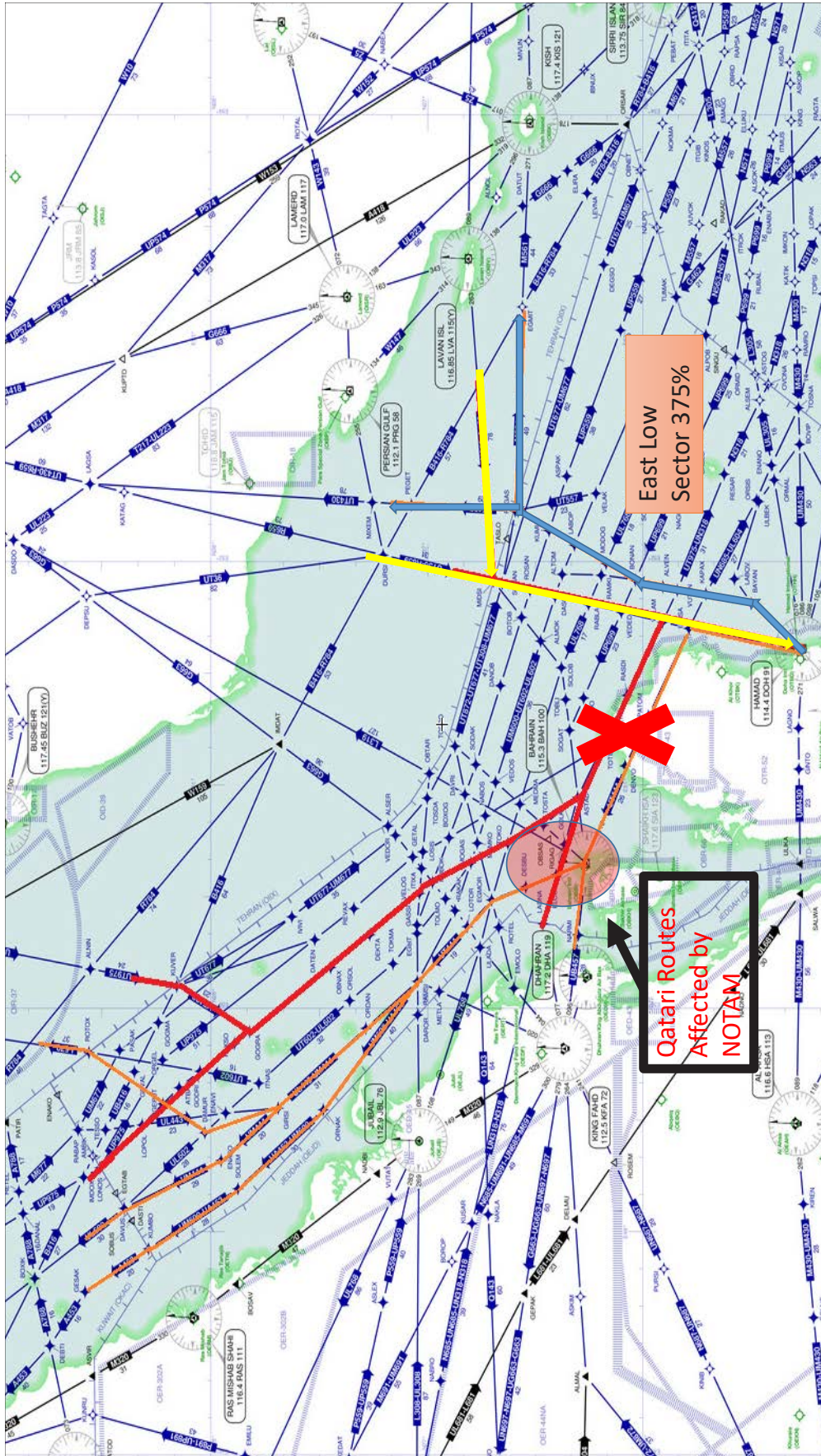


KINGDOM OF BAHRAIN

Ministry of Transportation  
and Telecommunicationsمملكة البحرين  
وزارة المواصلات والاتصالات

## Executive Summary:

- On 5 June 2017 a political decision was made to cut diplomatic ties with Qatar and the Airspace and territorial waters of the Kingdom of Bahrain was closed for Qatari Registered aircraft.
- Similar measures were made by KSA, UAE and Egypt
- This is in line with Article 1 of the 1944 Chicago Convention Treaty
- Bahrain has immediately, in coordination with ICAO MID Office established measures to ensure safe and orderly flow of air traffic in the FIR .
- Bahrain has exercised full responsibility of providing ATS to all Qatari Aircraft on routes UT430/R659 (RAGAS/MIDSI) and later on UT800 (DASUT) outbound.
- Traffic increased by an average of 375% per day in the sector that controls RAGAS and MIDSI. Traffic was then more evenly distributed with the addition of DASUT
- All traffic was handled safely and efficiently. During this time all international traffic maintained normal routes in and out of Qatar .





6 - 11 June 2017

KINGDOM OF BAHRAIN



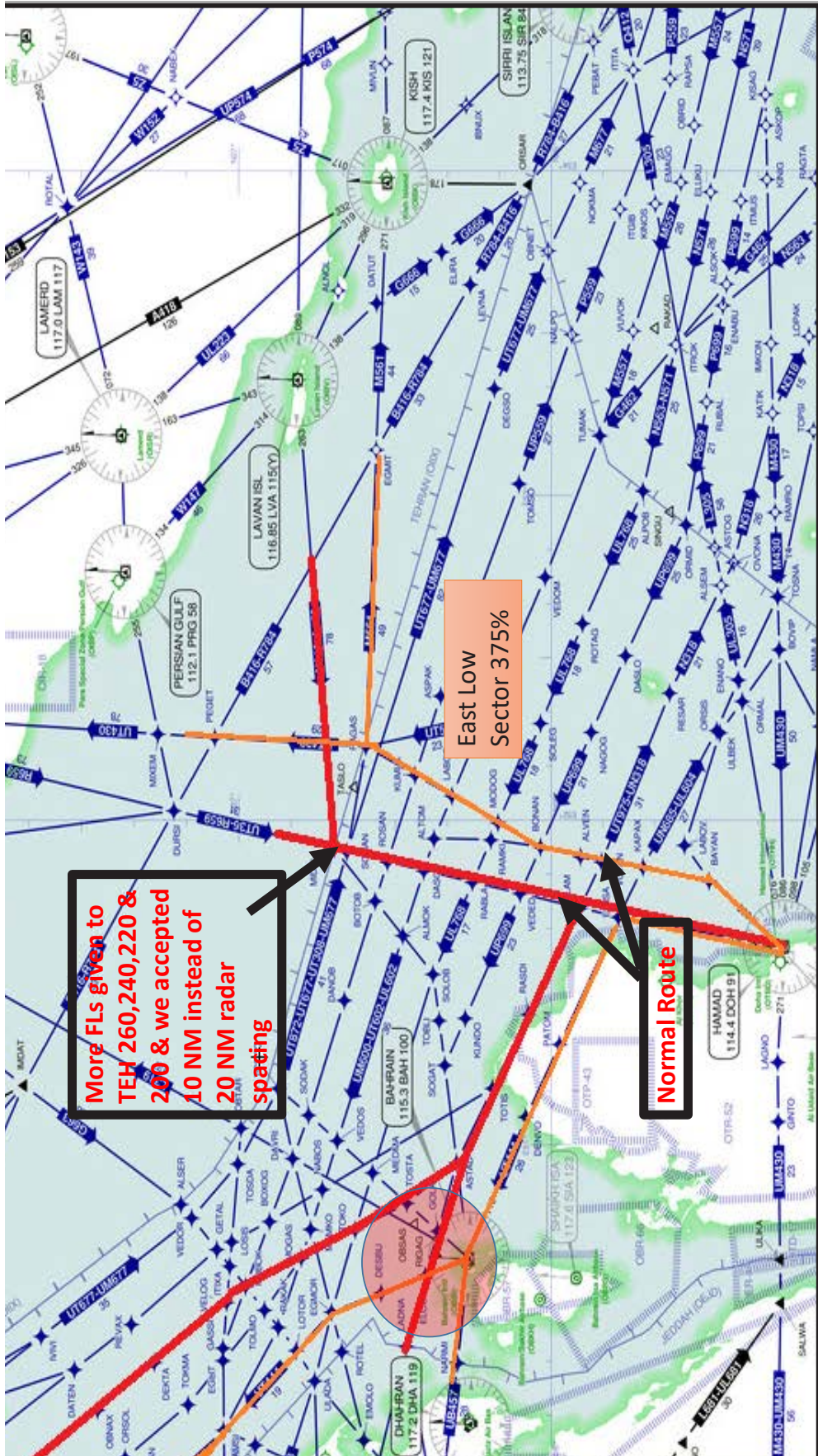
Ministry of Transportation  
and Telecommunications

مملكة البحرين  
وزارة المواصلات والاتصالات

## 6-11 June 2017

### Implementation Detail:

- Due to Increased traffic levels and complexity on available routes Bahrain provided additional flight levels to Tehran to enable them to manage the high volume inbound flows.
- In addition to FL200. FL220, FL240 and FL 260 were given to Tehran
- The two units also implemented reduced spacing requirements in order to improve safety , increase aircraft capacity and minimise any delays.
- Tehran was permitted to reduce LOA spacing from 20 NM in trail to 10NM in trail for inbound flows.



**More FLs given to TEH 260,240,220 & 200 & we accepted of 10 NM instead of 20 NM radar spacing**

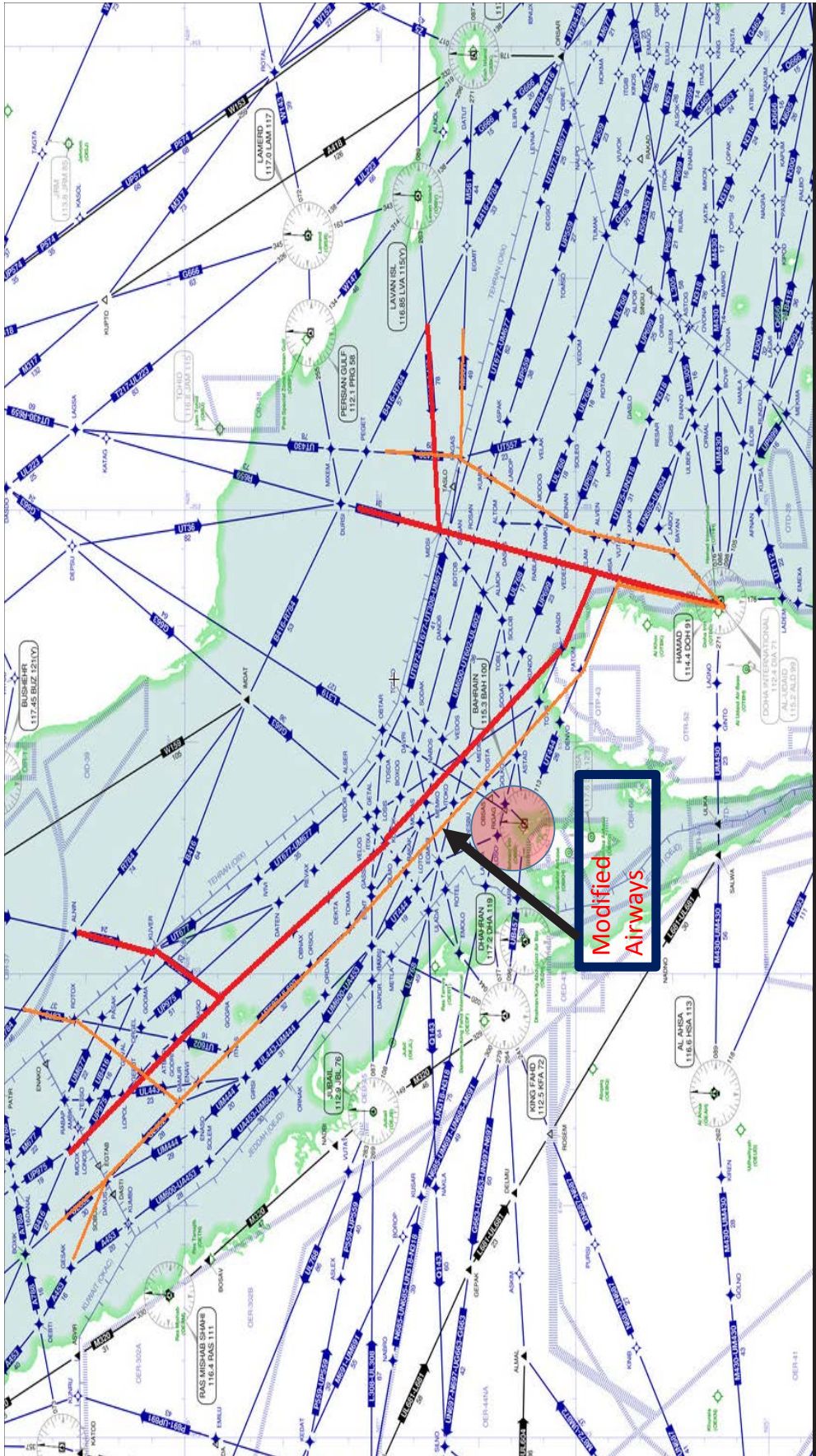
**East Low Sector 375%**

**Normal Route**

## 6-11 June 2017

### Implementation Detail:

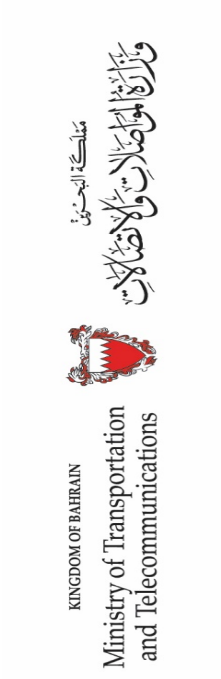
- Bahrain established airspace enhancement to allow Qatar aircraft to resume as close to a normal operation as possible.
- **On 11 June 2017, only 2 working days since the closure of its Territorial Airspace, Bahrain FIR had implemented a solution that permitted Qatar aircraft to resume flights to European/Iraq destinations on modified flight paths that are very similar to their normal operations.**
- The Qatari aircraft flow unrestricted over the High Seas and clear of the Territorial Airspace of Bahrain.
- **This has resulted in reduced track miles for Qatar departures.**
- To ensure safety and maximize capacity, FL 300 from UAE & FL 280 from Kuwait were blocked.





**After 11 June 2017**



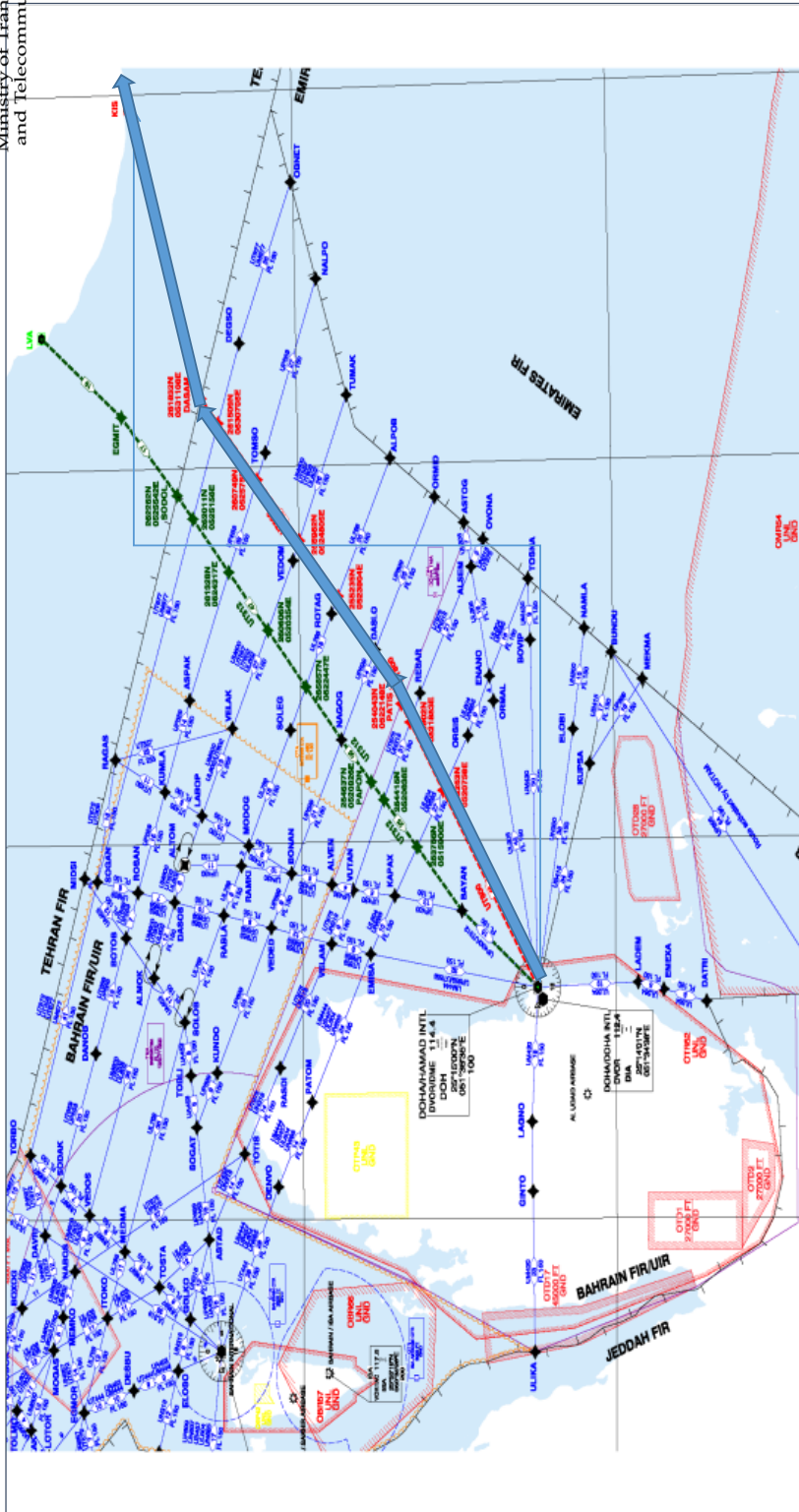


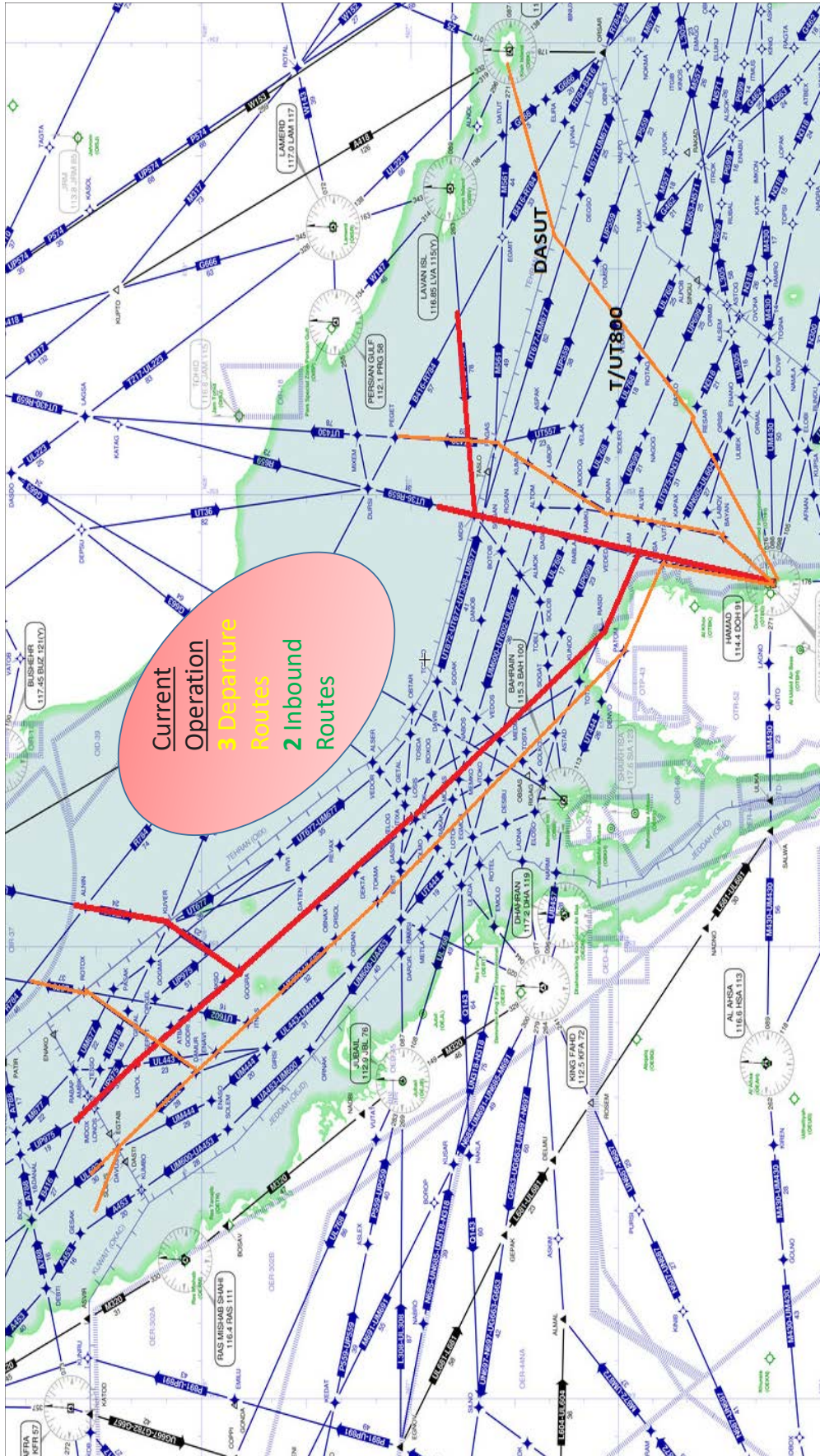
# BAHRAIN PROPOSAL

## Bahrain Proposal for new Routes in/out of Qatar

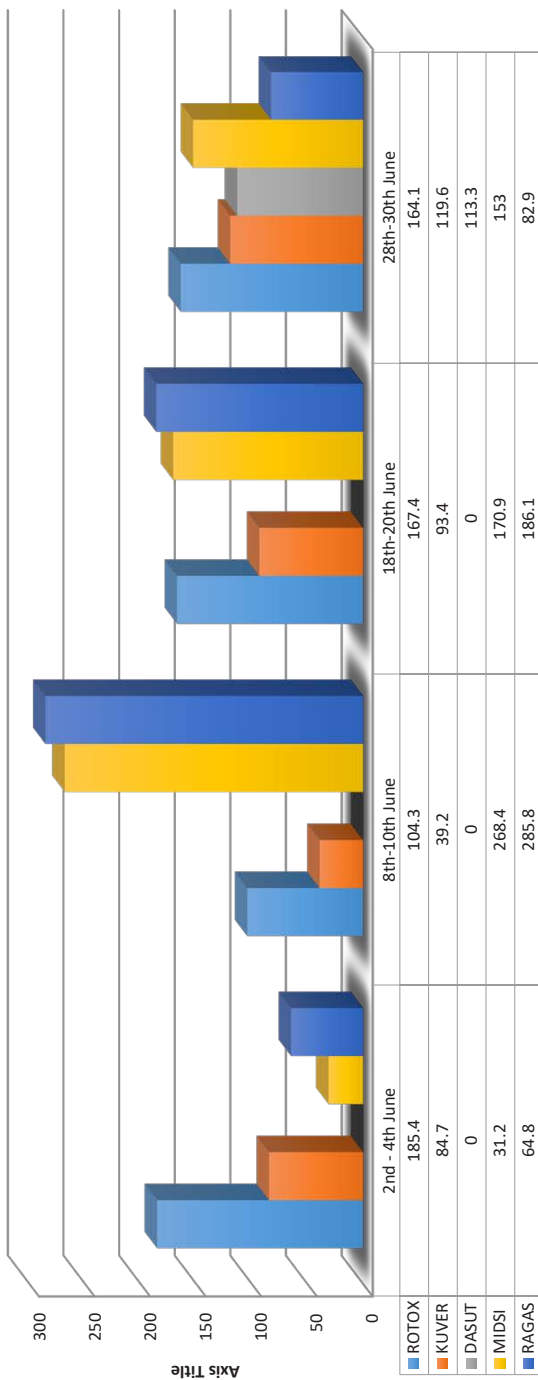
- Bahrain proposed to ICAO MID Office to establish 2 TEMP AWYs to facilitate Qatar departures/Arrivals bound for/from Eastern and Southern (including Africa) destinations.
- **Tehran accepted to establish only the departure bound (AWY T/UT800) at this stage to facilitate Qatar departures. It was implemented on 22 June 2017.**
- It has resulted in increased capacity management in terms of throughput for Qatar traffic within the Bahrain FIR.
- **It has resulted in reduced track miles.**
- Traffic on this airway departed from Doha on initial climb to FL150, transferred to Bahrain for further climb to FL230 and then transferred to Tehran.
- **In addition to facilitating Qatar traffic to depart unrestricted, Bahrain required that all traffic from the Ankara FIR enter Bahrain at the normal entry point of KUVBR thereby relieving the congestion over MIDS1 which is now accommodating returning traffic from the Eastern and Southern destinations.**

# Bahrain Proposal





Daily Average Movements June 2017

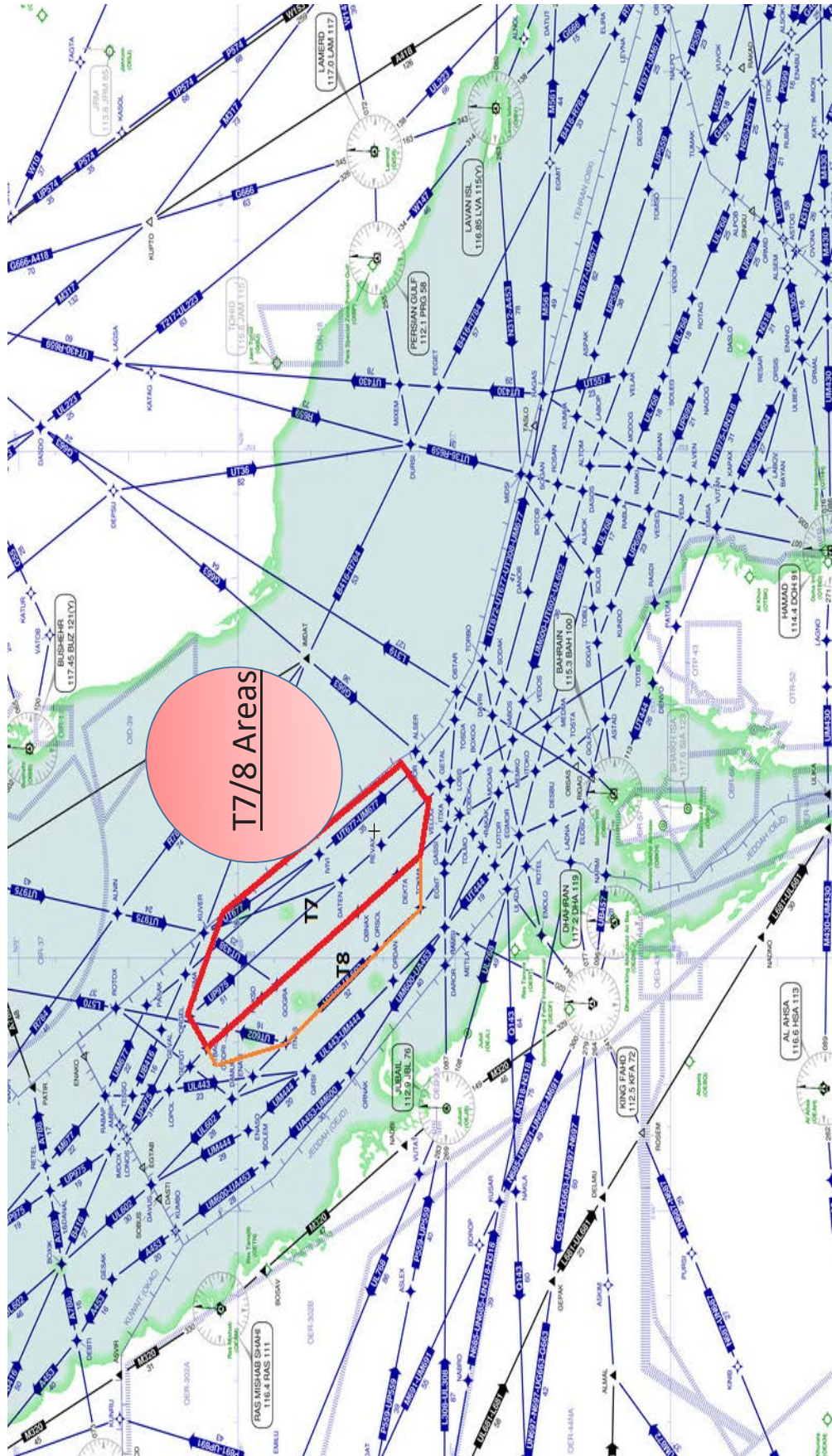


## Post Implementation:

- **Some inconsistencies due to some Qatar ATC are requiring GFA, EK and ETD aircraft to be vectored clear of the Qatar Peninsular.**
- Bahrain has not received any communication to keep aircraft away from Qatar land mass but some Doha ATCOs are requiring that GFA and ETD aircraft be vectored to offset north of track on airway UN318.
- This happens on a random basis and can be unsafe due to opposite direction descending traffic.
- This has been raised officially to ICAO

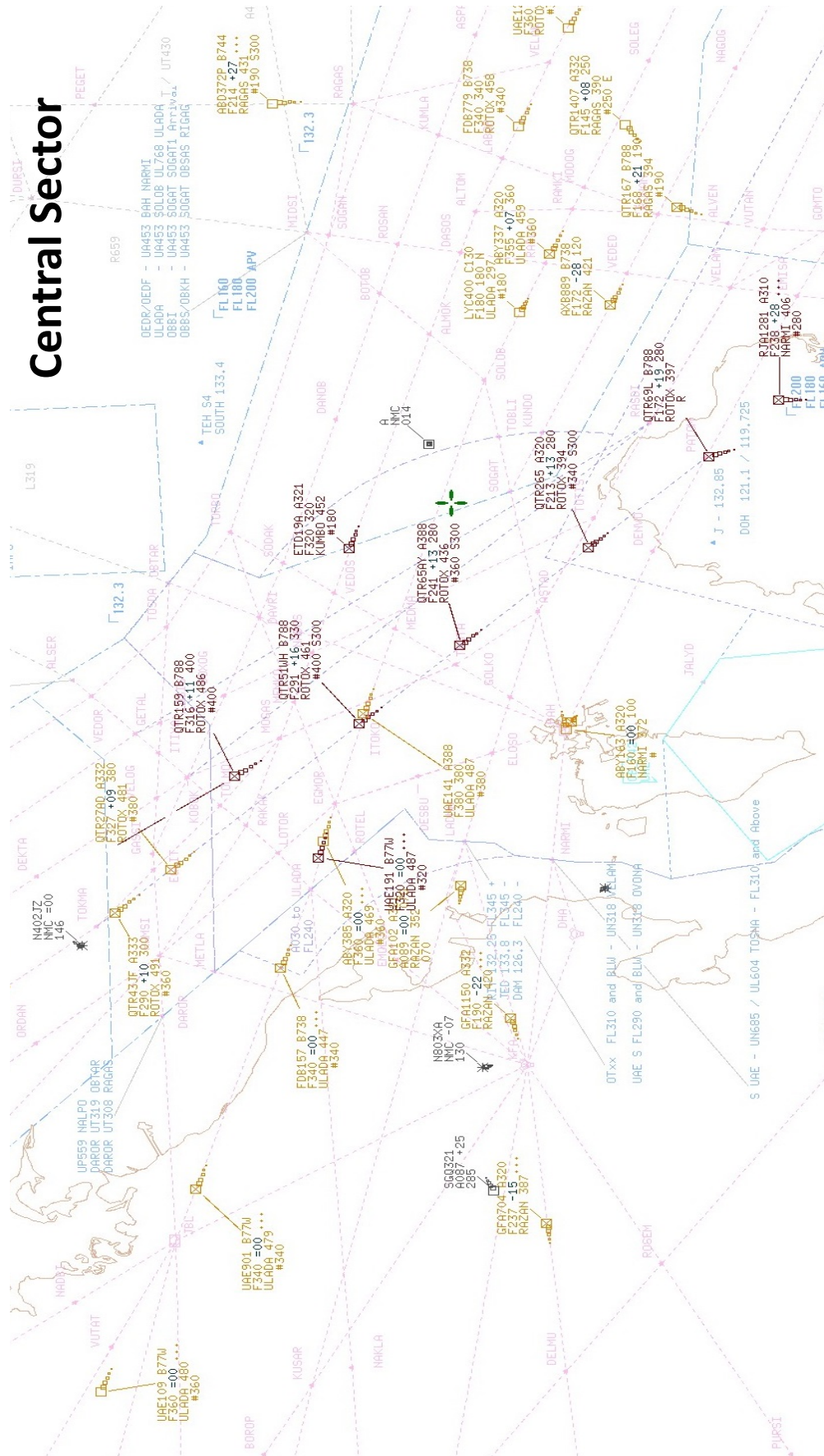
## Assurance:

- At no time has Bahrain established a buffer zone. T7/8 are Bahrain military training areas that have been in operation for more than 30 years. There was never a military challenge to any civilian aircraft.
- Bahrain closed only its national airspace and territorial water. The routes over the high seas were always available to all traffic.
- Bahrain has always provided safe and efficient service to all traffic including Qatar Airways within the FIR.
- Bahrain has implemented extra measures to facilitate the flow of air traffic and enhance safety. Bahrain is ready to implement further changes to ensure minimal disruption to all traffic in the FIR as deemed necessary.



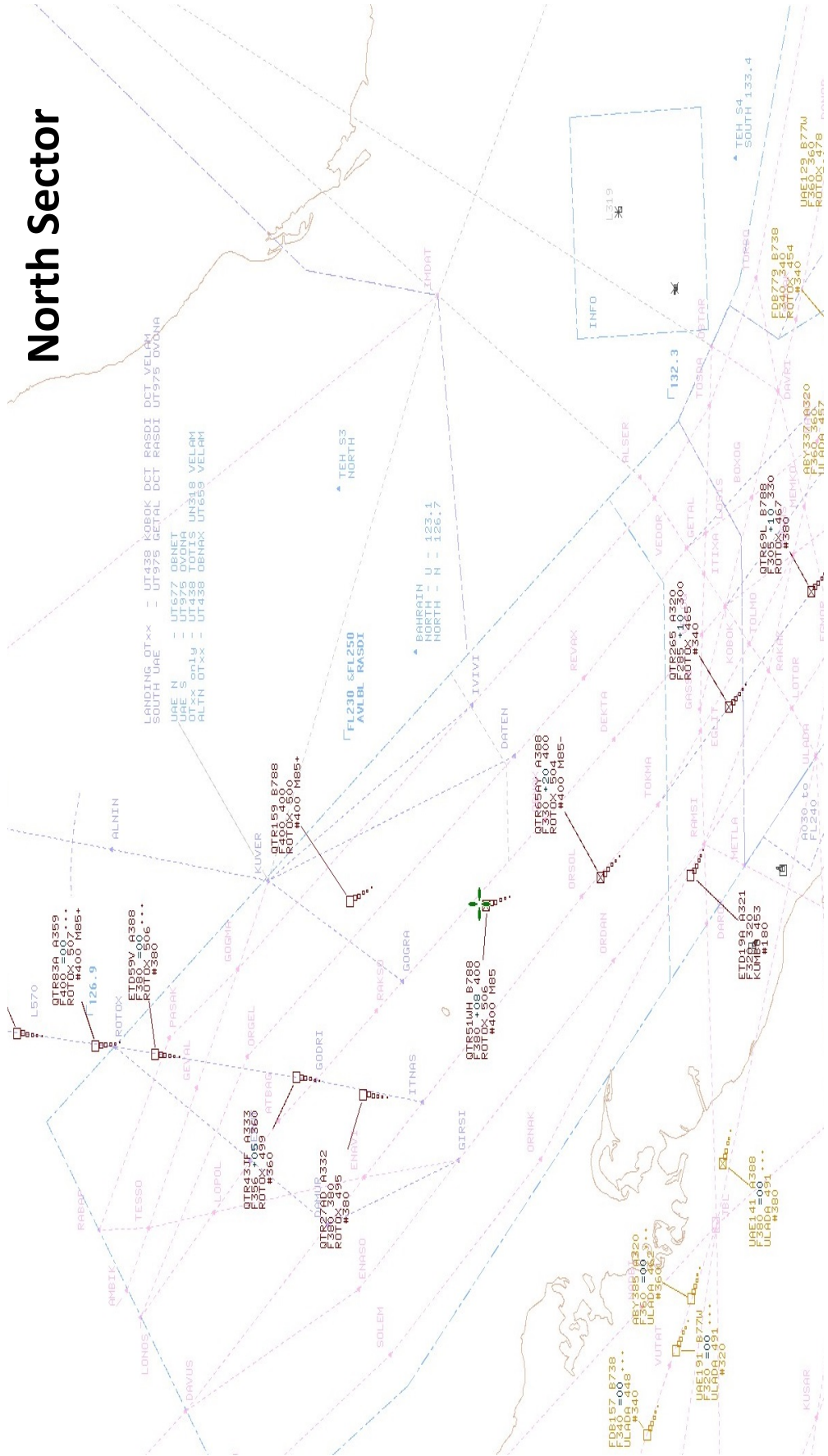


# Central Sector





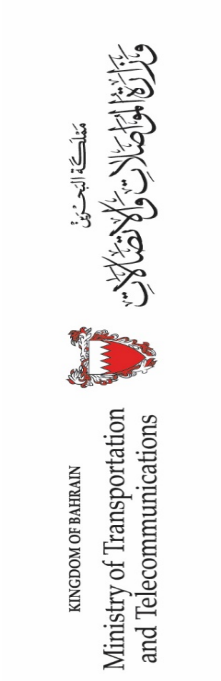
# North Sector





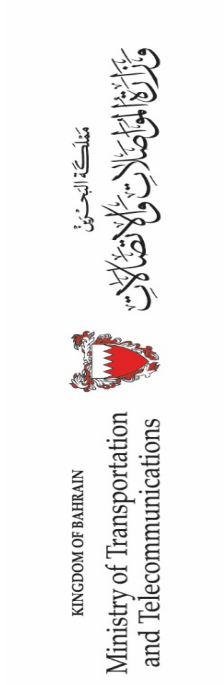
## Closing:

- In summary, Bahrain has facilitated the Qatar traffic to the fullest extent without compromising safety at any time.
- Bahrain ATMD has been continuously monitoring the situation and conducts daily operational meetings in order to ensure safety and operational efficiency. Senior management is always on duty and are available 24/7 for any concerns from the Operational supervisors.
- All changes have been implemented via the normal change management process with safety cases being conducted in all cases.
- Bahrain has at all times recognised its undertakings under the ICAO convention and the Airspace users Agreements and has focused its priority on maintaining the highest levels of safety and the provision of the highest levels of service to all airspace stakeholders.

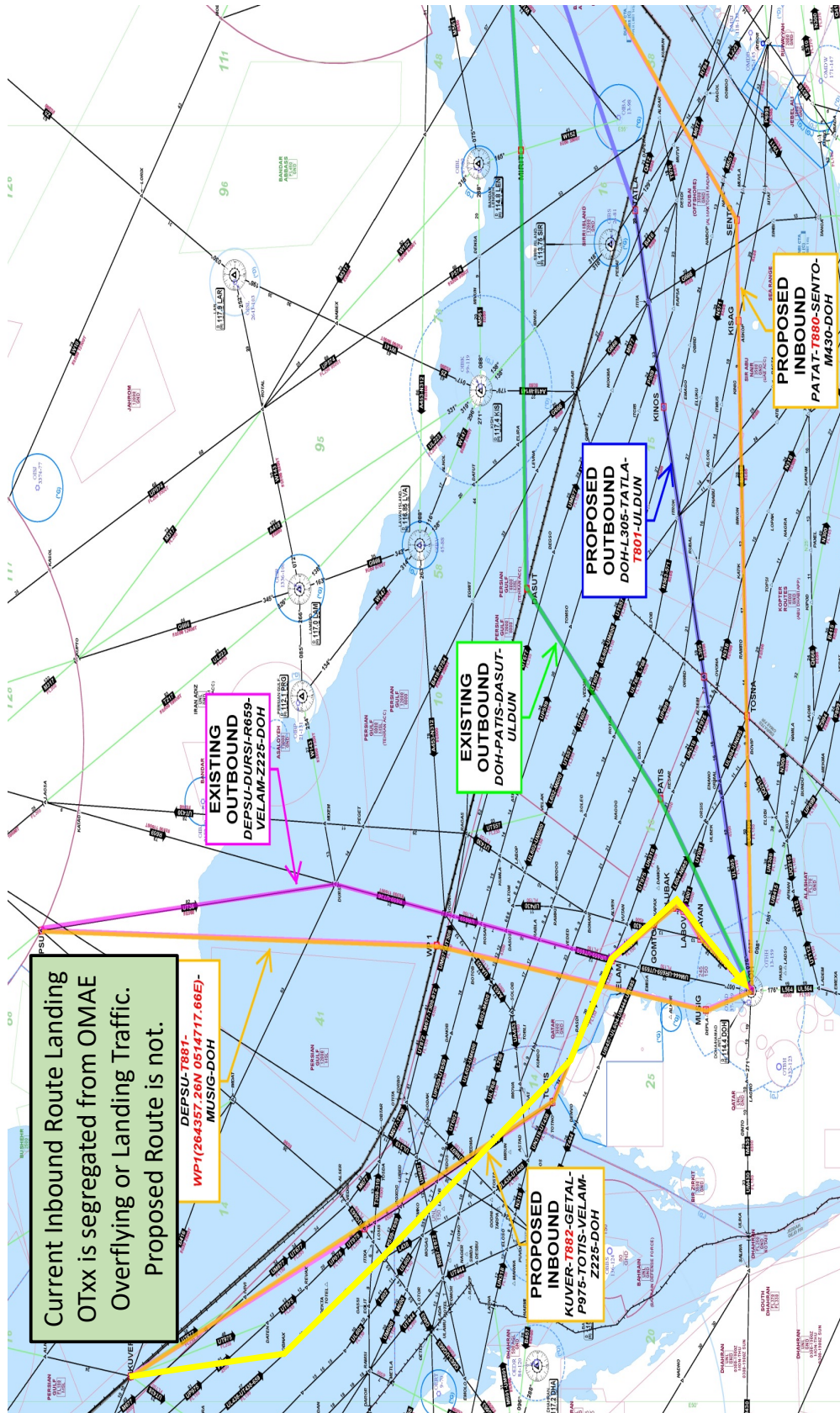


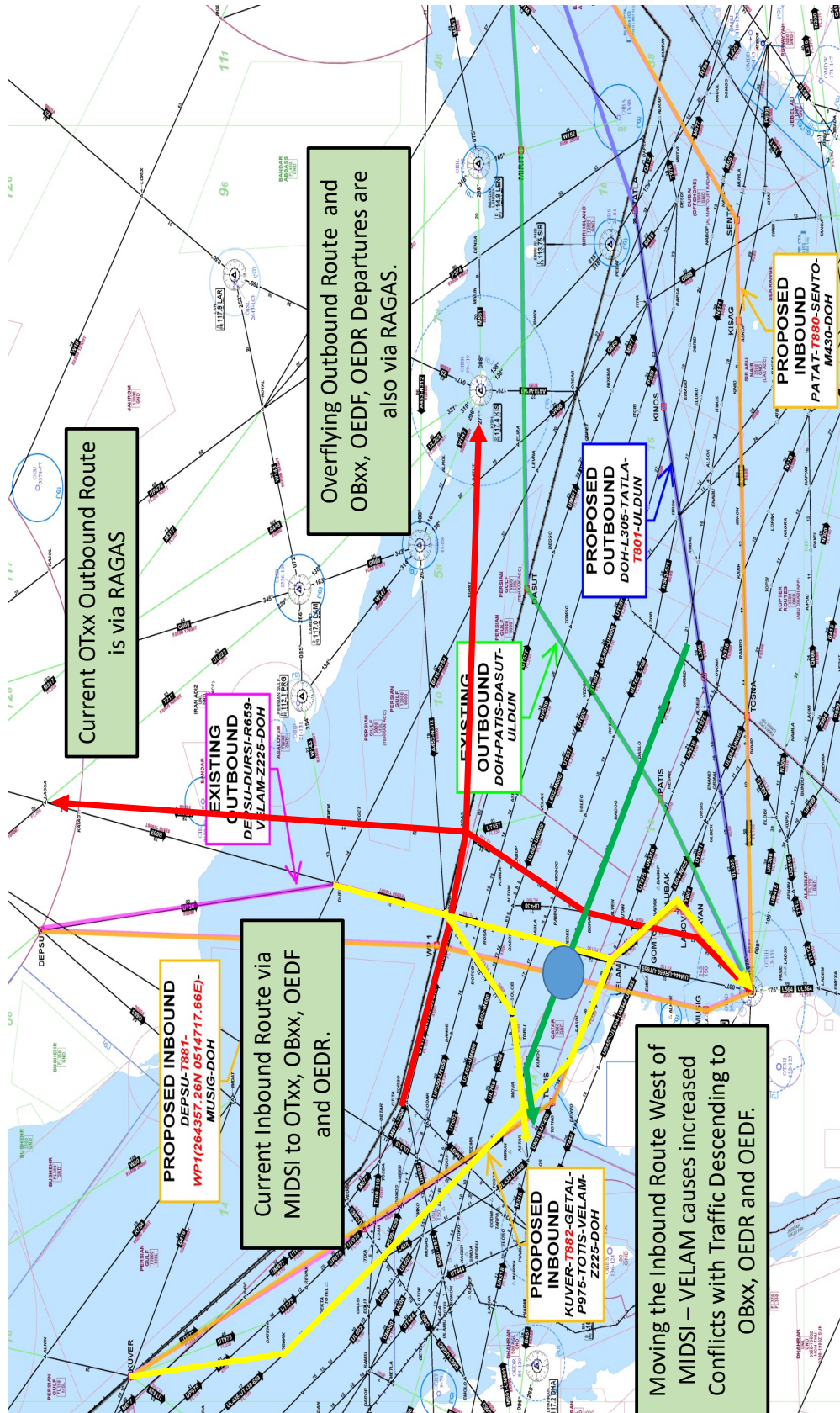
# SHUKRAN

Questions?



# Doha Airway Proposal







- Operation is stable now and the traffic are almost distributed equally over our Sectors and within the sector load capacity.
  - The proposed inbound from KUVER to TOTIS will cross all our AWYS creating more complicity to operation and will achieve nothing from it as there is not much difference and saving from the current route. Current Inbound Route Landing OTxx is segregated from OMAE Overflying or Landing Traffic, the proposed route is not.
-



الهيئة العامة للطيران المدني  
GENERAL CIVIL AVIATION AUTHORITY



United Arab Emirates

# UAE airspace measures on the state of Qatar

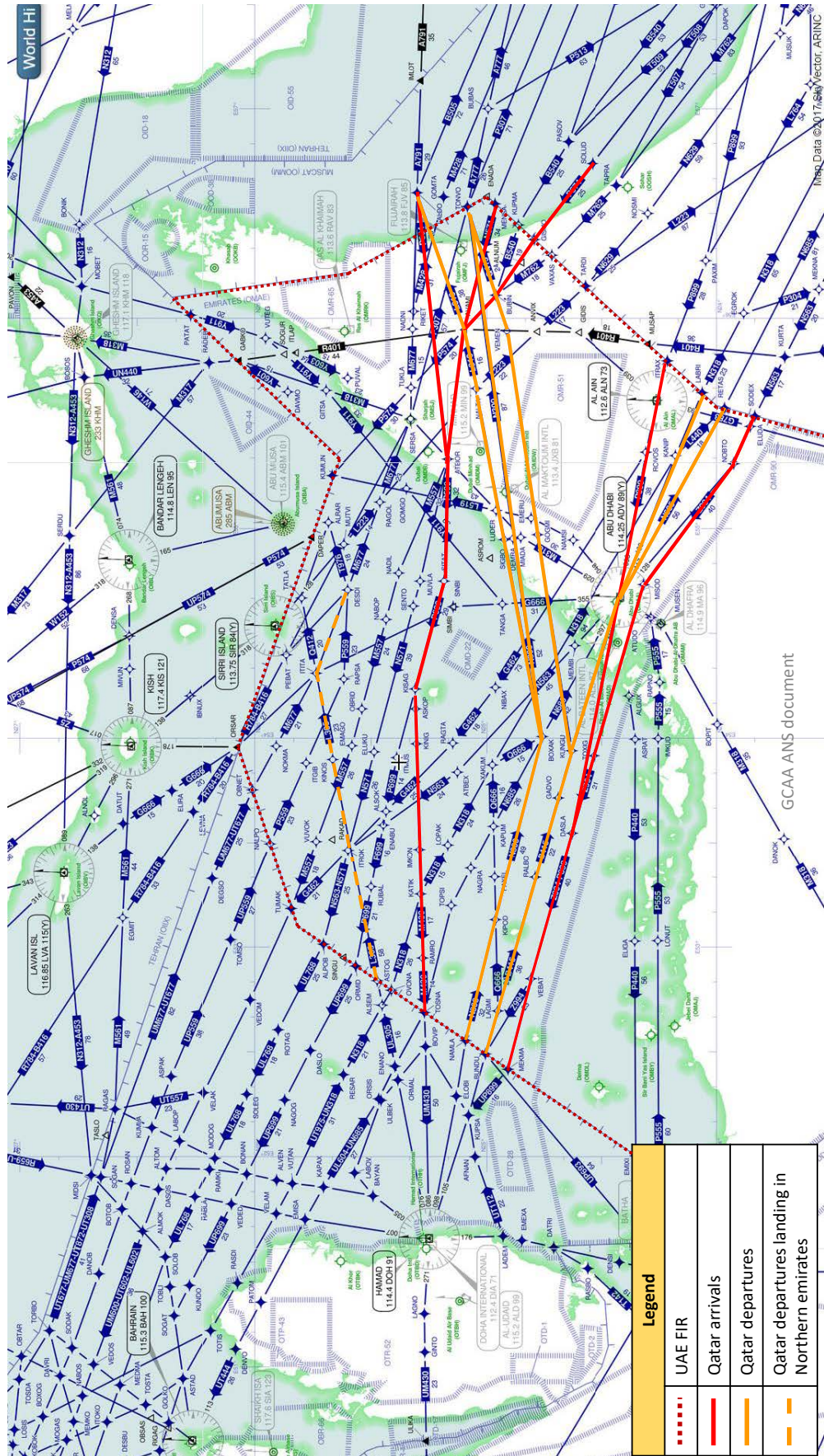






# Phase 0

Prior 6 June 2017

GCAA ANS document

2



Legend	
	UAE FIR
	Qatar arrivals
	Qatar departures
	Qatar departures landing in Northern emirates

GCAA ANS document

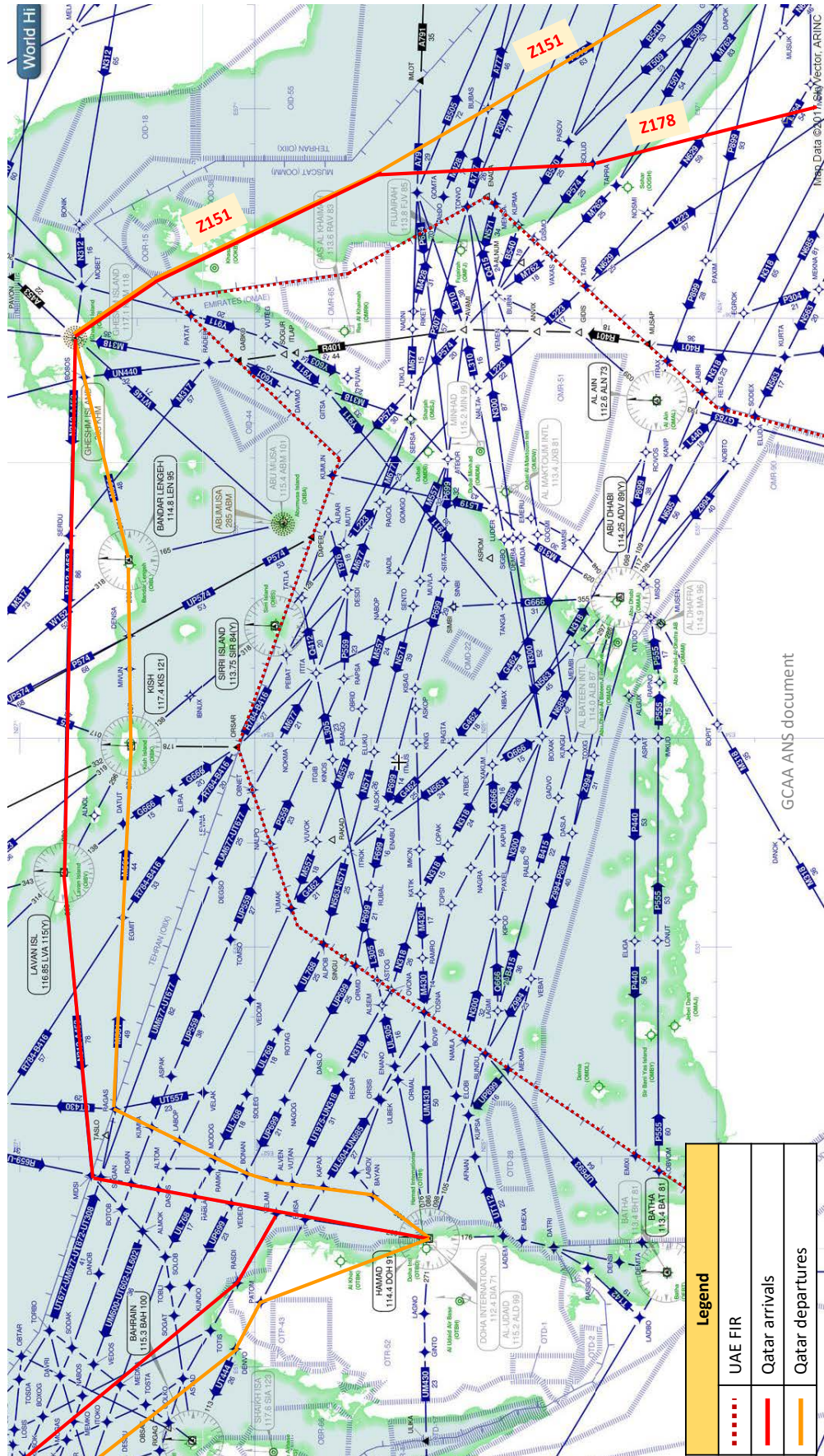
Map Data ©2017, SNG Vector, ARINC

# Phase 1

06 – 12 June 2017

GCAA ANS document

4

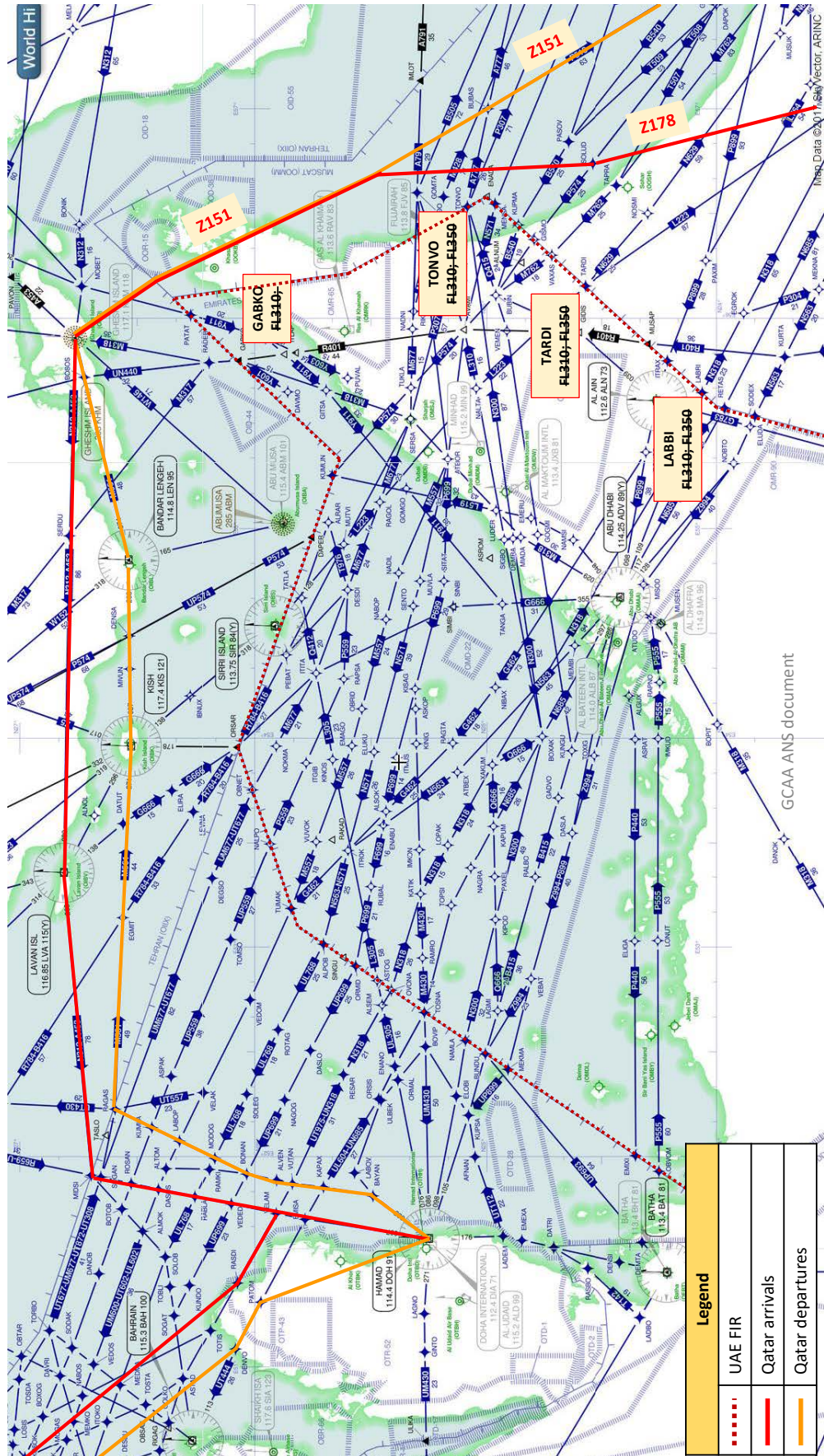


Legend	
	Qatar arrivals
	Qatar arrivals
	Qatar departures
	UAE FIR

GCAA ANS document

Map Data ©2011 SkyVector, ARINC

# Phase 1 – UAE contribution





# Emirates ACC measures- Phase 1

Emirates ACC measures that have contributed to the safe, efficient and orderly flow of air traffic in and around the UAE FIR during the situation with regards to State of Qatar aircraft restrictions:

- Activation of the UAE ATM Contingency plan as per UAE CARs and ICAO Doc 4444
- Agreeing with ICAO MID to activate the MID Regional Contingency Plan and the Contingency Coordination Team on the 5 June 2017
- Carried out close coordination with IATA on the 5 June 2017

## Emirates ACC measures - Phase 1

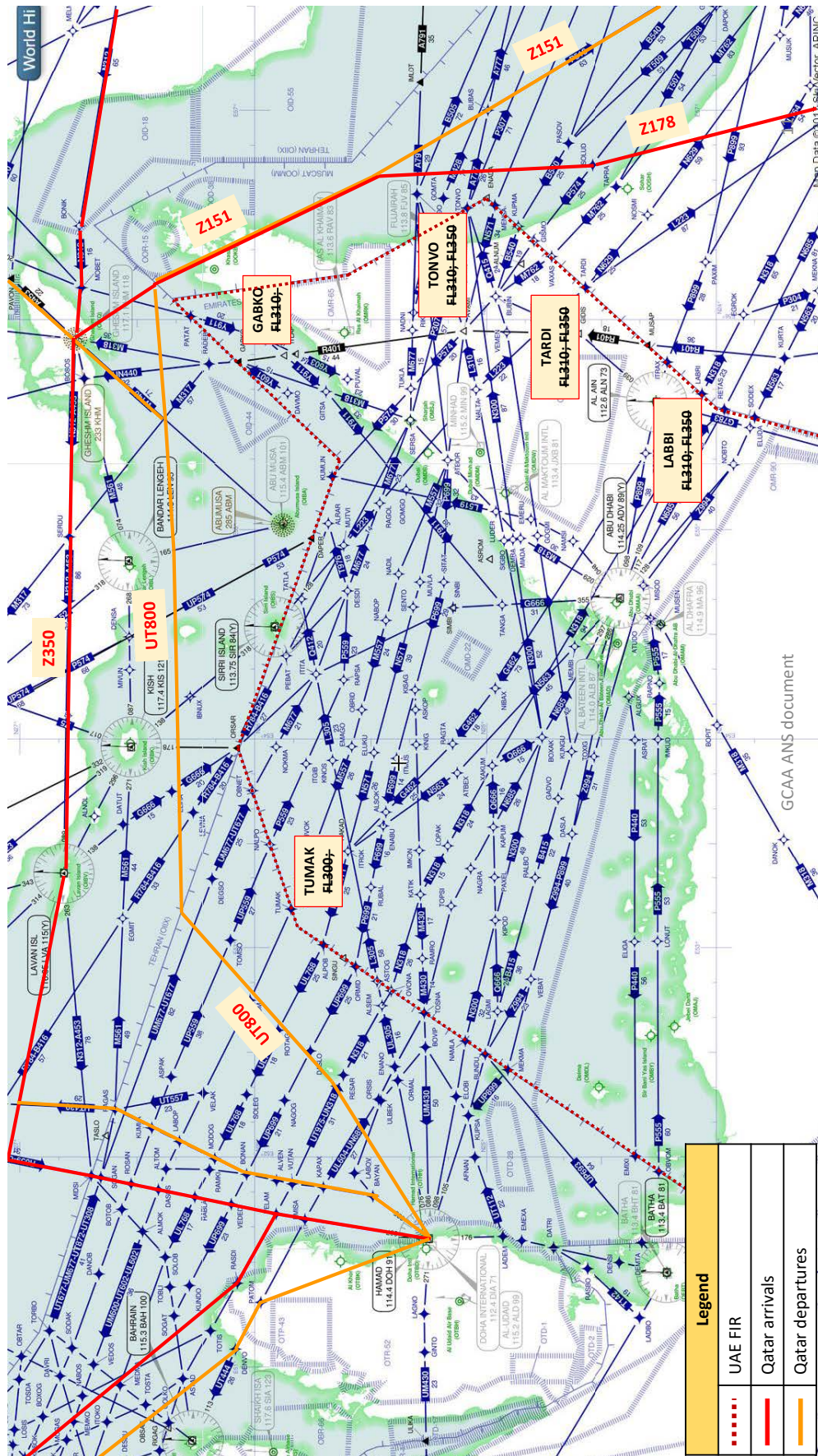
- Amending the UAE LoA with Muscat ACC twice (6 June & 12 June 2017) to accommodate the regional contingency measures and routings
- Amending the UAE LoA with Tehran ACC on the 9 June 2017 to accommodate the regional contingency measures and routings
- Carried out close coordination with ICAO / IATA on the 12 June 2017 to explain development
- Carried out close coordination with Bahrain, Tehran and Muscat ACCs

# Phase 2

After 12 June 2017

GCAA ANS document

10



## Emirates ACC measures –Phase 2

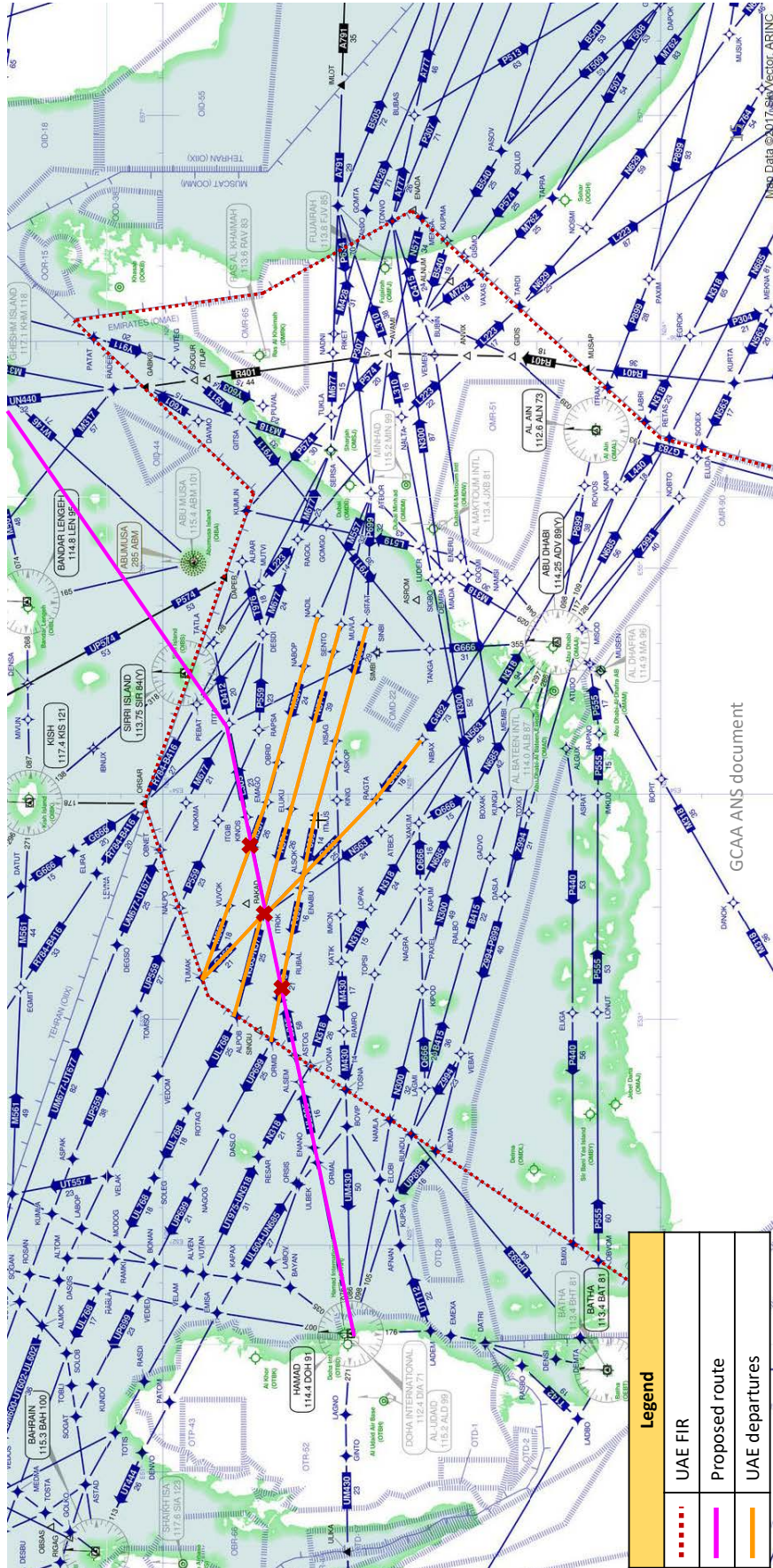
- Amending the UAE LoA with Bahrain ACC on the 21 June 2017 to accommodate the regional contingency measures and routings
- UAE welcomes Qatar aircraft to use the UAE FIR over the high seas (communicated to ICAO MID and Qatar ATS unit), however there is no ATS route connectivity to allow Qatar traffic to exit the UAE FIR without entering the UAE territorial water.

# Qatar contingency route proposal

## Qatar contingency route proposal

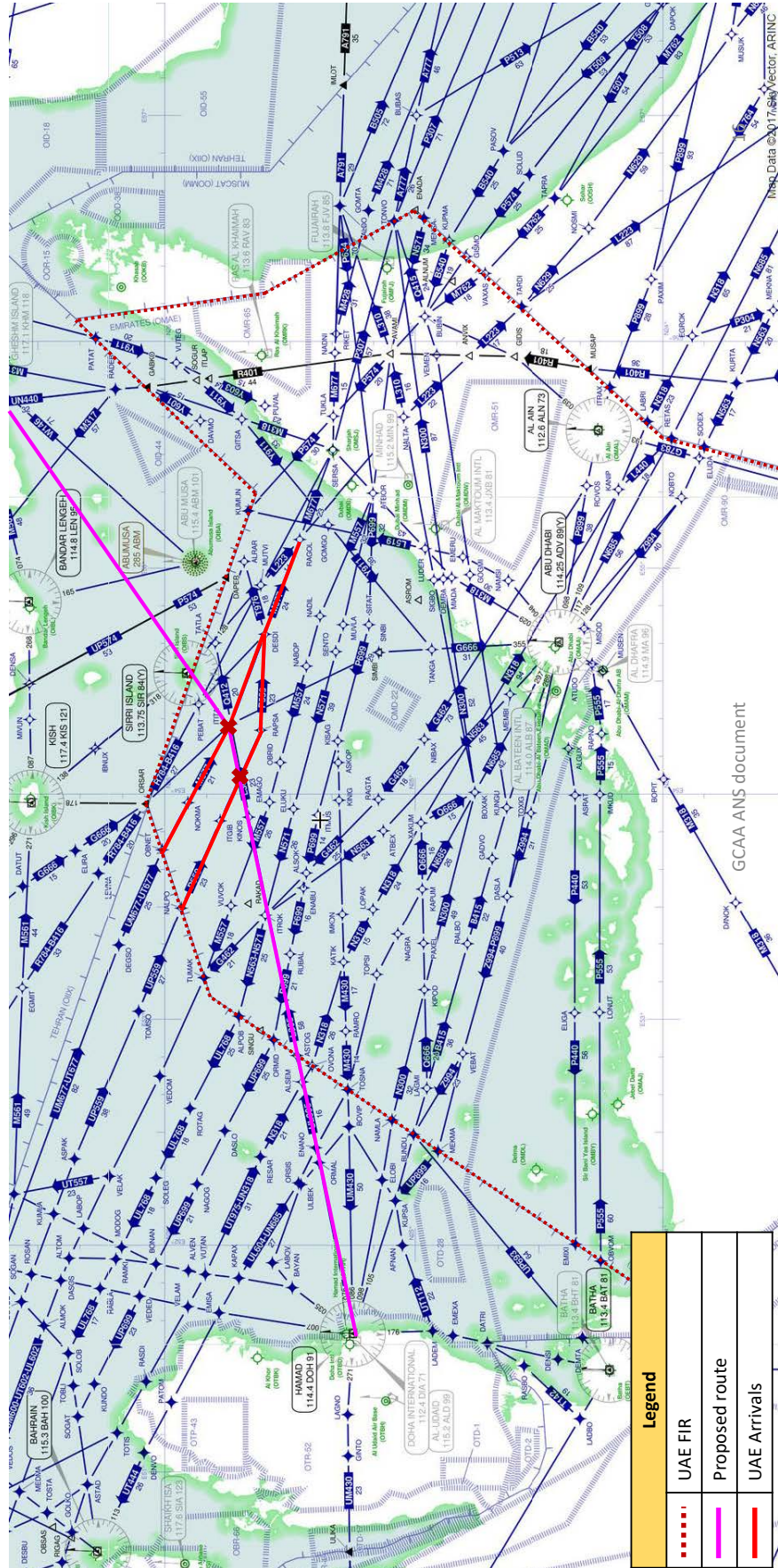
- On 13 June 2017 proposal to use L305 over the high seas within Emirates FIR for Qatar registered aircraft routing to Asia and Africa was received from ICAO MID.
- UAE carried out safety assessment and as a result following was highlighted

Creates additional 3 conflict points with the westbound traffic towards Bahrain FIR

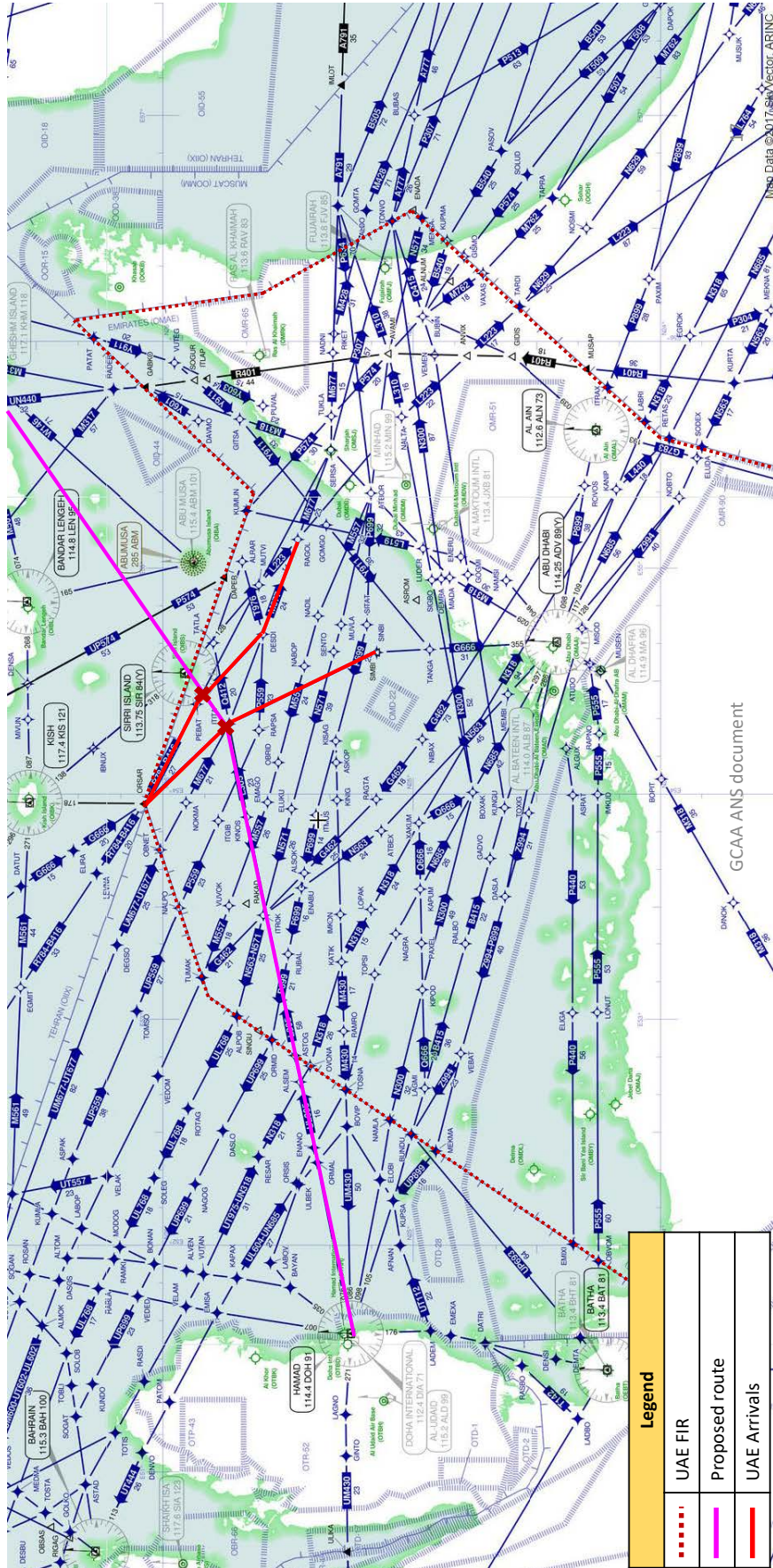




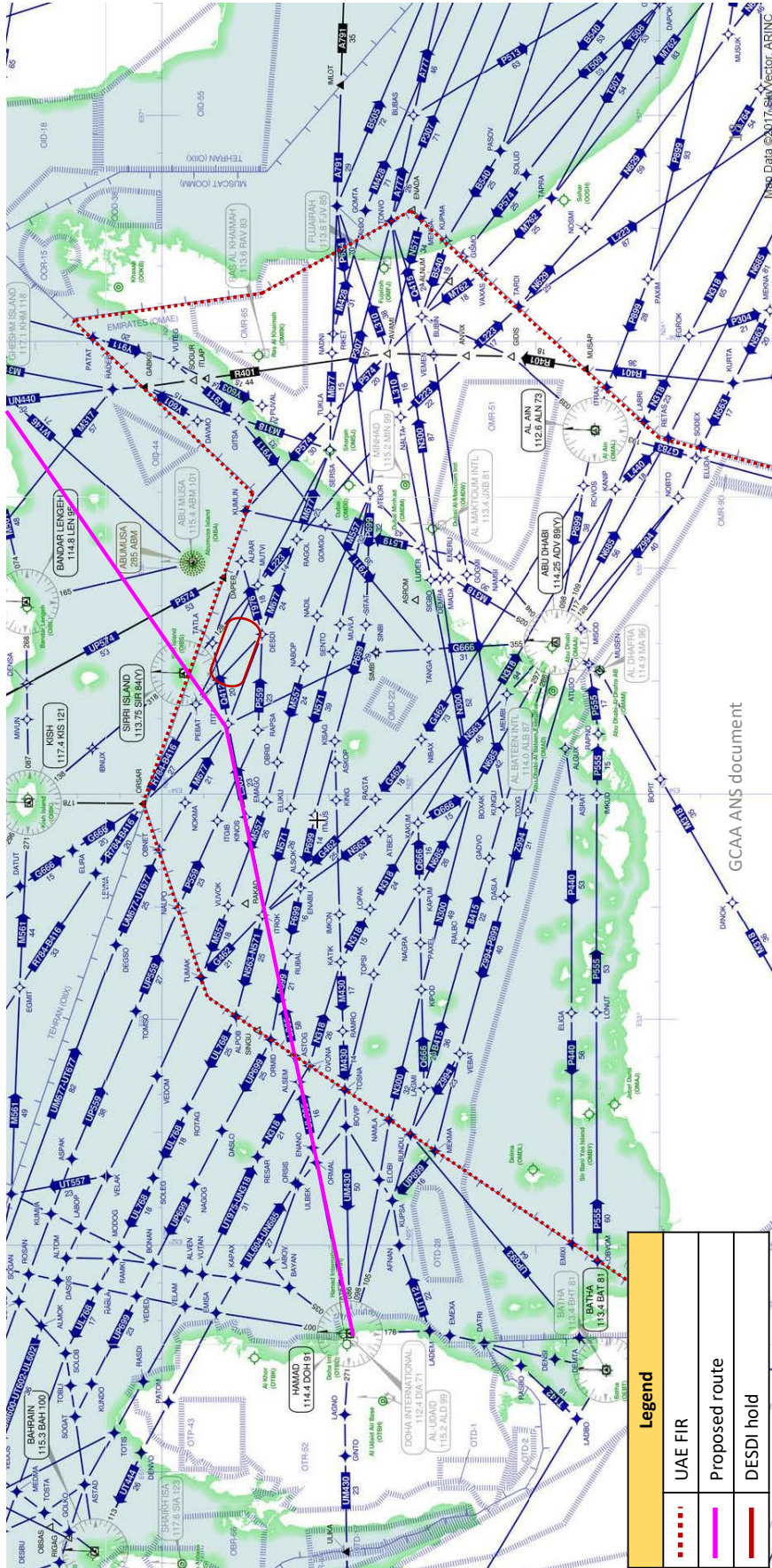
Creates additional 2 conflict points with the eastbound traffic from Bahrain



Creates additional two conflict points with the eastbound traffic from Tehran FIR



Conflicts with the busy Northern Emirates arrival main holding pattern from the west



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Map Data ©2017, SMI Vector, ARINC

## Summary

- UAE considers the safety of the international air traffic and the flying public not only in UAE airspace but worldwide as its highest priority and should not be jeopardized.
- ICAO found that the current implemented contingency measures to serve Qatar registered aircraft are found to be safe, fit for purpose and provides suitable connectivity to the rest of the world.
- All international operators except Qatar registered aircraft may use the UAE territorial airspace to operate to and from airports within Qatar.

# Summary

- All UAE airspace and airports are available for Qatar registered aircraft in case of emergency.
- Airspace over high seas within UAE FIR is available for Qatar registered aircraft use, subject to ATS route connectivity and successful safety assessment.
- UAE is evaluating alternative proposals to accommodate Qatar registered aircraft over high seas to operate safely.

**Thank you**

**ACCM/I-SoD**  
**ATTACHMENT A**

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## **Annex 27**

ICAO Council, Third ATM Contingency Coordination Meeting for Qatar, *Summary of Discussions*, ICAO Doc. ACCM/3 (5-6 Sept. 2017)





**INTERNATIONAL CIVIL AVIATION ORGANIZATION**  
**THIRD ATM CONTINGENCY COORDINATION MEETING FOR QATAR**  
**(ACCM/3)**

*(Cairo, Egypt, 5 – 6 September 2017)*

**SUMMARY OF DISCUSSIONS**

**1. PLACE AND DURATION**

1.1 The Third ATM Contingency Coordination Meeting for Qatar (ACCM/3) was held at the ICAO MID Regional Office, Cairo, Egypt, from 5 to 6 September 2017.

**2. OPENING**

2.1 The Meeting was opened by Mr. Mohamed Khalifa Rahma, ICAO Regional Director, Middle East Office, Cairo. In his opening remarks, Mr. Rahma welcomed all delegates to Cairo and wished them a successful meeting. Mr. Rahma highlighted the main objectives of the meeting; and underlined that safety of civil aviation, which is considered as a continuous challenge, should be given the utmost importance and priority. He extended his appreciation for all the States and IATA for their commitment and participation in the meeting.

2.2 Mr. Rahma thanked all parties who worked closely with the MID Office for the successful implementation of contingency measures and routes in a timely manner.

**3. ATTENDANCE**

3.1 The meeting was attended by twenty three (23) participants from eight (8) States (Bahrain, Egypt, Iran, Kuwait, Oman, Qatar, Saudi Arabia and UAE) and one (1) Organization (IATA). The list of participants is at **Attachment A**.

**4. OFFICERS AND SECRETARIAT**

4.1 The meeting was chaired by Mr. Chris Dalton, Chief Airspace Management and Optimization (AMO) Section at ICAO Headquarters Montreal, Canada. Mr. Elie El Khoury, ICAO Regional Officer, Air Traffic Management/Search and Rescue (RO/ATM/SAR) Middle East Office was Secretary of the meeting.

**5. LANGUAGE**

5.1 Discussions were conducted, and documentation was provided in the English language.

## 6. DISCUSSIONS

6.1 The meeting adopted the following Agenda:

- AI 1. Adoption of the Provisional Agenda
- AI 2. Introduction by (ICAO)
- AI 3. Review of Current Situation
- AI 4. Next Steps
- AI 5. Closing

6.2 The Chairman congratulated the MID Region for the continuous improvements of the implemented contingency plan. He highlighted that the meeting is an evidence of the high level of regional commitment related to safe air traffic operations across the MID Region. Mr. Dalton reiterated that the success of the MID Contingency Coordination Team (CCT) has been recognized by the aviation community.

6.3 The Secretariat provided an overview related to the developments since the ACCM/1 (Cairo, Egypt, 6 July 2017) and ACCM/2 (Doha, Qatar, 9 July 2017) including the outcome of the Extraordinary Session of the ICAO Council (Montreal, Canada, 31 July 2017).

6.4 The meeting commended all States concerned for the effective implementation of contingency routes and ATM measures despite the associated complication and challenges; in particular Iran and Oman for the major changes introduced to their ATS route structure and the traffic flows within their FIRs.

6.5 The meeting also thanked Cyprus and Malta for supporting the MID Region through the implementation of the routes T424 and T565, which have not been yet used by Qatar registered aircraft. However, Egypt reiterated its commitment to the implementation of T565.

6.6 Taking into consideration the measures undertaken for the implementation of T424 and T565, such as the agreement with Malta ACC to monitor the segments within Tripoli FIR, blocking the usage of FL310, etc., the meeting invited Qatar to provide the MID Office with their plan related to the use of T424 and T565. It was agreed that the routes would be suspended in case they will not be used in the near future.

6.7 The meeting noted the concerns raised by Iran related to their ability to accommodate additional traffic or significant changes due to the limitation in the old ATM system, shortage of ATCOs, hot-spots, complexity, etc.

6.8 Oman underlined that the contingency plan have produced safety risk factors identified in the safety studies for internal airspace development initiatives and projects with adjacent FIRs. Managing the identified safety risk factors caused adjustments in the plans and lowered the level of aspirations to benefit from the initiatives.

6.9 The meeting noted that a combination of multiple changes, in traffic flows and increasing levels of traffic in some sectors, raised serious concerns regarding sustainability and the potential for accepting further changes or additional aircraft.

6.10 The meeting recognized that ICAO's main concern is the safety of air transport, which has been maintained through the effective implementation of contingency routes/measures.

6.11 Based on the above, the meeting agreed that future changes would likely be only limited to gradual improvements and fine tuning to the currently implemented contingency routes/measures.

6.12 The meeting reviewed and discussed the following proposal presented by Qatar:

Use of T665 for all Qatar registered aircraft flights inbound Doha from the East:

6.12.1 The meeting noted with appreciation that the agreed arrangements regarding the use of temporary route T665 originally to be used by Qatar registered aircraft inbound to Doha only from Muscat and Sohar airports in Oman have been expanded to include flights to/from some airports from Africa, Asia and Slalah airport. This expansion became effective on 23 August 2017 at 00:01 UTC, and was further enhanced on 30 August. Accordingly, the traffic on Z151 and T665 increased from seven (7) flights to approximately forty five (45) flights per day.

6.12.2 The meeting agreed that Qatar proposal to increase traffic on T665 should be addressed gradually. Accordingly, Qatar provided detailed tables prioritizing the flights into three categories:

- Priority 1:** 17 flights via ULDUN
- Priority 2:** 29 flights via MESPO-KHM
- Priority 3:** 45 flights via ASVIB/DERBO-KHM

6.12.3 The meeting agreed that States concerned should carry out safety assessments and provide their initial feedback on the above proposal to the ICAO MID Office by 18 September 2017 in order to reach a consensus for implementation by 25 September 2017. It was also agreed to conduct a safety assessment after one month of Priority 1 implementation to review possibilities of achieving Priority 2 and Priority 3 via T665.

6.12.4 The meeting noted that, due to the rerouted traffic via ULDUN, the route Z350 will not be available in order to maintain two (2) traffic flows only in that area between Muscat and Tehran FIRs.

6.12.5 Iran, Oman and UAE agreed that the applied longitudinal separation would be 20NM and a study would be carried out for the possibility to add additional flight levels to FLs300, 360 and 400 that have been in use.

6.12.6 Qatar informed the meeting that in order to facilitate the traffic flows, Doha Radar would accept traffic from Sheikh Zayed Centre (SZC)-UAE below FL240 (till FL160) with 5NM miles in trail.

Inbound route from KHM to BAYAN

6.12.7 Bahrain highlighted that the route would cross the Points of Transfer of Control between Bahrain ACC and SZC, which would affect the traffic flows and create additional hot-spots. Iran also informed the meeting that it would be challenging to add inbound traffic flow to T665 and MIDS1 within that area of Tehran FIR.

Inbound route LVA-BAYAN

6.12.8 The meeting noted that the proposal has been addressed several times and the main constraint in its implementation was due to the challenge in descending the traffic by Tehran ACC to FL240 or below, to be accepted by Bahrain ACC. The meeting agreed that if the improvement on T665 can be accepted by all parties, consideration would be given to the use of LVA-BAYAN or AFNAN on a case-by-case (ad-hoc) basis.

Outbound route via ASTOG (L305)

6.12.9 The meeting recalled that the proposal has been accepted on 11 July 2017 provided that Doha Radar release traffic to SZC at FL 270 on ASTOG with 30NM longitudinal in order to meet Tehran ACC requirements that SZC release traffic to Teheran ACC at FL310 over SIR.

6.12.10 The meeting noted that the proposal was further discussed by Iran and UAE during the face-to-face meeting held in Abu Dhabi (30-31 July 2017). UAE proposed that the route would be implemented to be used by few Qatar registered aircraft flights outbound from Doha, excluding five (5) hours per day for a thirty (30) days trial. However, Iran informed the meeting that the coordination with the Military is still ongoing for the access to Danger Area 112; a conclusion might be reached in two weeks' time. The UAE indicated that this proposal will cause several crossing points between departures and arrivals, which will associate serious safety concerns. If implemented, it may associate firm flow restrictions and reduction of the flow on T665 to manage the extra workload this route will generate.

6.12.11 The meeting, after listening to UAE and Tehran and based on the political, military and operational complications this route will associate, concluded that this proposal will not be feasible for implementation.

6.13 The meeting noted that Iran is developing procedures to be implemented in case of communication failure.

6.14 The meeting noted with concern that the applicable longitudinal separation in a surveillance environment between Karachi and Tehran ACCs (50 NM) is affecting the efforts to reduce the longitudinal separation to 10 NM within the MID Region. Accordingly, the meeting requested ICAO to follow-up with Pakistan the implementation of 20NM longitudinal separation between Karachi and Tehran ACCs.

6.15 Considering the amount of changes implemented during the contingency situation, the meeting recognized the need for a regional recovery plan. Accordingly, the meeting encouraged States to initiate the development of national recovery plan based on a phased implementation approach and support the development of an ATM Regional Recovery Plan.

## 7. CLOSING

7.1 IATA appreciated the measures implemented by all States to accommodate the changes in the traffic flows in a very short time and thanked them for keeping the lines of communication open with the airspace users. IATA reaffirmed that the Contingency Coordination Team established for Qatar has successfully managed to provide a forum for sharing of information and coordination between the concerned parties.

7.2 The participants thanked ICAO for organizing such an important meeting, and commended the efforts and instrumental role of the MID Office.

7.3 In closing, the Chairman as well as Mr. Mohamed Khalifa Rahma expressed their appreciation for the successful deliberations and outcome of the meeting. They complimented the productivity of the meeting, which progressed smoothly and was characterized by the best traditions of civil aviation collaboration and a willingness to give each proposal a good hearing and debate, based on technical merit. They indicated that the outcome of the meeting will be relayed to the Secretary General of ICAO and the President of the ICAO Council.

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**ACCM/3-SoD  
ATTACHMENT A**

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<b>ICAO</b>  Mr. Chris Dalton	Chief, Airspace Management and Optimization Section International Civil Aviation Organization Headquarters Montreal - CANADA Email: <a href="mailto:cdalton@icao.int">cdalton@icao.int</a>

A-6

NAME	TITLE & ADDRESS
Mr. Elie El Khoury	Regional Officer, Air Traffic Management/Search and Rescue (ATM/SAR) Middle East Regional Office Ministry of Civil Aviation Complex – Airport Road Cairo – EGYPT Fax: +2 02 2267 4843 Tel: +2 02 2267 4840 Ext. 4120 Mobile: +2 010 2513 3360 Email: <a href="mailto:ekhoury@icao.int">ekhoury@icao.int</a>

- END -

**Annex 28**

*Letter* from John V. Augustin to Fang Liu, ICAO Secretary General (5 Oct. 2017)





**Dr. Fang Liu**  
**Secretary General**  
**ICAO**

5 October 2017

Dear Dr. Liu,

I refer to your IOM dated 2 October 2017 offering to extend my contract of employment beyond the end of February 2018 for an additional six months, as well as to our earlier discussion on the same subject.

I wish to express my deep gratitude for the offer. I have given it very careful consideration but a review of my goals, priorities and direction in life leads me to the decision that it would be in my best interest and that of the Organization to regretfully decline the offer.

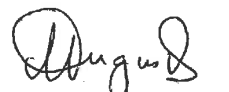
Moreover, the same elements require that I cease my employment with the Organization as early as possible. Therefore, please treat this letter as the requisite notice under Staff Regulation 9.2 for resignation effective 31 January 2018.

As you know, I shall be on annual leave from 10 to 20 October 2017. However, I currently have in addition 64.5 days of accumulated annual leave, and a few days will be acquired between now and 31 January 2018. Taking the balance of my annual leave starting 23 October 2017 would take me to the first half of February 2018. By formally separating on 31 January 2018, ICAO would be owing me these few days of accumulated leave (Staff Regulation 9.20 refers). In short, with a separation date of 31 January 2018, I must continue my leave from 23 October 2017 onwards and will not be returning to active duty.

It has been an honour to have served the Organization for over 28 years. My working life has been devoted to international civil aviation, and I remain forever grateful to have been given that opportunity.

I wish you the very best in your personal life and every professional success in the future.

Yours sincerely,

  
John V. Augustin



**Annex 29**

*Letter from President of ICAO Council to Representatives of the Council, ICAO Doc. PRES  
OBA/273 (9 Feb. 2018)*





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Organización  
de Aviación Civil  
Internacional

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организация  
гражданской  
авиации

منظمة الطيران  
المدني الدولي

国际民用  
航空组织

PRES OBA/2737  
Ref.: LE 6/7.CONF

9 February 2018

To: Representatives on the Council

From: President of the Council

Subject: **Settlement of Differences: extension of time-limit to file Counter-memorials with respect to Application (A) – the State of Qatar and the Arab Republic of Egypt, the Kingdom of Bahrain, the Kingdom of Saudi Arabia and the United Arab Emirates (2017) and Application (B) – the State of Qatar and the Arab Republic of Egypt, the Kingdom of Bahrain and the United Arab Emirates (2017)**

I wish to inform you that pursuant to a request by the Arab Republic of Egypt, on behalf of the Respondents in the above-captioned matters, the Council has decided on 9 February 2018 to extend the 12 week time-limit for the filing of Counter-memorials by the Respondents by an additional six weeks, i.e. until 26 March 2018.

Olumuyiwa Benard Aliu



### **Annex 30**

*Letter* from Essa Abdulla Al-Malki, Permanent Representative of Qatar, to Fang Liu, ICAO Secretary General (12 Mar. 2018)







Ref: ICAO/QTR/2000/2018

Date:03/12/2018

H.E. Dr Fang. Liu  
Secretary General  
International Civil Aviation Organization  
999 Robert-Bourassa  
Montréal, Québec  
H3C 5H7

*Your Excellency,*

Please be advised that Mr. John Victor Augustin has been appointed adviser in the Permanent Mission of the State of Qatar to ICAO.

*Accept, Madam, the assurances of my highest consideration.*

Essa Abdulla Al-Malki

Permanent Representative



700 Rue De La Gauchetière Ouest, suite 2450  
Québec, Montréal, H3B 5M2

Tel. : 514-329-9107 Fax. : 514-397-0304 Email : Qatar@icao.int



### **Annex 31**

*Letter* from Aysha Alhameli, Representative of UAE to ICAO Council to Fang Liu, ICAO Secretary General, UAE-DEL/L-13-2018 (19 Mar. 2018)





DELEGATION OF THE UNITED ARAB EMIRATES  
ON THE COUNCIL OF ICAO

المكتب التمثيلي لدولة الإمارات العربية المتحدة  
لدى الايكاو

OSG

19 MAR. 2018

Ref: UAE-DEL/L-13-2018

19 March 2018

Dr. Fang Liu  
Secretary General  
International Civil Aviation Organization  
999 Boulevard Robert-Bourassa  
Montreal, QC, H3C 5H7

Madam Secretary General,

I wish to refer to the item: Settlement of Differences: Application of the State of Qatar to the Council for Settlement of a Disagreement with the Arab Republic of Egypt, the Kingdom of Bahrain, the Kingdom of Saudi Arabia and the United Arab Emirates – Application (A), and Application of the State of Qatar to the Council for Settlement of a Disagreement with the Arab Republic of Egypt, the Kingdom of Bahrain, and the United Arab Emirates – Application (B).

On behalf of the Respondent States in the above matter, I wish to transmit attached the following documents:

1. Preliminary Objections of the Arab Republic of Egypt, the Kingdom of Bahrain, the Kingdom of Saudi Arabia and the United Arab Emirates In Re Application (A) of the State of Qatar Relating to the Disagreement Arising under the Convention on International Civil Aviation done at Chicago on 7 December 1944
2. Preliminary Objections of the Arab Republic of Egypt, the Kingdom of Bahrain, and the United Arab Emirates In Re Application (B) of the State of Qatar Relating to the Disagreement Arising under the International Air Services Transit Agreement done at Chicago on 7 December 1944
3. Letter of credentials of the Authorized Agent of the Arab Republic of Egypt, dated 8 February 2018 signed by the Minister of Foreign Affairs of the Arab Republic of Egypt
4. Letter advising the contact details of the Authorized Agent of the Arab Republic of Egypt, dated 17 March 2018, signed by the Authorized Agent, the Minister of Civil Aviation of the Arab Republic of Egypt
5. Letter of credentials of the Authorized Agent of the Kingdom of Saudi Arabia, dated 12 February 2018 signed by the Permanent Representative of the Kingdom of Saudi Arabia on the Council of ICAO

AY



DELEGATION OF THE UNITED ARAB EMIRATES  
ON THE COUNCIL OF ICAO

المكتب التمثيلي لدولة الإمارات العربية المتحدة  
لدى الايكاو

6. Letter of credentials of the Authorized Agent of the United Arab Emirates, dated 6 February 2018 signed by the Minister of Foreign Affairs and International Cooperation of the United Arab Emirates
7. Letter of transmission of Preliminary Objections on behalf of the Arab Republic of Egypt, dated 17 March 2018 signed by the Authorized Agent of the Arab Republic of Egypt
8. Letter of transmission of Preliminary Objections on behalf of the Kingdom of Bahrain, dated 15 March 2018 signed by the Authorized Agent of the Kingdom of Bahrain
9. Letter of transmission of Preliminary Objections on behalf of the Kingdom of Saudi Arabia, dated 15 March 2018 signed by the Authorized Agent for the Government of the Kingdom of Saudi Arabia
10. Letter of transmission of Preliminary Objections on behalf of the United Arab Emirates dated 15 March 2018 signed by the Authorized Agent of the United Arab Emirates

A Letter of credentials of the Authorized Agent and a Deputy Authorized Agent on behalf of the Kingdom of Bahrain dated 6 February 2018, signed by the Minister of Foreign Affairs of the Kingdom of Bahrain, was already received by your Office on 19 February 2018 and is therefore not included herein.

I would be grateful if an acknowledgement of receipt of the above documents 1. – 10. could be provided, indicating the date of receipt of these documents by your Office.

Please accept the assurances of my highest esteem and consideration.

Aysha Alhameli

Representative of the United Arab Emirates on the Council of ICAO

**Annex 32**

*Letter* from Fang Liu, ICAO Secretary General, to Essa Abdulla Al-Malki, Agent for the State of Qatar (20 Mar. 2018)







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Organización  
de Aviación Civil  
Internacional

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авиации

منظمة الطيران  
المدني الدولي

国际民用  
航空组织

THE SECRETARY GENERAL

Ref.: LE 6/7.CONF

20 March 2018

Mr. Essa Abdulla Al-Malki  
Agent for the State of Qatar  
700 rue De La Gauchetière Ouest  
Suite 2450  
Montréal, Québec  
H3B 5M2

Dear Mr. Al-Malki,

I refer to the matters *the State of Qatar and the Arab Republic of Egypt, the Kingdom of Bahrain, the Kingdom of Saudi Arabia and the United Arab Emirates (2017) – Application (A) and the State of Qatar and the Arab Republic of Egypt, the Kingdom of Bahrain and the United Arab Emirates (2017) – Application (B)*, which are before the Council of the International Civil Aviation Organization (ICAO).

This is to inform you that I am in receipt of the attached letter dated 19 March 2018, reference UAE-DEL/L-13-2018, signed by the Representative of the United Arab Emirates on the Council of ICAO, transmitting, on behalf of the Respondents in both Application (A) and Application (B), the following documents:

1. Preliminary Objections of the Arab Republic of Egypt, the Kingdom of Bahrain, the Kingdom of Saudi Arabia and the United Arab Emirates In Re Application (A) of the State of Qatar Relating to the Disagreement Arising under the Convention on International Civil Aviation done at Chicago on 7 December 1944
2. Preliminary Objections of the Arab Republic of Egypt, the Kingdom of Bahrain, and the United Arab Emirates In Re Application (B) of the State of Qatar Relating to the Disagreement Arising under the International Air Services Transit Agreement done at Chicago on 7 December 1944
3. Letter of credentials of the Authorized Agent of the Arab Republic of Egypt, dated 8 February 2018 signed by the Minister of Foreign Affairs of the Arab Republic of Egypt
4. Letter advising the contact details of the Authorized Agent of the Arab Republic of Egypt, dated 17 March 2018, signed by the Authorized Agent, the Minister of Civil Aviation of the Arab Republic of Egypt

- 2-

5. Letter of credentials of the Authorized Agent of the Kingdom of Saudi Arabia, dated 12 February 2018 signed by the Permanent Representative of the Kingdom of Saudi Arabia on the Council of ICAO
6. Letter of credentials of the Authorized Agent of the United Arab Emirates, dated 6 February 2018 signed by the Minister of Foreign Affairs and International Cooperation of the United Arab Emirates
7. Letter of transmission of Preliminary Objections on behalf of the Arab Republic of Egypt, dated 17 March 2018 signed by the Authorized Agent of the Arab Republic of Egypt
8. Letter of transmission of Preliminary Objections on behalf of the Kingdom of Bahrain, dated 15 March 2018 signed by the Authorized Agent of the Kingdom of Bahrain
9. Letter of transmission of Preliminary Objections on behalf of the Kingdom of Saudi Arabia, dated 15 March 2018 signed by the Authorized Agent for the Government of the Kingdom of Saudi Arabia
10. Letter of transmission of Preliminary Objections on behalf of the United Arab Emirates dated 15 March 2018 signed by the Authorized Agent of the United Arab Emirates

I am transmitting, attached, copies of the above-mentioned documents (Nos. 1 to 10) as filed by the Respondents in Application (A) and Application (B).

You may wish to provide comments on the Statements of preliminary objections filed by the Respondents within a time-limit of six weeks from the date of receipt of this letter, fixed by the President of the Council under Article 28 of the *Rules for the Settlement of Differences* (Doc 7782/2).

Yours sincerely,



Fang Liu

**Enclosures**

cc: President of the Council

### **Annex 33**

ICAO, Interactive Map, “Cairo FIR”, *available at* <https://gis.icao.int/icaoviewernew/#/41.3577/23.5481/6> (data updated: 17 Apr. 2018)



File Edit View Favorites Tools Help

https://gis.icao.int/icao/viewernew/#/41.3377/23.5481/6

ICAOGIS

- Legend
- ICAO Layers
- Share This Map
- Help
- Find Aeronautical Data

Start with uppercase specific location name

Data updated: 17 April 2018

Enter an address or place

Search For Text (Capital Caps)

ICAO FIR 2015 (ACR/Avr)(DGAC)

Enter the text you want to search for.

Find Exact Matches Only

Search

Clear

- Advanced Draw
- Measurement
- Drag and Drop Pts Notam slip
- Nearby search
- Bookmarks
- Identify
- Go To Coordinate
- Editor
- Print and Report
- Directions
- Google StreetView

Short TUTORIAL ICAO GIS Help

Basemaps

19,244,649 32°13'38.4"N 41°54'23.05"E

19,244,649 32.227333 41.906404

The map displays the boundaries of Flight Information Regions (FIR) across the Middle East, North Africa, and parts of Asia. Key FIRs shown include:

- IRAN:** FIR TEHRAN (OHH), FIR SHIRAZ (OIR), FIR ISFAHAN (OIF), FIR YAZD (OYZ), FIR KEMAN (OKM), FIR ABU GHARAB (OAG), FIR QAMIS (OQB), FIR DAMGUS (OBT), FIR DAMASCUS (OAS), FIR HAMS (OHS), FIR ATHINAI (LGG), FIR NICOSIA (LCC), FIR JERUSALEM (LJL), FIR AMMAN (OJAC), FIR BAGDAD (OIRB), FIR KARACHI (OPK), FIR MUSCAT (OOM), FIR SAHABAH (OJZ), FIR SAUDI ARABIA (OJED), FIR JEDDAH (OJED), FIR RIYADH (OJED), FIR KHARSAK (OJED), FIR ADDIS ABABA (HAAA), FIR ASHARA (HAAA), FIR ASHARA (ASMA), FIR KHARTOUM (HSS), FIR N. D. JAMENA (FTTT), FIR CAIRO (HECC), FIR SOHAG (HECC), FIR TRIPOLI (HLL), FIR PORT SAÏD (HECC), FIR ALEXANDRIA (HECC), FIR DAMASCUS (OAS), FIR HAMS (OHS), FIR ATHINAI (LGG), FIR NICOSIA (LCC), FIR JERUSALEM (LJL), FIR AMMAN (OJAC), FIR BAGDAD (OIRB), FIR KARACHI (OPK), FIR MUSCAT (OOM), FIR SAHABAH (OJZ), FIR SAUDI ARABIA (OJED), FIR JEDDAH (OJED), FIR RIYADH (OJED), FIR KHARSAK (OJED), FIR ADDIS ABABA (HAAA), FIR ASHARA (HAAA), FIR ASHARA (ASMA), FIR KHARTOUM (HSS), FIR N. D. JAMENA (FTTT), FIR CAIRO (HECC), FIR SOHAG (HECC), FIR TRIPOLI (HLL), FIR PORT SAÏD (HECC), FIR ALEXANDRIA (HECC).



## **Annex 34**

ICAO Council, Fourth ATM Contingency Coordination Meeting for Qatar, *Summary of Discussions*, ICAO Doc. ACCM/4 (28 April 2018)





Revised  
29/05/2018



**INTERNATIONAL CIVIL AVIATION ORGANIZATION**  
**FOURTH ATM CONTINGENCY COORDINATION MEETING**  
**(ACCM/4)**

*(Amman, Jordan, 28 April 2018)*

**SUMMARY OF DISCUSSIONS**

**1. PLACE AND DURATION**

1.1 The Fourth ATM Contingency Coordination Meeting (ACCM/4) was held in Amman, Jordan, on 28 April 2018, preceding the ATM SG/4 and the AIRARD TF/3 meetings that were all kindly hosted by Civil Aviation Regulatory Commission (CARC) - Jordan.

**2. OPENING**

2.1 The Meeting was opened by Mr. Mohamed Khalifa Rahma, ICAO Regional Director, Middle East Office, Cairo. In his opening remarks, Mr. Rahma welcomed all delegates to Amman and wished them a successful meeting. Mr. Rahma highlighted the main objectives of the meeting; and underlined that safety of civil aviation, which is considered as a continuous challenge, should be given the utmost importance and priority. He extended his appreciation to all States and IATA for their commitment and participation in the meeting.

2.2 Mr. Rahma thanked all parties who worked closely with the MID Office for the successful implementation of contingency measures and routes in a timely manner.

**3. ATTENDANCE**

3.1 The meeting was attended by eighteen (18) participants from five (5) States (Bahrain, Iran, Jordan, Qatar and UAE) and one (1) Organization (IATA). The list of participants is at **Attachment A**.

**4. OFFICERS AND SECRETARIAT**

4.1 The meeting was chaired by Mr. Chris Dalton, Chief Airspace Management and Optimization (AMO) Section at ICAO Headquarters Montreal, Canada.

4.2 Mr. Elie El Khoury, ICAO Regional Officer, Air Traffic Management/Search and Rescue (RO/ATM/SAR) Middle East Office, was Secretary of the meeting.

**5. LANGUAGE**

5.1 Discussions were conducted, and documentation was provided in the English language.

## 6. DISCUSSIONS

6.1 The meeting adopted the following Agenda:

- AI 1. Adoption of the Provisional Agenda
- AI 2. Introduction by (ICAO)
- AI 3. Review of Current Situation
- AI 4. Next Steps
- AI 5. Closing

6.2 The Chairman welcomed the participants to the ACCM/4 and highlighted that the meeting is an evidence of the high level commitment to ensure the safety of air traffic operations across the MID Region. Mr. Dalton reiterated that the success of the MID Contingency Coordination Team (CCT) has been recognized by the aviation community. He provided a brief about the ICAO Visits to Qatar and Bahrain on 10-11 and 12 April 2018, respectively.

6.3 The meeting was apprised by Bahrain, Iran, Oman, Qatar and UAE of their feedback on the current situation and the challenges they were facing as well as the lessons learnt. Unfortunately, Oman delegation arrived late in the afternoon, however, coordination on the outcome of meeting was carried, with agreement on some contingency measures related to the Muscat FIR.

6.4 The meeting commended all States concerned for the effective implementation of contingency routes and ATM measures despite the associated complexities and challenges.

6.5 Iran underlined that the contingency plan has major impact on the pre-planned ATM projects such as the redesign of the airspace, ACC sectorization, etc.

6.6 The meeting recognized that ICAO's main concern is the safety of air transport, which has been maintained through the effective implementation of contingency routes/measures.

6.7 The meeting reviewed and discussed the following proposal presented by Qatar:

**Increase the Utilization of T665** (inbound route to Doha through Emirates FIR over the high seas)

6.7.1 Increase the utilization of T665 from 70 to 80 flights daily. Qatar reported that currently the daily usage is around 50 to 60 flights only and that it was challenging to reach the agreed 70 flights due to some restrictions on traffic flows, mainly at RASKI and PARAM.

6.7.2 The meeting agreed that a new mechanism should be applied instead of the current one based on the call sign list, which would be discussed at later stage.

6.7.3 In the meantime, however, and with a view to provide flexibility for Qatar Airways to reach the maximum agreed daily usage, the list of call signs would be increased to 100 call signs, which would be accepted by Iran, Oman and UAE and inserted in advance in the ATM system to avoid filed flight plan rejection. The prerequisites to achieve the above were as follows:

- Qatar to provide a list of 100 call sign (adding 20 to the 80 list)
- Iran, Oman and UAE assess the list and add the call signs in their ATM systems to avoid flight plans rejection
- Oman and UAE to assess the increase of the daily usage of T665 to 80 flights instead of 70. (Iran advised that they accepted the changes as specified).

- 3 -

- Qatar Airways to adhere to +/- 15 minutes from the estimate time over the boundary points.
- The list of Qatar Airways flights would be provided by Doha Radar through OLDI to SZC-UAE. Qatar and UAE nominated the following focal points to address the possibility for an automated mechanism for sharing of flight plans schedule and list of call signs.
  - Qatar: Mr. Andrew Bowden, Airspace Planner ([andrew.bowden@caa.gov.qa](mailto:andrew.bowden@caa.gov.qa))
  - UAE: Muhammad Farook, ANS Research & Systems Adaptation Officer, ([mfarook@szc.gcaa.ae](mailto:mfarook@szc.gcaa.ae))

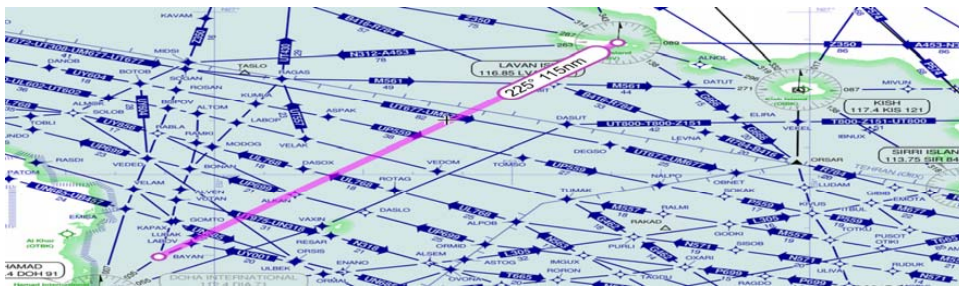
6.7.4 UAE proposed that the States concerned should work together on the implementation of arrangements in the context of CDM/ATFM between the relevant ATS units in Iran, Oman, Qatar and UAE for effective management of traffic through T665.

6.7.5 Based on the communication with Oman, it was proposed to reduce the longitudinal separation at ULDUN between Muscat and Tehran ACCs from 20 NM to 10 NM and to add FL 380 to the FLAS applied on Z351/T665, which requires study and coordination with UAE.

6.7.6 Iran indicated the need for Flight Level (FL) restriction over waypoint GABKO (FLs that will be used for ULDUN) to be imposed by UAE on the transiting traffic through Emirates FIR to Tehran FIR, due to the distance constraint between GABKO and ULDUN.

6.7.7 In the same vein, it was proposed to establish a waypoint on the intersection Z152 and N571 to accommodate traffic coming from RASKI and PARAM to be rerouted by Muscat ACC via ULDUN. It was agreed that Oman should provide the off-peak hours of the relevant ATC Sector(s) servicing that area and Qatar provide a list of flights that would use ULDUN instead of MESPO within the off-peak intervals. (the additional flights are among the 100 agreed call signs).

**LVA-BAYAN FIRs (new inbound route to Doha between Tehran and Bahrain FIRs)**



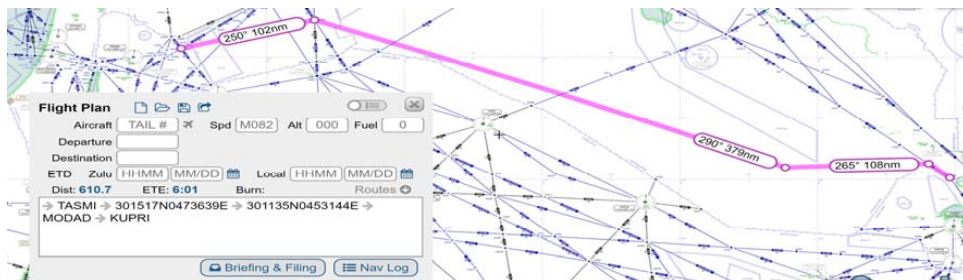
6.7.8 Agreed by Bahrain and Iran with the following measures:

- FL 220 at the border (Bahrain-Tehran), or FL200 as a second option with 10NM longitudinal separation.
- Flights to start descent at SERDU to reach FL 280 or below by LVA.
- Tehran requested that traffic departing or transiting from Bahrain FIR toward the East to enter Tehran FIR via DASUT.

- FL restriction on UAE westbound traffic through Bahrain FIR to be agreed upon by Bahrain and UAE.
- Revision of Bahrain- Doha operational letter of agreement to include:
  - All requirements and transfer control points (TCPs) identified for all routes, including contingency routes
  - FL210/230/250 inbound via RASDI
  - FL160/180/200 inbound via VELAM
- Reduce the upper limit of OTR53 to at least 10000 feet.
- Qatar to provide a list of call signs that might use the route.
- Iran to select 20 flights to be rerouted via LVA-BAYAN on trial basis during off-peak period.
- During the trial phase, additional traffic may be routed via LVA-BAYAN based on tactical coordination between Bahrain and Tehran ACCs.
- Bahrain indicated that based on the above conditions and the results of the trial phase the route would be operated on 24/7.
- Feedback from Iran for final approval expected by 10 May 2018.
- Tentative implementation date 31 May 2018 10:00 UTC.
- ICAO allocated the Route Designator N312 for LVA-BAYAN and the 5LNC ELIDU (262424N 0525133E) as Bahrain/Tehran FIRs Boundary point.

**TASMI-MODAD (proposal for a New route from Kuwait/Iraq Border direct to Jordan)**

6.7.9 Iraq and Jordan accepted the proposal in principal waiting for the feedback from Qatar to initiate the coordination with Kuwait for the implementation.



**T800 Inbound**

6.7.10 Qatar proposal to use T800, currently utilized for departures from Doha to the east, for inbound traffic as well, during off-peak hours was not supported by Bahrain or Iran due to operational challenges. However, it was agreed to keep the coordination ongoing on any possibility in the future.

**OLDI**

6.7.11 Bahrain and Qatar agreed to initiate the coordination for the implementation of OLDI between Bahrain ACC and Doha Radar.

**7. CLOSING**

7.1 All participants reassured their commitment to ensure the safety of air transport across the MID Region and to support the ICAO's efforts in this regard. The participants thanked ICAO for organizing such an important meeting as well as CARC – Jordan for hosting, and commended the efforts and instrumental role of the MID Office.

7.2 In closing, the Chairman as well as Mr. Mohamed Rahma expressed their appreciation for the successful deliberations and outcome of the meeting. They complimented the productivity of the meeting, which progressed smoothly and was characterized by the best traditions of civil aviation collaboration and a willingness to give each proposal a good hearing and debate, based on technical merit. They indicated that the outcome of the meeting will be relayed to the Secretary General of ICAO and the President of the ICAO Council.

-----

## LIST OF PARTICIPANTS

NAME	TITLE & ADDRESS
<p><b><u>STATES</u></b></p> <p><b>BAHRAIN</b></p> <p>Mr. Saleem Mohamed Hasan</p>	<p>Director Air Traffic Management Bahrain Civil Aviation Affairs (BCAA) Ministry of Transportation and Telecommunications P.O. Box 586 KINGDOM OF BAHRAIN Tel: +973 17 321 116/321105 Mobile: +973 39 608 860 Email: <a href="mailto:saleemmh@mtt.gov.bh">saleemmh@mtt.gov.bh</a></p>
<p>Mr. Richard Phillips</p>	<p>Senior ATC SERCO - IAL Limited P.O. Box 144 KINGDOM OF BAHRAIN Mobile: +973 39 523 061 Email: <a href="mailto:satco@mtt.gov.bh">satco@mtt.gov.bh</a></p>
<p>Mr. Vinesh Dulabh</p>	<p>General Manager SERCO - IAL Limited P.O. Box 144 Manama - KINGDOM OF BAHRAIN Tel: +973 173 21021 Mobile: +973 39 094 500 Email: <a href="mailto:vdulabh@mtt.gov.bh">vdulabh@mtt.gov.bh</a></p>
<p><b>ISLAMIC REPUBLIC OF IRAN</b></p> <p>Mr. Ahmad Kaveh Firouz</p>	<p>Deputy Director of Tehran ACC Iran Airports and Navigation Company (IAC) IAC BLD, Meraj St. Azadi Sq. Tehran - ISLAMIC REPUBLIC OF IRAN Tel: +98 21 4454 4119 Mobile: +98 912 323 0447 Email: <a href="mailto:ahmadhavehfirouz@gmail.com">ahmadhavehfirouz@gmail.com</a></p>
<p>Mr. Behzad Soheil</p>	<p>Deputy General Director of ATM in Planning and Monitoring Iran Airports and Navigation Company (IAC) IAC BLD, Meraj St. Azadi Sq. Tehran - ISLAMIC REPUBLIC OF IRAN Tel: +98 21 4454 4115 Mobile: +98 912 554 4193 Email: <a href="mailto:soheil@airport.ir">soheil@airport.ir</a></p>

- 2 -

NAME	TITLE & ADDRESS
<b>JORDAN</b> Mr. Ahmad Amireh	Chief of Flight Procedure Design Division Civil Aviation Regulatory Commission (CARC) Amman Airport P.O. Box 7547 Amman 11110 - JORDAN Tel: +962 6 489 2282 Ext. 3420 Mobile: +962 795 0796 88 Email: <a href="mailto:a.amireh@carc.gov.jo">a.amireh@carc.gov.jo</a>
Mr. Nayef Al-Marshoud	Director of Air Traffic Management (DATM) Civil Aviation Regulatory Commission (CARC) P.O. Box 7547, 11110 Amman - JORDAN Tel: +962 6 489 2282 Mobile: +962 79 749 8992 Email: <a href="mailto:datm@carc.gov.jo">datm@carc.gov.jo</a>
<b>QATAR</b> Mr. Ahmed Mohamed Al-Eshaq	Director Air Navigation Department Qatar Civil Aviation Authority (QCAA) P.O. Box 73 Doha – QATAR Fax: +974 4470 5300 Tel: +974 4470 5555 Mobile: +974 55 55 0440 Email: <a href="mailto:ahmed@caa.gov.qa">ahmed@caa.gov.qa</a>
Mr. Andrew Bowden	Air Traffic Control – Radar Qatar Airspace Planner Qatar Civil Aviation Authority (QCAA) Falcon Compound Abu Hamour Doha - QATAR Tel: +974 3020 2559 Email: <a href="mailto:andrew_bowden@caa.gov.qa">andrew_bowden@caa.gov.qa</a>
Capt. Jassim Haroon	VPO Amiri Flight Doha - QATAR Tel: +974 6690 9009 Email: <a href="mailto:vpo@amiriflight.gov.qa">vpo@amiriflight.gov.qa</a>
Capt. Konstantinos Iliakis	A/Chief Flight OPS Qatar Airways Doha - QATAR Tel: +974 3382 6911 Email: <a href="mailto:cfoo@qatarairways.com.qa">cfoo@qatarairways.com.qa</a>

NAME	TITLE & ADDRESS
Mr. Paul Lyth	Head of SMS Unit / Safety Manager Qatar Civil Aviation Authority (QCAA) P.O. Box 73 Doha - QATAR Tel: +974 5504 8569 Email: <a href="mailto:paul.lyth@caa.gov.qa">paul.lyth@caa.gov.qa</a>
Ms. Sharron Caunt	Senior Manager Navigation & Air Traffic Management Qatar Airways Flight Operations, QROC, P.O. Box 22550 Doha - QATAR Tel: +974 66 505 230 Email: <a href="mailto:scaunt@qatarairways.com.qa">scaunt@qatarairways.com.qa</a>
<b>UNITED ARAB EMIRATES</b> Mr. Ahmed Al Jallaf	Assistant Director General Air Navigation Services General Civil Aviation Authority (GCAA) ANS - Sheikh Zayed Air Navigation Centre P.O. Box 666 Abu Dhabi - UNITED ARAB EMIRATES Tel: +971 2 599 6888 Mobile: +971 50 659 9242 Email: <a href="mailto:aljallaf@szc.gcaa.ae">aljallaf@szc.gcaa.ae</a>
<b><u>ORGANIZATIONS/INDUSTRIES</u></b>  <b>IATA</b> Mr. Alexander Smith	Regional Manager - Navigation & ATM British Airways Waterside, Harmondsworth, Middlesex P.O. Box 365 - UB7 0GB UNITED KINGDOM Tel: +44 208 562 1405 Mobile: +44 7789 611059 Email: <a href="mailto:alexander.smith@ba.com">alexander.smith@ba.com</a>
Mr. George Rhodes	Assistant Director Infrastructure MENA International Air Transport Association (IATA) MENA P.O. Box 940587 Amman 11194 - JORDAN Fax: +962 6 593 9923 Tel: +962 6 580 4256 Mobile: +962 79 944 4252 Email: <a href="mailto:rhodesg@iata.org">rhodesg@iata.org</a>



- 4 -

NAME	TITLE & ADDRESS
Mr. Jehad Faqir	Deputy Regional Director Safety & Flight Operations International Air Transport Association (IATA) P.O. Box 940587 Amman 11194 - JORDAN Tel: +962 6 580 4200 Ext 1216 Mobile: +962 79 511 1238 Email: <a href="mailto:faqirj@iata.org">faqirj@iata.org</a>
Mr. Ken Sewell	Regional Director, Safety and Flight Operations, Middle East & North Africa International Air Transport Association (IATA) P.O. Box 940587 Amman, 11194 - JORDAN Tel: +962 6 580 4200 Mobile: +962 79 1488811 Email: <a href="mailto:sewellk@iata.org">sewellk@iata.org</a>
<b>ICAO</b>  Mr. Mohamed Khalifa Rahma	Regional Director Middle East Regional Office Ministry of Civil Aviation Complex – Airport Road Cairo – EGYPT Fax: +2 02 2267 4843 Tel: +2 02 2267 4840 Ext. 4100 Email: <a href="mailto:mrahma@icao.int">mrahma@icao.int</a>
Mr. Chris Dalton	Chief, Airspace Management and Optimization Section International Civil Aviation Organization Headquarters Montreal - CANADA Email: <a href="mailto:cdalton@icao.int">cdalton@icao.int</a>
Mr. Elie El Khoury	Regional Officer, Air Traffic Management/Search and Rescue (ATM/SAR) Middle East Regional Office Ministry of Civil Aviation Complex – Airport Road Cairo – EGYPT Fax: +2 02 2267 4843 Tel: +2 02 2267 4840 Ext. 4120 Mobile: +2 010 2513 3360 Email: <a href="mailto:ekhoury@icao.int">ekhoury@icao.int</a>

- END -



### **Annex 35**

*Letter from President, First Vice-President and Secretary General of ICAO Council to Representatives on the Council, ICAO Doc. PRES OBA/2771 (15 May 2018)*





International  
Civil Aviation  
Organization

Organisation  
de l'aviation civile  
internationale

Organización  
de Aviación Civil  
Internacional

Международная  
организация  
гражданской  
авиации

منظمة الطيران  
المدني الدولي

国际民用  
航空组织

**PRES OBA/2771**  
Ref.: S 2/3

15 May 2018

**To:** Representatives on the Council

**From:** President of the Council, First Vice-President and Secretary General

**Subject:** **Report on Credentials of Observers (Qatar)**

In accordance with Rule 3 of the *Rules of Procedure for the Council* (Doc 7559), we wish to inform Representatives on the Council that we have examined and found in order the credentials of Messrs. Ahmed Al Eshaq, Abdulrahman Al Hammadi, Abdulla Nasser Al Subaey, John Augustin, Nasser Al Sowaidi and Mohammed Al Nasr, who have been appointed as Observers of the State of Qatar for the meeting of the Council on 17 May 2018.

**Olumuyiwa Benard Aliu**  
President of the Council

**Tee Chiou Ng**  
First Vice-President

**Fang Liu**  
Secretary General



Ref: ICAO/QTR/1006/2018

Date:05/02/2018

**H.E. Dr. Fang Liu**  
Secretary General  
International Civil Aviation Organization (ICAO)  
999 Boulevard Robert-Bourassa,  
Montréal, QC  
H3C 5H7

*Your Excellency,*

Reference to the letter dated 18 April 2018 informing that, pursuant to a request from the United Arab Emirates, the Council will consider on 17 May 2018 an item under Article 54 (n) of the Chicago Convention.

Please be advised that the State of Qatar will be represented by the following persons for consideration of the item on 17 May 2018:

- 1) Mr. Essa Al-Malki – Permanent Representative
- 2) Mr. Ahmed Al Eshaq – Director of Air Navigation Department (Alternate Representative).
- 3) Mr. Abdulrahman Al Hammadi – Director of Air Safety Department (Alternate Representative).

Yours Sincerely,

Essa Al-Malki

Permanent Representative



Le 700 Rue De La Gauchetière Ouest, suite 2450  
Québec, Montréal, H3B 5M2

Tel. : 514-329-9107 Fax. : 514-397-0304 Email : Qatar@icao.int



Date:05/15/2018

Ref: ICAO/QTR/1007/2018

H.E. Dr. F. Liu,  
 Secretary General  
 International Civil Aviation Organization (ICAO)  
 999 Boulevard Robert-Bourassa,  
 Montréal, QC  
 H3C 5H7

Your Excellency,

I refer to the letter reference ICAO/QTR/1006/2018. Please be advised that the State of Qatar will further be represented by the following persons for consideration of the Item on 17 May 2018:

- Mr. Abdulla Nasser Al Subaey, Alternate Representative
- Mr. John Augustin, Alternate Representative
- Nasser Al Sowaidi, Alternative Representative
- Mr. Mohammed Al Nasr, Advisor

Yours Sincerely,

Essa Abdulla Al-Malki

Permanent Representative



Le 700 Rue De La Gauchetière Ouest, suite 2450  
 Québec, Montréal, H3B 5M2

Tel. : 514-329-9107 Fax. : 514-397-0304 Email : Qatar@Icao.int





### **Annex 36**

*Letter* from Ahmed H. Mostafa Khedr, Representative of the Arab Republic of Egypt before ICAO, to Fang Liu, ICAO Secretary General (12 June 2018)



REPRESENTATIVE OF  
THE ARAB REPUBLIC OF EGYPT

ON THE COUNCIL OF  
THE INTERNATIONAL CIVIL  
AVIATION ORGANIZATION  
Montreal, Canada



مندوب جمهورية مصر العربية الدائم

لدى مجلس منظمة الطيران المدني الدولي  
مونتريال، كندا

OSG

12 JUN 2018

Montreal, 12 June 2018

Madam Secretary General,

I wish to refer to the item: *Settlement of Differences: Application of the State of Qatar to the Council for Settlement of a Disagreement with the Arab Republic of Egypt, the Kingdom of Bahrain, the Kingdom of Saudi Arabia and the United Arab Emirates – Application (A), and Application of the State of Qatar to the Council for Settlement of a Disagreement with the Arab Republic of Egypt, the Kingdom of Bahrain, and the United Arab Emirates – Application (B).*

On behalf of the Respondent States in the above matter, I wish to transmit attached the following documents:

- (1) REJOINDER TO THE STATE OF QATAR'S RESPONSE TO THE RESPONDENTS' PRELIMINARY OBJECTIONS In Re Application (A)
- (2) REJOINDER TO THE STATE OF QATAR'S RESPONSE TO THE RESPONDENTS' PRELIMINARY OBJECTIONS In Re Application (B)

I would be grateful if an acknowledgement of receipt of the above documents could be provided, indicating the date of receipt of these documents by your Office.

Sincerely yours,

Ahmed H. Mostafa Khedr  
Representative of the Arab Republic of Egypt  
on the Council of ICAO



**Annex 37**

ICAO Council, 215<sup>th</sup> Session, *Working Paper: Post-Employment Activities of ICAO Personnel*,  
ICAO Doc. HR-WP/56 (22 Aug. 2018)





International Civil Aviation Organization

**WORKING PAPER**

HR-WP/56  
22/8/18  
(Information paper)  
English only

**COUNCIL — 215TH SESSION**

**Subject No. 7: Organization and personnel**

**Subject No. 7.4: Conditions of service**

**POST-EMPLOYMENT ACTIVITIES OF ICAO PERSONNEL**

(Presented by the Secretary)

**EXECUTIVE SUMMARY**

At the twelfth meeting of its 214th Session, the Council requested the Human Resources Committee (HRC) to consider the implications and feasibility of regulating post-employment activities of ICAO personnel. This paper presents the results of the review by the Secretariat on this matter.

<i>Strategic Objectives:</i>	This paper relates to Supporting Implementation Strategies – Management and Administration: Human Resources
<i>Financial implications:</i>	Not applicable
<i>References:</i>	C-WP/14771, C-DEC 214/12 Doc 7350, <i>The ICAO Service Code</i>

**1. INTRODUCTION**

1.1 At the twelfth meeting of its 214th Session, the Council requested the Human Resources Committee to consider the implications and feasibility of regulating post-employment activities of ICAO personnel. This working paper presents the results of the review by the Secretariat on this matter.

**2. REVIEW BY THE SECRETARIAT**

2.1 The Secretariat consulted with other organizations in the United Nations common system to ascertain if they imposed any kind of post-employment limitations on their personnel. Of those organizations which replied, none impose restrictions on staff members other than rules related to non-disclosure of confidential information which are in line with those established in *The ICAO Service Code* (Doc 7350), Staff Regulation 1.8 as well as Annex I, paragraph 17, on the ICAO Framework on Ethics. There is therefore no cooling-off period preventing employees from joining any type of government service after their separation from UN service.

2.2 In addition to the above, many staff members are released by their national administrations to join ICAO and these staff members may return to their administrations upon separation from the Organization to continue their career. It is therefore not feasible for ICAO to impose post-employment restrictions which would prevent government employees to return to their national administrations.

**3. CONCLUSION**

3.1 In view of the foregoing, it is not recommended for ICAO to regulate the post-employment activities of its personnel in order to prevent them from joining (or re-joining) any government service after their separation from the Organization.



### **Annex 38**

*Letter* from Abdul Latif Bin Rashid Al-Ziyani, GCC Secretary General, to Khalid Bin Mohamed Al Ativa, Minister of Foreign Affairs of the State of Qatar (19 May 2014)



*[Page I of XI]*

In the name of Allah, the Most Compassionate, the Most Merciful

[TN: In the name of Allah, the Most Compassionate, the Most Merciful, Logo of the Cooperation Council for the Arabian Sates of the Gulf)

**The Cooperation Council for the Arabian Sates of the Gulf -**

**The General Secretariat**

Office of the Secretary General

**His Highness Brother Dr. / Khalid Bin Mohamed Al Atiya - May Allah preserve him**

**Minister of Foreign Affairs,**

**Doha - State of Qatar**

**May the Peace, mercy and blessing of Allah be upon you,**

I am pleased to send to your respected Highness my sincere brotherly greetings along with my best of wishes of good health and well-being.

I would like to enclose - for your Highness - the second report by the committee for the follow-up mechanism of implementation of the Riyadh Agreement which was convened at the General Secretariat's headquarters in Riyadh on Thursday 16 Rajab 1435 AH (corresponding to: May 15, 2014 AD). I am also attaching to it the minutes of the first meeting of the permanent team for follow-up on the mechanism of implementation of the Riyadh Agreement which was held at the headquarters of the General Secretariat on May 14, 2014. Also, I am enclosing the Standardized Guidance List of the names of the internal and external groups, entities, and organizations which constitute threats to the security and stability in the Member States of the Gulf Cooperation Council, including the groups in Yemen, Syria, or any other areas of conflict.

This is for the review of your respected Highness,

Please accept my utmost respect and reverence,

Signed,

*[TN: Hand drawn Signature]*

Dr. Abdul Latif Bin Rashid Al-Zayani

The Secretary General

*The number: A. T. 1 / 2 / 4 / 14 / 26 - date: 20 / 7 / 1435 AH, - Corresponding to: 19 / 5 / 2014 AD*

*The Kingdom of Saudi Arabia - P. O. Box 7153 - Riyadh 11462 - Phone number: 482 6808 – Fax Number: 482 8008*

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**The Second Report of the Committee  
for the follow-up mechanism of implementation of the Riyadh Agreement  
16 Rajab 1435 AH - Corresponding to: May 15, 2015**

**The General Secretariat**

Acting upon the decisions of their Highnesses and their Excellences the Ministers of Foreign Affairs of the countries of the Gulf Cooperation Council in their second meeting which was held specifically for the mechanism of implementation of the Riyadh Agreement on 4 Rajab 1435 AD (corresponding to: May 3, 2014) in the city of Jeddah, said decisions include the following:

**First: The Committee for the follow-up mechanism of implementation of the Riyadh Agreement is considered as a permanent committee which holds its meetings whenever needed. The Committee has the right to create task forces as it deems necessary and to submit its reports to the Ministers of Foreign Affairs through the General Secretariat.**

**Second: The Committee for the follow-up mechanism of implementation of the Riyadh Agreement is tasked to set the standards upon which names will be included on the lists. The lists submitted must include the type(s) of abuse or violation, level of danger, date(s), evidence, and required proof.**

**Third: The committee for the follow-up mechanism of implementation of the Riyadh Agreement shall prepare a Standardized Guidance List for the internal and external groups, entities, and organizations which constitute threats to the security and stability of the Member States in the Gulf Cooperation Council, including the groups in Yemen, Syria, or any other areas of conflict. The list should be submitted to their Highnesses and their Excellencies the Ministers of Foreign Affairs.**

The follow-up Committee has convened in its seventh meeting at the headquarters of the General Secretariat in Riyadh on Thursday 16 Rajab 1435 AH which corresponds to May 15, 2014 with the presence of delegations from the Member States (a list of the attendees' names is attached).

At the beginning of the meeting, the Secretary General delivered a welcome speech to the participating delegations and expressed his appreciation and gratitude for the efforts exerted by the delegations under the framework of the authorized mission of the Committee. Also, he conveyed the regards of their Highnesses and Excellencies the Ministers of Foreign Affairs, as well as their appreciation for the exceptional efforts carried out by the follow-up Committee and for the results it has achieved, which confirm the sincere intention of everyone towards the implementation of the Riyadh Agreement, which is considered an historic and an important achievement. The Secretary General has affirmed that the recommendations of the Committee

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have been raised to the Foreign Ministers and they concurred with them. Also, the Foreign Ministers have given specific guidance regarding the work progress of the Committee and they underscored the compliance with the mechanism of implementation.

Also, the Secretary General expressed his gratitude and appreciation for the good effort which was made by the permanent follow-up team of the Committee and for the results that the Committee has achieved.

The Secretary General also briefed the delegations of the participating countries about the guidance of their Highnesses and Excellencies the Ministers of Foreign Affairs in their special second meeting in Jeddah on May 3, 2014. Also, he told them about the results of work by the permanent follow-up Committee in its first meeting.

The meeting was dominated by a spirit of constructive cooperation, and it was distinguished by high levels of professionalism, transparency, clarity, and candor. This of course reflected positively on the progress of the work by the Committee, and on what has been achieved of results which realize what was stated in the Riyadh Agreement and the articles of its implementation mechanism.

The committee underscored the importance of the implementation of the Riyadh Agreement and its mechanism to achieve the collective security and stability in the Member States of the Gulf Cooperation Council.

The Committee then deliberated on the items on its agenda and agreed upon to the followings:

**First: the minutes of the first meeting of the permanent follow-up team:**

The Committee reviewed the minutes of the first meeting of the permanent follow-up team which was convened at the headquarters of the General Secretariat on Wednesday 15 Rajab 1435 AH (which corresponds to May 14, 2014). The Committee decided to approve the minutes of the meeting (minutes of the meeting attached) and underscored the following points:

- a) It approves the Standardized Guidance List of the internal and external groups, entities, and organizations which constitute threats to the security and stability in the Member States of the Gulf Cooperation Council, whether in Yemen, Syria, or any other areas of conflict. The list has been put together by the permanent follow-up team on the mechanism of implementation of the Riyadh Agreement. The list shall be considered open for the Member States to add any new name to be submitted first to the team and then to the follow-up Committee to decide whether to include the new name on the list or not.
- b) If it has been proven that any abuse existed against any Member State of the Gulf Cooperation Council or against any key personality from these Member States and the abuse continued after April 17, 2014, and there is danger present from a person or persons who are not citizens of the Member States of the Gulf Cooperation Council and they reside in one of the Council's Member States, then the country where the person or persons are residing shall take the necessary measures to bring said abuses to an end. This is applicable to the list which is submitted to the permanent follow-up team.

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- c) As regards the subject of the former Yemeni President, Ali Abdullah Saleh; if the accusations against him by the State of Qatar have been proven, in terms of him being involved in and supporting the assassination attempt against the Qatari Consul General in Sana'a, then a joint Gulf action has to be taken in order to deal with that situation in the manner or method their Highnesses and Excellencies the Ministers of Foreign Affairs deem fit.
- d) Regarding individuals other than the citizens of the Member States of the Gulf Cooperation Council who commit abuses and have continued to do so after 17 / 04 / 2014, and who constitute a danger against any Member State of the Gulf Cooperation Council, and it is proven that they are not residents of any of the Member State of the Gulf Cooperation Council, in that case, the country shall not bear responsibility for any statement or abuses committed by said individuals. This also applies to individuals on the list sent to the permanent follow-up team.
- e) To adhere to the guidance issued by their Highnesses and Excellencies the Ministers of Foreign Affairs in their meeting which was convened in Jeddah on May 3, 2014, in which it was decided that if it is proven that someone is a member of the Muslim Brotherhood, he gets removed from the list prepared by the follow-up committee. But as regards the others, the situation shall be evaluated based on the danger of the abuse regardless of the date and whether the abuse has continued or not.
- f) To underscoring the importance of collective action in response to what is being reported in the media of all types and means regarding any insults to the Member States of the Gulf Cooperation Council, their key personalities, and citizens, in implementation of the Riyadh Agreement after 17 / 04 / 2014 AD.
- g) Regarding the others (non-Gulf States' citizens), the delegations of the participating countries have confirmed that they have taken the necessary measures to deny support or shelter for those who are involved in activities against any of the Member States of the Gulf Cooperation Council whether it is those in current leadership positions, former leaders, or any others. These individuals shall not be allowed to have safe heaven inside any country or to harm any other Gulf Cooperation Council Member States. The situation shall be evaluated according to the list and based on the danger of the abuse regardless of the date or whether the abuse committed against any of the Gulf States has continued or not.

#### **Second: The Standards**

The committee has studied the guidance of their Highnesses and their Excellencies the Ministers of Foreign Affairs regarding establishing the base standards according to which names shall be added to the list. The committee decided to bring the following standards to their Highnesses and Excellencies the Ministers of Foreign Affairs for approval:

- a) Type of abuse or violation**
- b) The level of its danger to the security and stability of any of the Member States of the Council**

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- c) Date of the abuse or violation and whether it has continued**
- d) Continuation of the danger**
- e) The evidence and proof**

Also the committee has concluded that it shall recommend the following suggestions to their Highnesses and Excellencies the Ministers of Foreign Affairs:

- 1) To approve the second report of the follow up Committee.
- 2) To direct the Ministers of Information in the Gulf Council Member States to take the required measures to put an end to the abuses which are committed by the media and social media according to what has been stated in the mechanism of implementation of the Riyadh Agreement, which was signed on April 17, 2014.
- 3) To refer the new lists which were introduced by the United Arab Emirates regarding the Muslim Brotherhood and the lists introduced by the State of Qatar on Centers of Research and Study to the permanent follow up team (attached herein) in order to be studied and discussed in its upcoming meeting.

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**Signatures of their Highnesses and Excellencies on the report of the committee for the follow-up mechanism of implementation of the Riyadh Agreement in its second meeting on the mechanism of implementation of the Riyadh Agreement held on 16 Rajab 1435 AH, corresponding to: May 15, 2014**

**The General Secretariat**

**The Honorable Dr. / Abdul Rahim Bin Yusif Al Awadi:** Deputy Minister of Foreign Affairs for legal Affairs / The United Arab Emirates

Signed: *(TN: Hand drawn signature)*

**His Excellency the Shaikh / Khalifa Bin Abdullah Al Khalifa:** The Secretary General of the Supreme Defense Council, the Advisor to his Royal Highness, the King, for National Security Affairs / The Kingdom of Bahrain

Signed: *(TN: Hand drawn signature)*

**His Highness Dr. / Nizar Bin Ubayed Madani:** The Minister of State for Foreign Affairs / The Kingdom of Saudi Arabia

Signed: *(TN: Hand drawn signature)*

**His Excellency Ambassador Dr. / Ali Bin Ahmad Al Isa'i:** The Chief of Department of Cooperation Council at the Ministry of Foreign Affairs / The Sultanate of Oman

Signed: *(TN: Hand drawn signature)*

**The Honorable Mr. / Muhammad Bin Abdullah Al Rumaihi:** Assistant to the Foreign Minister for Foreign Affairs / State of Qatar

Signed: *(TN: Hand drawn signature)*

**His Excellency Ambassador / Nasir Hajji Al Mazyn:** Director of the Directorate of Cooperation Council Affairs in the Ministry of Foreign Affairs / The State of Kuwait

Signed: *(TN: Hand drawn signature)*

**His Excellency Dr. / Abdul Latif Bin Rashid Al Zayani:** The Secretary General of the Gulf Cooperation Council

Signed: *(TN: Hand drawn signature)*

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**List of the names of the delegations participating in the seventh meeting of the Committee for the follow-up mechanism for the implementation of the Riyadh Agreement**

**The General Secretariat**

**The United Arab Emirates:**

- 1- The Honorable Dr. / Abdul Rahim Al Awadi - Assistant to the Foreign Minister for Legal Affairs
- 2- Mr. / Salim Rashid Al Shihhi - General Manager of the office of the Minister of State for Foreign Affairs
- 3- Mr. / Fadhil Hamad Al -Nu'aيمي - The Ministry of Foreign Affairs
- 4- Mr. / Muhammad Hilal Al Shami - The Ministry of Foreign Affairs
- 5- Mr. Khamis A-Shumayli - The Ministry of Foreign Affairs

**The Kingdom of Bahrain:**

- 1- His Highness Shaikh / Khalifa Bin Abdallah Al Khalifa - The Secretary General of the Supreme Defense Council and the Advisor of His Highness the King for National Security Affairs.
- 2- The Excellency Shaikh / Hamud Bin Abdallah Al Khalifa - Ambassador of the Kingdom of Bahrain to the Kingdom of Saudi Arabia
- 3- Shaikh / Ahmad Bin Abdul Aziz Al Khalifa - Office of his Highness the Minister of Foreign Affairs
- 4- Shaikh / Abdallah Bin Ahmad Al Khalifa - Acting General Director for Communications to the Supreme Defense Council
- 5- Mr. Mahmud Al Dawi - Office Director of His Highness the General Secretary of the Supreme Defense Council

**The Kingdom of Saudi Arabia:**

- 1- His Highness Dr. / Nizar Ubayed Madani - The Minister of State for Foreign Affairs
- 2- The Honorable / Abdallah Bin Muhammad Al -Shamrani - The Director General of the General Directorate for the Cooperation Council
- 3- Colonel / Abdallah Bin Sa'id Al Qahtani - Assistant Director General for General Intelligence for International Cooperation
- 4- Colonel / Sultan Bin Muhammad Abu Malhama – of International Cooperation
- 5- Colonel / Fawaz Bin Muhammad Al - Ziyadi - of the Administration of Operations
- 6- Major / Mut'ib Bin Shadid Al Hammash - of International Cooperation
- 7- Captain / Nasir Bin Sa'ad Al Qahtani - of International Cooperation
- 8- Captain / Walid Bin Yahya Safwah - of International Cooperation
- 9- Mr. Talal Bin Dari Al Rashid Attaché to the Administration of the Cooperation Council

**Sultanate of Oman:**

- 1- The Honorable Ambassador Dr. / Ali Bin Ahmad Al-Aysa'i - Chief of Department of Cooperation of the Arab Gulf States Cooperation Council
- 2- The Honorable Dr. / Ahmad Bin Hilal Al Busayidi - The Ambassador of the Sultanate of Oman to the Kingdom of Saudi Arabia

*[Page VIII of XI]*

- 3- Brigadier General / Muhammad Bin Khalifa Al Shaqsi - Ministry of the Sultan's Office
- 4- Mr. Ahmad Bin Salim Al -Balushi - Second Secretary at the Administration of the Gulf Cooperation Council

**State of Qatar:**

- 1- The Honorable / Muhammad Bin Abdallah Al Rumaihi - Assistant to the Foreign Minister for Foreign Affairs
- 2- The Honorable / Hamad Bin Ahmad Al Muhanadi - The Secretary General for the Ministerial Council
- 3- The Honorable Ambassador / Yusuf Issa Al Jabir - Director of the Cooperation Council Directorate
- 4- Mr. Jamal Al Ka'abi - The Ministry of Interior
- 5- Shaikh / Sayf Bin Ahmad Al Thani - of the International Cooperation
- 6- Mr. Khalid Bin Zabin Al Dawsari – Office of the Assistant to the Minister
- 7- Mr. Jassim Al Muhammad - The Ministry of Interior
- 8- Mr. Muhammad Al Muftah – The Ministry of Interior
- 9- Mr. Nawaf Al Salyti - The Ministry of Interior
- 10- Mr. Ali Al Kawari – The Ministry of Interior
- 11- Mr. Jassim Al Tamimi – The Ministry of Interior

**State of Kuwait:**

- 1- The Honorable Ambassador / Nasir Hajji Al Mazyan – Director of Affairs of the Cooperation Council
- 2- Major General / Issam Salim Al Naham – The General Director of the General Directorate of Information (State Security Services)

**The General Secretariat:**

- 1- His Excellency Dr. / Abdul Latif Bin Rashid Al - Zayani – The General Secretary
- 2- The Honorable Dr. / Sa'ad Bin Abdul Rahman Al Ammar – Assistant Secretary General for Political Affairs
  
- 3- The Honorable Ambassador / Hamad Bin Rashid Al Marri – Assistant Secretary General for Legal Affairs
- 4- Mr. Hamad Bin Ali Al Manna'i – Press Advisor for his Excellency the Secretary General
- 5- Mr. Khalid Bin Ahmed Al Shubay'an – The General Director of the General Directorate for Coordination and Follow-up
- 6- Mr. Talal Bin Abdul Salam Al Ansari – The General Supervisor of the General Directorate for Protocol
- 7- Mr. Muhammad Bin Ibrahim Al Suhaibani – Director of Protocol – the General Directorate of Protocol
- 8- Mr. Tariq Bin Abdallah Al Fadil – Chief of the Department of Documentations at the General Directorate of Coordination and Follow-up

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**The Standardized Guidance List for the internal and external groups, entities, and organizations which pose a threat to the security and stability in the Member States of the Gulf Cooperation Council, including the ones in Yemen, Syria, or any other areas of conflict.**

- 1- Al Qaida Organization (International)
- 2- Al Qaida Organization (Maghreb, Northern Africa)
- 3- Al Qaida Organization (The Arabian Peninsula)
- 4- Organization of the Islamic State in Iraq and Levant (Daesh / ISIS)
- 5- Al Nusrah Front (Syria)
- 6- Dawud Brigade (Syria)
- 7- Jayesh Al Muhajireen (The Army of Immigrants) / (Syria)
- 8- Harakat Sham Al-Islam (Islamic Levant Movement) / (Syria)
- 9- Ansar Al Sharia (Supporters of Islamic Law) / (Tunisia)
- 10- Ansar Al - Sharia (Supporters of Islamic Law) / (Libya)
- 11- Mujahideen Youth Movement (Somalia)
- 12- Abdullah Azzam Brigades (International)
- 13- Ansar Al Deen (Supporters of the Religion) (Mali)
- 14- Ansar Bait Al Maqdis (Supporters of the Holly Shrine in Jerusalem) / (Egypt)
- 15- Boko Haram (Nigeria)
- 16- Hezbollah the Shia'te (International)
- 17- Asa'ib Ahl Al Haq (League of the Righteous) / (Iraq and Syria)
- 18- Abu Al-Fadl Al-Abbas (Iraq and Syria)
- 19- Quwat Al Quds (Al Quds Forces) (Iran and International)
- 20- Al Qaida Organization (North Caucasus)
- 21- Jund Al Sham Organization (Soldiers of the Levant) / (Lebanon)

*[Page X of X]*

- 22- Al Majlas Al Ulama'i (Council of the Scholars) / (Kingdom of Bahrain)
- 23- Haq Movement (Right Movement) / (Kingdom of Bahrain)
- 24- Harakat Khalas (Salvation Movement) (Kingdom of Bahrain)
- 25- Tayar Al Wafa (Trend of Loyalty) / (Kingdom of Bahrain)
- 26- Al Tayar Al Shirazi (The Shirazi Trend) / (Kingdom of Bahrain)
- 27- Markaz Karbala (Karbala Center) / (Sa'da, Yemen)
- 28- Coalition of 14 February (Kingdom of Bahrain)
- 29- Jaysh Al Imam (Al Imam Army) / (Kingdom of Bahrain)
- 30- Saraya Al Muqawama Al Sha'biya (Brigades of Popular Resistance) / (Kingdom of Bahrain)
- 31- Saraya Al-Ashtar (Al Ashtar) / (Kingdom of Bahrain)
- 32- Talaya Al Taghyir Al Bahrainiyya (Bahraini Vanguard of Change) / (Kingdom of Bahrain)
- 33- Hezbollah (Iraq)
- 34- Al Tayyar Al Sadri (Sadr Trend)
- 35- Jayesh Al Islam (Islam Army)
- 36- Suqoor Al Sham (Falcons of the Levant)
- 37- Al Houthyeen (The Huthis)
- 38- Ansar Al Sharia (Supporters of Islamic Law) in Yemen
- 39- Extremist Battalions of Foreign Fighters (Harakat Sham Al Islam Movement of the Islamic Levant), the Brigade / and Battalions of Immigrants from Libya, Jayesh Al Muhajirin wa Al Ansar (The Army of Migrants and Supporters), "Different from the Dar'a group, Kata'ib Balaqa' Al Sham (The Brigades of Bal'qaa' of the Levant), "Balaqa' Al Sham is a rural nomadic area in Syria", Jayesh Al Khalafa Al Islamiya (Islamic Kalifate Army), Jund Al Sham (The Levant Soldiers), Jund Al Khalafa (The Islamic Kalifate Soldiers), Kata'ib Al Iman and Al-Katiba Al-Khadra' (Brigades of Faith and the Green Battalion)

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

مجلس التعاون الأول الخليج العربي - الأمانة العامة



مكتب الأمين العام

حفظه الله

معالي الأخ الدكتور / خالد بن محمد العطية

وزير الخارجية ،  
الدوحة - دولة قطر .

السلام عليكم ورحمة الله وبركاته ،،،

يطيب لي أن أبعث لمعاليتكم بخالص تحياتي الأخوية ، مقرونة بتمنياتي لكم بموفور الصحة والعافية.

وأود أن أرفق لمعاليتكم التقرير الثاني للجنة متابعة تنفيذ آلية اتفاق الرياض ، والذي عقد في مقر الأمانة العامة بالرياض يوم الخميس ١٦ رجب ١٤٣٥هـ الموافق ١٥ مايو ٢٠١٤م ، مرفق به محضر الاجتماع الأول لفريق المتابعة الدائم بشأن آلية تنفيذ اتفاق الرياض ، الذي عقد في مقر الأمانة العامة بتاريخ ١٤ مايو ٢٠١٤م ، والقائمة الإسترشادية الموحدة بأسماء المجموعات والجماعات والتنظيمات الداخلية والخارجية ، التي تمثل تهديداً للأمن واستقرار دول مجلس التعاون ، سواء في اليمن أو سوريا أو غيرها من مواقع الفتن .

للتفضل بالاطلاع .

وتفضلوا معاليتكم بقبول أسمى آيات التقدير والاحترام ،،،

عن  
د/ عبد اللطيف بن راشد الزياتي  
الأمين العام

٢٦/١٤

الرقم : أ. ت. ٤/٢/١ / التاريخ ٧/٧/١٤٣٥هـ الموافق ١٤/٥/٢٠١٤م

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## التقرير الثاني للجنة متابعة تنفيذ آلية اتفاق الرياض

16 رجب 1435هـ الموافق 15 مايو 2014م  
الأمانة العامة

تنفيذا لقرارات أصحاب السمو والمعالي وزراء خارجية دول مجلس التعاون لدول الخليج العربية في اجتماعهم الثاني الخاص بشأن آلية تنفيذ اتفاق الرياض، الذي عقد يوم رجب 1435هـ الموافق 3 مايو 2014م، في مدينة جدة، المتضمنة ما يلي:-

**أولاً:** تعتبر لجنة متابعة تنفيذ آلية اتفاق الرياض لجنة دائمة تعقد اجتماعاتها كلما دعت الحاجة، ولها أن تشكل فرق العمل التي ترى الحاجة إليها، وترفع تقاريرها إلى وزراء الخارجية من خلال الأمانة العامة.

**ثانياً:** تكليف اللجنة المكلفة بمتابعة آلية تنفيذ اتفاق الرياض بوضع معايير يتم بموجبها تضمين الأسماء في القوائم، على أن يرفق مع القوائم نوعية الإساءة أو المخالفة ودرجة خطورتها وتاريخها والأدلة والإثباتات اللازمة.

**ثالثاً:** تتولى لجنة متابعة تنفيذ آلية اتفاق الرياض إعداد قائمة استرشادية موحدة بأسماء المجموعات والجماعات والتنظيمات الداخلية والخارجية التي تمثل تهديداً لأمن واستقرار دول مجلس التعاون سواء في اليمن أو سوريا أو غيرها من مواقع الفتن، ورفعها إلى أصحاب السمو والمعالي وزراء الخارجية.

عقدت لجنة المتابعة اجتماعها السابع في مقر الأمانة العامة بمدينة الرياض يوم الخميس 16 رجب 1435هـ الموافق 15 مايو 2014م، بحضور وفود من الدول الأعضاء (مرفق قائمة بالأسماء).

في بداية الاجتماع ألقى الأمين العام كلمة استهلها بالترحيب بالوفود المشاركة، معبراً عن شكره وتقديره للجهود التي تقوم بها الوفود في نطاق مسؤوليات اللجنة. كما نقل تحيات أصحاب السمو والمعالي وزراء الخارجية وتقديرهم للجهد المتميز الذي قامت به لجنة المتابعة، وما توصلت إليه من نتائج أكدت الرغبة الصادقة لدى الجميع في تنفيذ اتفاق الرياض الذي اعتبر انجازاً تاريخياً مهماً. وأكد الأمين العام أن توصيات لجنة

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المتابعة رفعت الى وزراء الخارجية وأقرت من قبلهم ، كما وجهوا بتوجيهات محددة بشأن سير أعمال اللجنة والتأكيد على التقيد بآلية التنفيذ .  
كما عبر عن شكره وتقديره للجهد الطيب الذي قام به فريق المتابعة الدائم التابع للجنة ، وما توصل اليه من نتائج .  
وقد أطلع الأمين العام وفود الدول المشاركة على توجيهات أصحاب السمو والمعالي وزراء الخارجية في اجتماعهم الخاص الثاني الذي عقد في مدينة جدة بتاريخ 3 مايو 2014م ، وعلى نتائج أعمال الاجتماع الأول لفريق المتابعة الدائم.

ساد اجتماع اللجنة روح التعاون البناء ، وتميزت بمستوى عال من الاحتراف والصراحة والوضوح والشفافية ، مما انعكس على سير أعمال اللجنة وما تم التوافق عليه ، وما تم التوصل اليه من نتائج من شأنها أن تحقق ما نص عليه اتفاق الرياض وبنود آليته التنفيذية .  
وأكدت اللجنة على أهمية انفاذ اتفاق الرياض وآليته التنفيذية بما يحقق الأمن الجماعي لدول مجلس التعاون واستقرارها .  
تدارست اللجنة بنود جدول أعمالها ، وتوصلت إلى ما يلي :

**أولاً: محضر الاجتماع الأول لفريق المتابعة الدائم:**

اطلعت اللجنة على محضر اجتماع الاول لفريق المتابعة الدائم ، الذي عقد بمقر الأمانة العامة يوم الأربعاء 15 رجب 1435 هـ الموافق 14 مايو 2014م ، وقررت المصادقة عليه (مرفق المحضر) ، مع التأكيد على ما يلي :

أ) الموافقة على القائمة الاسترشادية الموحدة بأسماء المجموعات والجماعات والتنظيمات الداخلية والخارجية التي تمثل تهديداً لأمن واستقرار دول مجلس التعاون سواء في اليمن او في سوريا أو في غيرها من مواقع الفتن والتي اعدها فريق المتابعة الدائم بشأن آلية تنفيذ اتفاق الرياض وان تعتبر هذه القائمة مفتوحة لتقوم الدول الاعضاء بإضافة أي أسماء جديدة تقوم بتقديمها للفريق ومن ثم للجنة المتابعة ليقرر اضافتها الى القائمة من عدمه .

ب) اذا ثبت وجود اساءات ضد أي دولة من دول المجلس او ضد رموز هذه الدولة واستمرارها بعد تاريخ 2014/4/17م ، وتشكل خطورة من قبل شخص او اشخاص من غير مواطني دول المجلس ومقيمين في احدى دول المجلس فلا بد من ان تقوم الدولة التي يتواجد بها اراضيها ذلك الشخص او اولئك الاشخاص باتخاذ الاجراءات اللازمة لوضع حد لتلك الاساءات ويطبق ذلك على القوائم المقدمة الى الفريق الدائم للمتابعة .

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ج ) بالنسبة لموضوع الرئيس اليمني السابق علي عبدالله صالح ، فاذا ثبتت الاتهامات الموجهة ضده من دولة قطر لضلوعه ودعمه لمحاولة الاغتيال التي تعرض لها القنصل القطري في صنعاء ، فلا بد من تحرك خليجي مشترك لمعالجة هذا الوضع وبالطريقة او الاسلوب الذي يراه اصحاب السمو والمعالي وزراء الخارجية مناسبة .

د ) بالنسبة للأشخاص من غير مواطني دول المجلس والذين صدرت عنهم اساءات واستمرت الى ما بعد تاريخ ٢٠١٤/٤/١٧ م وتشكل خطورة ضد أي دولة من دول المجلس ويثبت انهم غير مقيمين في أي دولة من دول المجلس ، فلا تتحمل تلك الدولة المسؤولية عما يصدر عنهم من تصريحات او اساءات ويطبق ذلك على القوائم المقدمة الى فريق المتابعة الدائم .

هـ ) الالتزام بالتوجيه الصادر من اصحاب السمو والمعالي وزراء الخارجية في اجتماعهم الذي عقد في مدينة جدة بتاريخ ٣ مايو ٢٠١٤ م ، والقاضي بأنه بالنسبة للأخوان المسلمين فمن يثبت انتماءه يخرج اذا ورد في القوائم التي تعدها لجنة المتابعة . وفيما يخص الآخرين فيتم تقييم الحالة بالنسبة لخطورة الاساءة بغض النظر عن التاريخ وهل الاساءة مستمرة ام لا .

و ) التأكيد على أهمية التعامل الجماعي مع كل ما يرد في الاعلام ، بكافة وسائله و باختلاف مصادره ، مما يسيئ لدول مجلس التعاون ورموزها ومواطنيها ، تنفيذ لاتفاق الرياض بعد تاريخ ٢٠١٤/٤/١٧ م .

ي ) فيما يخص الآخرين ( غير الخليجين ) ، أكدت وفود الدول المشاركة على أنها اتخذت الإجراءات اللازمة لضمان عدم دعم أو إيواء من يقومون بأعمال مناهضة لأي من دول مجلس التعاون سواء كانوا من المسؤولين الحاليين أو السابقين أو من غيرهم، وعدم تمكين هؤلاء الأشخاص من إيجاد موطئ قدم لهم داخل الدولة أو المساس في أي دولة أخرى من دول المجلس، ويتم تقييم الحالة وفق للقوائم بالنسبة لخطورة الاساءة بغض النظر عن التاريخ وهل الاساءة تجاه أي من دول المجلس مستمرة أم لا .

## ثانياً: المعايير :

تدارست اللجنة توجيهات اصحاب السمو والمعالي وزراء الخارجية بشأن وضع معايير يتم بموجبها تضمين الأسماء في القوائم ، وتوصلت الى الرفع الى اصحاب السمو والمعالي وزراء الخارجية باعتماد ما يلي كمعايير :

- أ ) نوع الاساءة أو المخالفة .
- ب ) درجة خطورتها على أمن واستقرار أي من دول المجلس .



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- ج) تاريخ الإساءة أو المخالفة وأستمراريتها.
- د) استمرار الخطورة.
- هـ) الأدلة والاثباتات.

كما توصلت اللجنة الى التوصية الى اصحاب السمو والمعالي وزراء الخارجية بما يلي:

- ١) اعتماد التقرير الثاني للجنة المتابعة .
- ٢) توجيه وزراء الاعلام بدول المجلس لاتخاذ الاجراءات اللازمة بوضع حد للإساءات التي تصدر عن وسائل الاعلام ووسائل التواصل الاجتماعي، وفقا لما ورد في الية تنفيذ اتفاق الرياض الموقعة في ١٧ ابريل ٢٠١٤م .
- ٣) احالة القوائم الجديدة المقدمة من الامارات العربية المتحدة والمتعلقة بالاخوان المسلمين والقوائم المقدمة من دولة قطر بشأن مراكز الدراسات والبحوث الى فريق المتابعة الدائم (مرفقه) لبحثها وتدارسها في اجتماعه المقبل.

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توقيع اصحاب المعالي والسعادة على تقرير  
لجنة متابعة تنفيذ آلية اتفاق الرياض  
في اجتماعها الثاني بشأن آلية تنفيذ اتفاق الرياض  
16 رجب 1435 هـ الموافق 15 مايو 2014م  
الأمانة العامة

معالي الشيخ / خليفة بن عبدالله آل خليفة

أمين عام مجلس الدفاع الأعلى ، مستشار جلالة الملك  
لشئون الأمن الوطني ،  
مملكة البحرين



سعادة الدكتور / عبدالرحيم بن يوسف العوضي

مساعد وزير الخارجية للشئون القانونية  
الإمارات العربية المتحدة



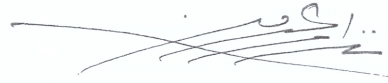
سعادة السفير الدكتور / علي بن أحمد العيسائي

رئيس دائرة مجلس التعاون بوزارة الخارجية  
سلطنة عمان



معالي الدكتور / نزار بن عبيد مدني

وزير الدولة للشئون الخارجية  
المملكة العربية السعودية



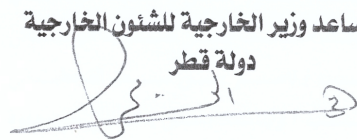
سعادة السفير / ناصر حجي المزين

مدير إدارة شئون مجلس التعاون بوزارة الخارجية  
دولة الكويت .



سعادة السيد / محمد بن عبدالله الرميحي

مساعد وزير الخارجية للشئون الخارجية  
دولة قطر



معالي الدكتور / عبداللطيف بن راشد الزياني

الأمين العام لمجلس التعاون.



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**قائمة بأسماء الوفود المشاركة في الاجتماع السابع  
للجنة المكلفة متابعة تنفيذ وثيقة الرياض  
الأمانة العامة**

**الإمارات العربية المتحدة :**

- ١- سعادة الدكتور/ عبدالرحيم العوضي مساعد وزير الخارجية للشؤون القانونية
- ٢- السيد / سالم راشد الشحي مدير مكتب وزير الدولة للشؤون الخارجية
- ٣- السيد /فاضل حمد النعيمي وزارة الخارجية
- ٤- السيد/ محمد هلال الشامسي وزارة الخارجية
- ٥- السيد / خميس الشميلي وزارة الخارجية

**مملكة البحرين :**

- ١- معالي الشيخ / خليفة بن عبدالله آل خليفة أمين عام مجلس الدفاع الأعلى ، مستشار جلالة الملك لشؤون الأمن الوطني
- ٢- سعادة الشيخ/ حمود بن عبدالله آل خليفة سفير مملكة البحرين لدى المملكة العربية السعودية
- ٣- الشيخ / أحمد بن عبدالعزيز آل خليفة مكتب معالي وزير الخارجية
- ٤- الشيخ / عبدالله بن أحمد آل خليفة القائم بأعمال المدير العام لشؤون الاتصالات بمجلس الدفاع الأعلى
- ٥ - الأستاذ/محمود السدي مدير مكتب معالي الأمين العام لمجلس الدفاع الأعلى

**المملكة العربية السعودية :**

- ١- معالي الدكتور/ نزار عبيد مدني وزير الدولة للشؤون الخارجية
- ٢- سعادة / عبدالله بن محمد الشمrani مدير عام الإدارة العامة لمجلس التعاون
- ٣- العقيد/ عبدالله بن سعيد القحطاني مساعد مدير عام المباحث العامة للتعاون الدولي
- ٤- العقيد/ سلطان بن محمد ابوملحة من التعاون الدولي
- ٥- العقيد/ فواز بن محمد الزايدي من إدارة العمليات
- ٦- الرائد متعب بن شديد الهماش من التعاون الدولي
- ٨- النقيب / ناصر بن سعد القحطاني من التعاون الدولي
- ٩- النقيب / وليد بن يحيى سفوف من التعاون الدولي
- ١٠- الأستاذ/ طلال بن ضاري الرشيد ملحق بإدارة مجلس التعاون

**سلطنة عُمان :**

- ١- سعادة السفير الدكتور/ علي بن أحمد العيسائي رئيس دائرة مجلس تعاون لدول الخليج العربية
- ٢- سعادة السيد الدكتور/ احمد بن هلال البوسعيدي سفير السلطنة لدى المملكة العربية السعودية

وزارة المكتبة السـلطانية  
سكرتير ثاني بدائرة مجلس التعاون لدول الخليج العربية

مساعد وزير الخارجية للشؤون الخارجية  
الأميين العام لمجلس الوزراء  
مدير ادارة مجلس التعاون  
وزارة الداخليـة  
ممن التعاون السـلطاني  
مكتب مساعد السـلطاني  
وزارة الداخليـة  
وزارة الداخليـة  
وزارة الداخليـة  
وزارة الداخليـة  
وزارة الداخليـة

مدير إدارة شؤون مجلس التعاون  
مدير عام الإدارة العامة للمعلومات (جهاز أمن الدولة)

الأميين العام  
الأميين العام المساعد للشؤون السياسية  
الأميين العام المساعد للشؤون القانونية  
المستشار الإعلامي لمعالي الأميين العام  
مدير عام الإدارة العامة للتنسيق والمتابعة  
المشرف العام على الإدارة العامة للمراسم  
مدير إدارة التشريفات - الإدارة العامة للمراسم  
رئيس قسم التدوين الإدارة العامة للتنسيق والمتابعة

٣- العميد/ محمد بن خليفة الشقصي  
٤- الاستاذ/ احمد بن سالم البلوشي

### دولة قطر :

١- سعادة / محمد بن عبدالله الريمحي  
٢- سعادة / حمد بن احمد المهدي  
٣- سعادة السفير / يوسف عيسى الجابر  
٤- الاستاذ/ جمال الكعبي  
٥- الشيخ/ سيف بن احمد ال ثاني  
٦- الأستاذ/خالد بن زايد الدوسري  
٧- الاستاذ/جاسم المحمـد  
٨- الاستاذ / محمد المفتاح  
٩- الاستاذ/ نواف السليطي  
١٠- الاستاذ/ علي الكواري  
١١- الاستاذ/ جاسم التميمي

### دولة الكويت:

١- سعادة السفير / ناصر حجي المزين  
٢- سعادة للسواء / عصام سالم النهام

### الأمانة العامة :

١. معالي الدكتور/ عبداللطيف بن راشد الزياني  
٢. سعادة الدكتور / سعد بن عبدالرحمن العمار  
٣. سعادة السفير/ حمد بن راشد المري  
٤. الأستاذ/ حمد بن علي المناعي  
٥. الأستاذ / خالد بن احمد الشبيعان  
٦. الأستاذ / طلال بن عبدالسلام الأنصاري  
٧. الأستاذ/ محمد بن إبراهيم السحياني  
٨. الأستاذ / طارق بن عبدالله الفاضل

القائمة الاسترشادية الموحدة بأسماء المجموعات والجماعات والتنظيمات الداخلية والخارجية، التي تمثل تهديداً لأمن واستقرار دول مجلس التعاون. سواء في اليمن أو سوريا أو غيرها من مواقع الفتن

١. تنظيم القاعدة (دولي).
٢. تنظيم القاعدة (المغرب).
٣. تنظيم القاعدة (شبه الجزيرة العربية).
٤. تنظيم دولة العراق والشام (داعش).
٥. جبهة النصرة (سوريا).
٦. لواء داوود (سوريا).
٧. جيش المهاجرين (سوريا).
٨. حركة شام الاسلام (سوريا).
٩. انصار الشريعة (تونس).
١٠. انصار الشريعة (ليبيا).
١١. حركة الشباب المجاهدين (الصومال).
١٢. كتائب عبدالله عزام (دولي).
١٣. انصار الدين (مالي).
١٤. انصاربيت المقدس (مصر).
١٥. بوكو حرام (نيجيريا).
١٦. حزب الله الشيعي (دولي).
١٧. عصائب اهل الحق (العراق، سوريا).
١٨. ابو الفضل العباس (العراق، سوريا).
١٩. قوات القدس (ايران، دولي).
٢٠. تنظيم القاعده (شمال القوقاز).
٢١. تنظيم جند الشام (لبنان).

٢٢. المجلس العلمائي ( مملكة البحرين ).
٢٣. حركة الحق ( مملكة البحرين ).
٢٤. حركة خلاص ( مملكة البحرين ).
٢٥. تيار الوفاء ( مملكة البحرين ).
٢٦. التيار الشيرازي ( مملكة البحرين ).
٢٧. مركز كربلاء ( صعده / اليمن ).
٢٨. ائتلاف ١٤ فبراير ( مملكة البحرين ).
٢٩. جيش الامام ( مملكة البحرين ).
٣٠. سرايا المقاومة الشعبية ( مملكة البحرين ).
٣١. سرايا الاشر ( مملكة البحرين ).
٣٢. طلائع التغيير البحرانية ( مملكة البحرين ).
٣٣. حزب الله العراقي .
٣٤. التيار الصدري .
٣٥. جيش الاسلام .
٣٦. صقور الشام .
٣٧. الحوثيين .
٣٨. انصار الشريعة في اليمن .
٣٩. كتائب المقاتلين الاجانب المتطرفة ( حركة شام الاسلام ، لواء / كتائب الليبيين المهاجرين ، جيش المهاجرين والانصار " تختلف عن جماعة درعة " ، كتائب بلقاء الشام " بلقاء الشام منطقة رعوية في سوريا " ، جيش الخلافة الاسلامية ، جند الشام ، جند الخلافة ، كتائب الايمان والكتيبة الخضراء )

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 from/into Arabic- English

We, Khalid Murrar and Abuelgassim Gadem, qualified professional Translators and Simultaneous Interpreters, hereby certify that we have translated the above-mentioned document(s) and that, in our best judgement, the translated text truly reflects the content, meaning and style of the original text and constitutes in every aspect a correct and true translation of the original document(s).

This is to certify the correctness of the translation only. We do not guarantee that the originals are genuine documents, or that the statements contained therein are true. Further, we assume no liability for the way in which the translation is used by the customer or any third party, including end users of the translation.

A Copy of the translation is attached to this certification.

Name: Khalid Murrar

Signature: 

Name: Abulgasem Gadem

Signature: 





### **Annex 39**

*Letter* from Muhammad Bin Abdul Rahman Al Thani, Minister of Foreign Affairs of the State of Qatar, to Abdulatif Bin Rashid Al Zayani, GCC Secretary General (7 Aug. 2017)



*[Page I of III]*

Logo of the State of Qatar - Ministry of Foreign Affairs      **The Minister of Foreign Affairs**

**Date: 15 / 11 / 1438 AH**

**Corresponding to: 07 / 08 / 2017 AD**

**His Highness Dr. / Abdulatif Bin Rashid Al Zayani, the respected**

**The Secretary General of the Cooperation Council of the Arab Gulf States**

**The General Secretariat**

**Riyadh**

**Warmest Greetings, and then,**

Let it be known that the current crises through which the Arab Gulf region is going, and the dangerous results that have ensued because of it, threaten the future of our countries and our Gulf States' peoples. It all started without any prior warning to the State of Qatar in the aftermath of a certain entity supported with high technology managing to hack a website and several electronic forums of the Qatar News Agency at exactly 12:14 in the morning of Wednesday, the 24<sup>th</sup> of May 2017, and then publishing fake and made-up statements attributed to His Highness Shaikh / Tamim Bin Hamad Al Thani - The Amir of the State of Qatar, "may Allah preserve him."

As you know, the State of Qatar denied those false statements on the spot, making sure to clarify that what was published had no truthful basis. Despite that, some media outlets of the Gulf and Arab countries have published those statements; particularly Al Arabiya Channel and Sky News in Arabic, and they continued to publish them and comment about them. This proves that there was a clear and premeditated plot against the State of Qatar, targeting its independence and sovereignty and interfering in its internal affairs.

The State of Qatar has put forth serious efforts trying to limit the dangerous repercussions of the electronic hacking crime which was carried out against it, in order to maintain the brotherly relationships among the Member States of the Gulf Cooperation Council, and in consideration of the complex circumstances and political crises that surround the Arab region in general and the Member States of the Arab Gulf Cooperation Council in particular. Yet, the State of Qatar was surprised by the announcement of each of the Kingdom of Saudi Arabia, the United Arab Emirates and the Kingdom of Bahrain

*[Page II of III]*

Logo of the State of Qatar - Ministry of Foreign Affairs      **The Minister of Foreign Affairs**

severing their diplomatic and consular ties with the State of Qatar, closing their land, air and maritime borders with it, and imposing a comprehensive siege on Qatar and on its people. They justified that by reasons that had no cognizable or legitimate proof, and violated the bases of International Law. Moreover, those reasons are in contradiction with the standards of foreign policy of the State of Qatar. And, in this context, the State of Qatar would like to assert that it spares no effort - as an active member of the Gulf Cooperation Council - in adhering to the GCC's Charter and fulfilling all of its obligations based on the GCC's agreements and decisions. The State of Qatar respects the sovereignty of other countries and does not meddle in their internal affairs; the State of Qatar also carries out its duties on all levels, local, regional and international in the war against terrorism and the financing of terrorism.

The countries of the siege have taken unjustified measures towards the escalation of this crisis, and have continued to follow hostile policies in the media in contradiction to the truth in order to achieve their political goals which aim at defaming the State of Qatar; and that materialized in the thirteen demands presented to the State of Qatar which were totally rejected by the international community and the Arab Peoples as illegitimate demands and as being in contradiction with the Charter of the United Nations and the basic tenets of human rights. This was followed by the issuance of lists by these states labeling individuals and entities as terrorists without any basis on any international legal standards. The lists were not based on facts or objectivity, and stood in violation of the Charter of the United Nations, specifically the mission of the United Nations Security Council, and the Charter of regional organizations in which the State of Qatar and the countries of the siege are members.

And despite the fact that the above-mentioned demands are illegitimate, as they aim to place the State of Qatar under custody, Qatar cooperated, and is still cooperating, with the initiative of His Highness Shaikh / Sabah Al Ahmad Al Jabir Al Sabah - the Amir of the sister State of Kuwait, "may Allah preserve him," and a detailed response was given to the demands.

In its effort to expose the truth about the electronic hacking crime, the State of Qatar formed an international nonaligned team to investigate the crime of piracy of the Qatar News Agency website, and

*[Page III of III]*

Logo of the State of Qatar - Ministry of Foreign Affairs      **The Minister of Foreign Affairs**

the results of the probe confirmed that piracy was done by installing malware in the news Agency's website on the 21<sup>st</sup> of last April, and then the fabricated statements were published. It has been proven by compelling evidence that some of the countries of the siege were involved in committing this crime.

The Kingdom of Saudi Arabia, the United Arab Emirates and the Kingdom of Bahrain still base their illegal stances against the State of Qatar on an electronic hacking crime which was carried out against the State of Qatar. This heinous crime was used as a pretense by the countries of the siege to adopt illegal measures which those countries tried to justify by making false accusations against the State of Qatar. Those false accusations were not discussed by the countries of the siege with the State of Qatar, nor did they notify Qatar of them prior to the piracy crime against Qatar News Agency. This proves that the current crisis in the region was staged by the countries of the siege and that all of the measures adopted by those countries against the State of Qatar are to be considered a grave violation of international covenants.

The State of Qatar asserts its utmost care for the continuous preservation of brotherly ties among the Member States of the Gulf Cooperation Council, and the continuation of rights and care to all the residents in Qatar who are citizens of those countries, and guarantees that it has taken all procedures necessary to secure the implementation of that. The State of Qatar also affirms that it is adhering to all of the agreements within the framework of the Cooperation Council of the Arab Gulf States and the bilateral agreements it made with the Council's Member States, as well as other agreements in which the State of Qatar is a party, since that serves the materialization of the supreme interests of the Member States of the Council.

And finally, we are looking forward to your Highness's publication of this letter to all their Highnesses and the Ministers of Foreign Affairs of GCC Member States and ask you to deem this correspondence a formal document of the General Secretariat of the Council.

**Please accept my utmost regards,**

Signed

*[TN: Hand drawn Signature]*

**Muhammad Bin Abdul Rahman Al Thani**

**The Minister of Foreign Affairs**

MINISTER OF FOREIGN AFFAIRS



وَزِيرُ الْخَارِجِيَّةِ

التاريخ: ١٥/١١/٢٠١٤هـ

الموافق: ٠٧/٠٨/٢٠١٧م

معالي الدكتور/ مبد اللطيف بن راشد الزياني المحترم  
الأمين العام لمجلس التعاون لدول الخليج العربية  
الأمانة العامة  
الرياض.

تحية طيبة وبعد،،،

أود الإحاطة بأن الأزمة التي تمر بها منطقة الخليج العربي، وما ترتب عليها من آثار خطيرة تهدد مستقبل دولنا وشعوبنا الخليجية، بدأت وبدون أي إخطار إلى دولة قطر على إثر تمكن جهة مدعومة بتقنيات عالية من اختراق موقع وعدد من المنصات الإلكترونية لوكالة الأنباء القطرية في تمام الساعة ١٤:١٢ من صباح يوم الأربعاء الموافق ٢٤ مايو ٢٠١٧، وبثت تصريحات ملفقة ومزورة منسوبة إلى حضرة صاحب السمو الشيخ/ تميم بن حمد آل ثاني - أمير دولة قطر "حفظه الله".

وكما تعلمون أن دولة قطر قد نفت هذه التصريحات الكاذبة فوراً، مؤكدةً بأن ما تم نشره ليس له أي أساس من الصحة، وبالرغم من ذلك بثت بعض وسائل الإعلام الخليجية والعربية، لاسيما قناة العربية وسكاي نيوز العربية هذه التصريحات واستمرت في تداولها والتعليق عليها، وهذا ما يؤكد وجود مخطط واضح ومعد مسبقاً ضد دولة قطر، يستهدف استقلالها والمساس بسيادتها والتدخل في شؤونها الداخلية.

إن دولة قطر قد بذلت جهوداً مضنية للحد من الآثار الخطيرة لجريرة القرصنة الإلكترونية التي ارتكبت ضدها حفاظاً منها على العلاقات الأخوية بين دول مجلس التعاون، وتقديراً منها للظروف والأزمات السياسية المعقدة التي تحيط بالمنطقة العربية بشكل عام، وبدول مجلس التعاون لدول الخليج العربية بشكل خاص، إلا أنها فوجئت بإعلان كل من المملكة العربية السعودية ودولة الإمارات العربية المتحدة ومملكة البحرين

MINISTER OF FOREIGN AFFAIRS



وَزِيرُ الْخَارِجِيَّةِ

يقطع علاقاتها الدبلوماسية والقنصلية مع دولة قطر، وإغلاق حدودها البرية والمجالين البحري والجوي معها، وفرض حصار شامل عليها وعلى مواطنيها، مبررة ذلك بأسباب لا يدعمها أي دليل معقول أو مشروع، وانتهاكاً لقواعد القانون الدولي، كما أن هذه الأسباب تتعارض مع ثوابت السياسة الخارجية لدولة قطر، وفي هذا السياق تؤكد دولة قطر على أنها لا تألوا جهداً بصفتها عضواً فاعلاً في مجلس التعاون الخليجي في الالتزام بأحكام النظام الأساسي له والوفاء بجميع اتفاقياته والقرارات الصادرة عنه، ومحترم سيادة الدول الأخرى ولا تتدخل في شؤونها الداخلية، كما تقوم بمسؤولياتها والوفاء بالتزاماتها على كافة المستويات المحلية والإقليمية والدولية في محاربة الإرهاب وتمويله.

إن دول الحصار قامت بإجراءات غير مبررة نحو تصعيد هذه الأزمة، واستمرت في اتباع سياسة إعلامية مغرضة على خلاف الحقائق، لتحقيق سياستها الهادفة لتشويه سمعة دولة قطر، وتجسد ذلك بالمطالب الثلاثة عشر التي قدمتها إلى دولة قطر، والتي كانت محل رفض تام من المجتمع الدولي والشعوب العربية باعتبارها مطالب غير قانونية ومخالفة لميثاق الأمم المتحدة وقواعد حقوق الإنسان، وقد أعقب ذلك إصدار هذه الدول لقوائم صنفت بها أفراد وكيانات كإرهابيين دون الاستناد إلى أية معايير قانونية دولية، وتم وضعها بعيداً عن الحقائق والموضوعية، وبالمخالفة لأحكام ميثاق الأمم المتحدة وبخاصة مهام مجلس الأمن الدولي وموائيق المنظمات الإقليمية التي تشترك في عضويتها دولة قطر ودول الحصار.

وبالرغم من المطالب غير المشروعة أعلاه، التي تهدف إلى فرض وصايا على الدولة، فإن دولة قطر تعاونت، ولا تزال، مع مبادرة حضرة صاحب السمو الشيخ/ صباح الأحمد الجابر الصباح - أمير دولة الكويت الشقيقة "حفظه الله"، وتم الرد بالتفصيل على هذه المطالب.

وحرصاً من دولة قطر على كشف حقيقة جريمة القرصنة الإلكترونية، قامت بتشكيل فريق دولي محايد للتحقيق في جريمة اختراق موقع وكالة الأنباء القطرية، وقد

MINISTER OF FOREIGN AFFAIRS



وَزِيرُ الْخَارِجِيَّةِ

أكدت نتائج التحقيق أن الاختراق تم من خلال زرع برامج خبيثة في موقع الوكالة بتاريخ ٢١ أبريل الماضي ونشر التصريحات المفبركة أعلاه، وقد ثبت بالأدلة الدامغة ضلوع بعض دول الحصار في ارتكاب هذه الجريمة.

إن المملكة العربية السعودية ودولة الإمارات العربية المتحدة ومملكة البحرين لا تزال تبني مواقفها غير المشروعة ضد دولة قطر بناءً على جريمة القرصنة الإلكترونية، التي تم ارتكابها ضد دولة قطر، ولقد تم اتخاذ هذه الجريمة النكراء ذريعة لاتخاذ دول الحصار إجراءات غير مشروعة حاولت هذه الدول تبريرها بقذف دولة قطر باتهامات باطله لم يسبق تناولها من قبل دول الحصار أو إخطار دولة قطر بها قبل ارتكاب جريمة القرصنة الإلكترونية لوكالة الأنباء القطرية وهو ما يؤكد افتعال الأزمة الراهنة في المنطقة من قبل دول الحصار وأن كافة الإجراءات التي اتخذتها هذه الدول ضد دولة قطر تعد انتهاكاً صارخاً لكافة المواثيق الدولية.

تؤكد دولة قطر حرصها الشديد على استمرار الحفاظ على وشائج الأخوة بين دول مجلس التعاون، والاستمرار في تقديم كل الحقوق والرعاية للمقيمين من مواطني هذه الدول بدولة قطر، وأنها اتخذت كل الإجراءات اللازمة لضمان تحقيق ذلك، كما تشدد دولة قطر على تمسكها بالاتفاقيات المبرمة في إطار مجلس التعاون لدول الخليج العربية والاتفاقيات الثنائية مع دول المجلس، وغيرها من الاتفاقيات التي تكون طرفاً فيها، لما فيه تحقيق المصلحة العليا لدول مجلس التعاون.

وختاماً نتطلع من معاليكم تعميم هذه الرسالة على أصحاب السمو والمعالي وزراء خارجية دول المجلس، واعتبارها وثيقة رسمية من وثائق المجلس.

وتقبلوا خالص تحياتي،،،

محمد بن عبد الرحمن آل ثاني

وزير الخارجية



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A Copy of the translation is attached to this certification.

Name: Khalid Murrar

Signature: 

Name: Abulgasem Gadem

Signature: 



#### **Annex 40**

*Letter* from Mohamed Bin Abdul Rahman Bin Jassim Al Thani, Minister of Foreign Affairs of State of Qatar, to Abdul Latif Bin Rashid Al-Ziyani, Secretary-General of GCC (19 Feb. 2017)



**[PDF Page III of VIII]**

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Annex 72

In the name of Allah, the Most Compassionate the Most Merciful

The Gulf Cooperation Council - The General Secretariat

(Logo of the Gulf Cooperation Council; In the name of Allah, the Most Compassionate the Most Merciful)

**Confidential**

**His Excellency Sheikh / Khalid Bin Ahmed Bin Muhammad Al Khalifa, may Allah preserve him,**

**The Minister of Foreign Affairs - The President of the Current Term of the Ministerial Council**

**Manama – The Kingdom of Bahrain**

**May the Peace, mercy and blessing of Allah be upon you,**

I am pleased to send to your respected Highness my sincere brotherly greetings along with the best of my wishes of good health and wellbeing.

Also, it is of my pleasure to enclose the self explanatory letter which I have received from your brother, his Excellency Sheikh / Mohamed Bin Abdul Rahman Bin Jassim Al Thani, the Minister of Foreign Affairs for the State of Qatar, bearing number 132-5 and dated on 19 February 2017.

**This is for the review of your respected Highness,**

**Please accept my utmost respect and reverence**

Signed,

Your Highness's devotee

*[TN: Hand written signature]*

Dr. Abdul Latif Bin Rashid Al Zayani

The General Secretary

Number: A - T 1 / 2 / 4 / 17 / 1 - Date: 25 / 05 / 1438 AH - Corresponding to 22 / 02 / 2017 AD

The Kingdom of Saudi Arabia, P O Box: 7152 Riyadh, 11462 - Phone: 482 6808 - Fax: 482 8008

1851

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

14

## مجلس التعاون لدول الخليج العربية - الأمانة العامة



مكتب الأمين العام

سري

حفظه الله

معالي الشيخ / خالد بن أحمد بن محمد آل خليفة  
وزير الخارجية، رئيس الدورة الحالية للمجلس الوزاري  
المنامة - مملكة البحرين

السلام عليكم ورحمة الله وبركاته،،،

يطيب لي أن أبعث لمعاليتكم الكريم بخالص تحياتي الأخوية مقرونة بتمنياتي  
لكم بموفقور الصحة والعافية.

ويسرني أن أرفق لمعاليتكم الرسالة التي تلقيتها من أخيتكم معالي الشيخ/ محمد  
بن عبدالرحمن بن جاسم آل ثاني، وزير الخارجية بدولة قطر برقم ١٣٢٥ وتاريخ  
٢٠١٧/٢/١٩م، الشارحة لذاتها.

لتفضل معاليتكم الكريم بالاطلاع.

وتفضلوا معاليتكم بقبول وافر التقدير والاحترام،،،

المخلص لسائلكم

د. عبد اللطيف بن راشد الزياني

الأمين العام

الرقم: أ.ت.١٥/١٧/٤/٢/١٥ التاريخ: ٥ / ٥ / ١٤٣٨ هـ الموافق ٩ / ٩ / ٢٠١٧م

الملكة العربية السعودية - ص ب ٧١٥٢ الرياض ١١٤٦٢ - هاتف ٤٨٢٦٨٠٨ فاكس ٤٨٢٨٠٠٨

*[PDF Page IV of VII]*

Annex 72

(Logo of Qatar's Ministry of Foreign Affairs)

**Minister of Foreign Affairs**

*[TN: Illegible words follow; low quality scanned image]*

[BARCODE]

Number 2017 - 88 - 00132 - 5

Office of the Minister of Foreign Affairs – Confidential

Date: 22 / 05 / 1438 AH - Corresponding to: 19 / 02 / 2017 AD

“Confidential”

**His Highness Brother Dr. / Abdul Latif Bin Rashid Al Zayani, the respected**

**The Secretary General of the Gulf Cooperation Council**

**General Secretariat - Riyadh**

**May the Peace, mercy and blessing of Allah be upon you,**

It is my pleasure to send to your Highness my sincere greetings and respect, wishing you continued good health and well-being.

It is of my pleasure to refer to the State of Qatar's unwavering and unequivocal commitment to all signed agreements within the framework of the Gulf Cooperation Council. In this context, I am referring to the Riyadh agreement which has been signed by their Highnesses; the leaders of the Gulf Cooperation Council, on 19 / 01 / 1435 AH (corresponds to 23 / 11 / 2013 AD) with the purpose of enhancing the unity of the GCC Member States and [serving their] interests for the future of their peoples. That meeting was convened amid international and regional conditions which demanded the conclusion of this agreement in order to serve the higher interests of the GCC Member States.

As the GCC Member States have spared absolutely no effort in the implementation of the Riyadh Agreement and the mechanism of its execution; therefore, the subject matter of this Agreement has been exhausted. Consequently - according to the applicable rules governing international agreements - this agreement should be terminated due to the exhaustion of its purpose.

Since the GCC Charter and its other mechanisms constitute the basis for relations between the GCC Member States, relying on the Riyadh Agreement and abandoning the GCC Charter and its other mechanisms do not achieve the interests or the goals of the GCC.

Therefore, the GCC Member States are called upon to agree on the termination of the Riyadh Agreement as said Agreement has been mooted by international and regional events, and because its purpose has been exhausted. On the other hand, it may be necessary that the GCC Member States take necessary measures to amend the GCC Charter

***[PDF Page VI of VII]***

Annex 72

(Logo of Qatar's Ministry of Foreign Affairs)

**Minister of Foreign Affairs**

*[TN: Illegible words follow; low quality scanned image]*

in line with their aspirations, to face any issues that may require the joint Gulf action, and regional and international developments in the various aspects.

In conclusion, we look forward to your Highness's publication of the contents of this letter to the brothers in the Member States of the Gulf Cooperation Council and to deem this correspondence a formal document of the General Secretariat of the Council.

**Please accept my utmost respect and regards to your Highness,**

Signed

*[TN: Hand drawn Signature]*

**Muhammad Bin Abdul Rahman Al Thani**

**The Minister of Foreign Affairs**

( 2 )

1854



MINISTERE DES AFFAIRES ÉTRANGÈRES



مكتب الخارجية



2017-88-00132-5

مكتب وزير الخارجية - بسري

التاريخ: ١٤٣٨/٠٥/٢٢ هـ

الموافق: ٢٠١٧/٠٢/١٩ م

بسرني

معالي الأخ الدكتور / عبداللطيف بن راشد الزياني  
الأمين العام لمجلس التعاون الخليجي  
الأمانة العامة  
الرياض

السلام عليكم ورحمة الله وبركاته،،

يطيب لي أن أبعث لمعاليتكم بخالص التحية والتقدير متمنياً لكم التوفيق ودوام الصحة والعافية.

يسرني أن أشير إلى التزام دولة قطر الثابت الذي لا يتبدل ولا يتزعزع بجميع ما يتم الاتفاق عليه في إطار مجلس التعاون الخليجي، وفي هذا السياق أشير إلى اتفاق الرياض الموقع من قبل أصحاب السمو قادة دول مجلس التعاون لدول الخليج العربية بتاريخ ١٩/٠١/١٤٣٥ هـ الموافق ٢٣/١١/٢٠١٣ م، بهدف تعزيز وحدة دول المجلس ومصالحها ومستقبل شعوبها، والذي عقد في ظروف دولية وإقليمية تتطلب إبرام هذا الاتفاق خدمةً للمصالح العليا لدول المجلس. وحيث أن دول المجلس لم تألوا جهداً في تنفيذ اتفاق الرياض وآلية تنفيذه ومن ثم فقد تم استنفاد موضوع هذا الاتفاق، الأمر الذي يتعين معه وفقاً للقواعد المستقرة بشأن الاتفاقيات الدولية إنهاء هذا الاتفاق لانتهاء الغرض الذي من أجله تم إبرامه.

ولما كان النظام الأساسي لمجلس التعاون والآليات الأخرى يشكل الأساس الحاكم للعلاقات بين دول المجلس، فإن الاستناد إلى اتفاق الرياض وترك النظام الأساسي وآلياته الأخرى لا يحقق مصالح وأهداف مجلس التعاون الخليجي.

عليه، فإن دول المجلس مدعوة للاتفاق على إنهاء العمل باتفاق الرياض، الذي تجاوزته الأحداث على الصعيدين الدولي والإقليمي واستنفاد موضوعه، وبالمقابل قد يكون من الضروري أن تعمل الدول الأعضاء في المجلس على اتخاذ اللازم نحو تعديل النظام الأساسي للمجلس على

MINISTER OF FOREIGN AFFAIRS



الجمهورية العربية السورية  
وزارة الخارجية

نحو يتماشى مع طموحاتها، لمواجهة مستجدات العمل الخليجي المشترك، والتطورات الإقليمية والدولية الراهنة في شتى المجالات.  
وختاماً، نتطلع من معاليكم تعميم ما تضمنته هذه الرسالة على الأشقاء في دول مجلس التعاون لدول الخليج العربية، واعتبارها وثيقة رسمية من وثائق الأمانة العامة للمجلس.  
**وتفضلوا معاليكم بقبول خالص تحياتي وتقديري،،**

محمد بن عبدالرحمن آل ثاني

وزير الخارجية

<b>MURRAR Inc.,</b> <i>Language Services</i> <i>If you can speak it, we can deliver it in the other language instantaneously</i>	
English < Arabic > English Interpretation, Translation, Quality Control, Editing, Localization/Arabization, Simultaneous, Conference & Consecutive Interpretation	3340 River Meadows Ct, Franklin, WI 53132 Cell: (414) 573-3732 murrar444@aol.com

**Certification of Translation Accuracy**

Translation of "Annex 72" from/into Arabic- English

We, Khalid Murrar and Abuelgassim Gadem, qualified professional Translators and Simultaneous Interpreters, hereby certify that we have translated the above-mentioned document(s) and that, in our best judgement, the translated text truly reflects the content, meaning and style of the original text and constitutes in every aspect a correct and true translation of the original document(s).

This is to certify the correctness of the translation only. We do not guarantee that the originals are genuine documents, or that the statements contained therein are true. Further, we assume no liability for the way in which the translation is used by the customer or any third party, including end users of the translation.

A Copy of the translation is attached to this certification.

Name: Khalid Murrar

Signature: 

Name: Abulgasem Gadem

Signature: 



## **Annex 41**

State of Qatar, Ministry of Interior, National Counter Terrorism Committee, *National Terrorist Designation Lists*, Designation Order No. 2 (21 Mar. 2018)




**Designation Order No.2, Date (21/03/2018)**

By virtue of the decree of His Excellency the Attorney General No. 26 of 2018

**A- Individuals**

No.	Name	Date of Birth	Place of Birth	Nationality	Passport No	National ID No.	Address	Other information
1	Abdelrehaman Omair Rashid Al Nualme	01/01/1954	Qatar	Qatari	01062675(expired in 2014)	25463400086	NA	Financing terrorism / designated also in the SC list under the reference number QDI.334
2	Saad Saad Mohamed Sheryan Al Kaabi	15/02/1972	Qatar	Qatari	00966737	27263401275	Ummusulali	Financing terrorism / designated also in the SC list under the reference number QDI.382
3	Abdellatif Abdullah Saleh Mohamed Al Kuwari	20/09/1973	Qatar	Qatari	01020802	27363400684	Al Khartiyyath	Financing terrorism / designated also in the SC list under the reference number QDI.380
4	Ibrahim Elisa Hajj Mohamed Al Bakr	12/07/1977	Qatar	Qatari	01016646	27763401255	Al Rayyan Al Jadeed	Financing terrorism / designated also in the SC list under the reference number Q.I.A.344.15
5	Mubarak Mohamed Mosed Ali Aleji	04/11/1988	Qatar	Qatari	01390593	28863401930	Al Khartiyyath	Financing terrorism
6	Khalid Saeed Fadl Rashid Albuainain	04/10/1978	Qatar	Qatari	01114555	27863402728	Al Ganam Al Jadeed	Financing terrorism
7	Rashed Salem Rashid Mohamed Abo Qiba	13/05/1975	Qatar	Qatari	00867836	27563401728	Al Salliyaa	Financing terrorism
8	Mohamed Faisal Hamd Jabr Alsuaidi	25/09/1976	Qatar	Qatari	01316067	27663402452	Fareeq Al Sudan	Financing terrorism
9	Mohamed Jaber Salem Mushaab	16/05/1974	Qatar	Qatari	01024193	27463401384	Mualther	Financing terrorism
10	Saleh Salem Rashid Mohamed Abo Qiba	22/08/1988	Qatar	Qatari	01227209	28863404174	Al Salliyaa	Financing terrorism
11	Abdullah Suleman Saad Abdulla Thamer	31/08/1983	Qatar	Qatari	01167852	28363401271	Mualther	Financing terrorism
12	Abdullah Mohamed Shakir Shams Aldin ALshabani	26/01/1992	Qatar	Qatari	00951247	29263401150	Al Azeziya	Financing terrorism
13	Ibrahim Mohamed Abdelrahman Albawardi	NA	NA	Saudi	K778005	NA	NA	Joining a group established in violation of the law, with a resolve of committing a terrorist crime
14	Abdullah Mohamed Suleiman Almoheeni	NA	NA	Saudi	K1633255	NA	NA	Financing terrorism and joining a group established in violation of the law, with a resolve of committing a terrorist crime
15	Dhahli Mohamed Mustafa Mustafa Sanjer	02/03/1983	NA	Egyptian	NA	28381805582	NA	Financing terrorism
16	Ahmed Samir Mohamed Alhabib Alteniger	01/11/1989	NA	Egyptian	NA	28981906499	NA	Financing terrorism
17	Ahmed Eid Salem Alhajjawi	01/02/1976	NA	Egyptian	NA	27681803839	NA	Financing terrorism
18	Hasan Saas Shehwi	20/01/1992	NA	Egyptian	NA	29281802769	NA	Financing terrorism
19	Abdelmalik Mohamed Yousuf Osman Abdelsalam	13/07/1989	NA	Jordanian	K475336(expired)	28940000602	NA	Financing terrorism
20	Ashraf Mohamed Yousuf Osman Abdelsalam	06/01/1984	Iraq	Jordanian	K048787486298	28440000526	Syria until December 2014	Financing terrorism

**B- Entities**

No.	Name	Address	Other information
1	Al Ansar For Mobiles Cars rentals and Real-estate	Qatari; Commercial register: 31994	Financing terrorism
2	Taftanaz for Trade Contractors	Qatari; Commercial register: 70899	Financing terrorism
3	a. Jabal Omar for Trade and Contractors. b. Khalibret for Trade and Contracts. c. Al Thahabiya for Tents	Qatari; a. 51229 b. 51335 c. Computer Card No.01-0473-13	Financing terrorism
4	Allhabidaa for Furniture and Decore	Qatari; Commercial register: 42371	Financing terrorism
5	Allhasan Charity	Yemen	Financing terrorism
6	Tanzeem Daesh Wilayat Seenaa (ISIS Sinaili state organization)	Egypt	Financing terrorism and joining a group established in violation of the law, with a resolve of committing a terrorist crime





## **Annex 42**

State of Qatar, Ministry of Justice, “Qatar Doubles Contribution to Global Community Engagement & Resilience Fund” (30 May 2018), *available at* <https://www.mofa.gov.qa/en/all-mofa-news/details/2018/05/30/qatar-doubles-contribution-to-global-community-engagement-resilience-fund>



## **Qatar Doubles Contribution to Global Community Engagement & Resilience Fund**

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Lausanne, Switzerland / Information Office / May 30

The State of Qatar has doubled its contribution to the Global Community Engagement & Resilience Fund (GCERF) to reach \$10 million, after pledging an additional \$5 million during its participation in the eighth meeting of the GCERF Governing Board held in Lausanne, Switzerland.

At its meeting which began today and will continue on Thursday, Qatar was represented by HE Ambassador Dr Mutlaq bin Majid Al Qahtani, the Foreign Ministers Special Envoy for Combating Terrorism and Mediation in Conflict Resolution, a member of the Board of Directors of the Fund.

The move is in line with Qatar's position as one of the founding members, key players and supporters of the GCERF, as well as the only GCC and Arab country to contribute to the fund, along with the United States of America, Switzerland, the European Union, the United Kingdom, Canada, Australia, New Zealand, the Netherlands, France, Japan, Sweden and Norway.

The State of Qatar, which has become the biggest contributor to the GCERF, called on all other countries, especially the countries of the region, to follow the example of Qatar and participate in this global fund as the only fund in the world dedicated to supporting local communities to confront violent extremism leading to terrorism.

Qatar's contribution to the GCERF aims to support the financing of projects to combat violent extremism and build peaceful societies in various regions of the world, including Mali, Nigeria, Kenya, Myanmar, Bangladesh and Kosovo, as well as other countries supported by the GCERF including Tunisia, the Philippines, Somalia and Afghanistan.

The Geneva-based GCERF was established in 2014 to serve as the first global effort to support local, community-level initiatives aimed at strengthening resilience against violent extremist agendas. Operating at the nexus of security and development, GCERF is committed to working in partnership and consultation with governments, civil society, and the private sector in beneficiary countries to support national strategies to address the local drivers of violent extremism.

The State of Qatar hosted the seventh meeting of the GCERF Governing Board on 5 and 6 December 2017, and that meeting came out with critical recommendations and decisions being implemented by all of its players.

*Wednesday, May 30, 2018*

### **Annex 43**

State of Qatar, Ministry of Interior, National Counter Terrorism Committee, *National Terrorist Designation Lists*, Designation Order No. 4 (28 Aug. 2018)



**Designation Order No.4, Date (28/08/2018)**

The following individual has been designated under the resolution of His Excellency the Attorney General No. 110 of 2018:

No.	Name	Date of Birth	Place of Birth	Nationality	Passport No	National ID No.	Address	Other information
1	Khalifa Mohd Turki Al-Subale	01/01/1965	Doha, Qatar	Qatari	1353275	26563400140	Qatar	Financing and Facilitating Terrorism / designated also in SC list under the reference number QID:253





## **Annex 44**

State of Qatar, Law No. 4 of 2010 on Combating Money Laundering and Terrorism Financing  
(18 Mar. 2010)



**Law No. (4) of Year 2010**  
**on**  
**Combating Money Laundering and Terrorism Financing**

We, Tamim Bin Hamad Bin Khalifa Al Thani, Deputy Emir of the State of Qatar,

After having perused the Constitution; and

The Law No.(28) of 2002 on Anti-Money Laundering as amended by Decree Law No. (21) of 2003; and

The Customs Law issued by Law No. (40) of 2002; and

The Law No.(3) of 2004 on Combating Terrorism; and

The Penal Code issued by Law No. (11) of 2004 and its amending laws; and

The Code of Criminal Procedure issued by Law No. (23) of 2004 as amended by law No. (24) of 2009; and

The draft Law put forward by the Council of Ministers; and

After having consulted the Advisory Council, have decreed the following:

**Article (1)**

The Law on Combating Money Laundering and Terrorism Financing, enclosed with this Law, shall be effective.

**Article (2)**

The Law No.(28) of 2002 on Combating Money Laundering as amended by Decree Law No. (21) of 2003, shall be repealed.

**Article (3)**

All competent authorities, each within its own competence, shall execute this law which will be published in the Official Gazette.

Tamim Bin Hamad Al Thani

Deputy Emir and Heir Apparent of the State of Qatar

Issued at the Emiri Diwan on: 2/4/1431 A.H  
Corresponding to: 18/03/2010 AD

**Law on Combating Money Laundering  
and Terrorism Financing**

**Chapter 1**

**Definitions**

**Article (1)**

In the application of this law, the following words and phrases shall have the meanings shown against each of them, in accordance with concepts prevailing in the banking business, unless the context indicates otherwise:-

<b>Competent Authority:</b>	Every administrative or law enforcement authority concerned with combating money laundering and terrorism financing, including the Unit and any supervisory authority.
<b>Supervisory Authority</b>	A competent authority responsible for licensing or supervising financial institutions, DNFBPs and non-profit organizations or for ensuring their compliance with requirements to combat money laundering and terrorism financing.
<b>The Committee:</b>	The National Anti-Money Laundering and Terrorism Financing Committee.
<b>The Unit:</b>	The Financial Information Unit.
<b>Predicate offence:</b>	One of the asset-generating offences stipulated under Article (2), paragraph (1) of this law.
<b>Instrumentalities:</b>	Everything used or intended to be used, in any manner, in whole or in part, for committing one or more crimes stipulated in Articles (2), (4) of this law.
<b>Proceeds of crime:</b>	Any funds derived or obtained, directly or indirectly, from one of the crimes stipulated in Article (2/1), or converted or transformed in whole or in part, into other properties or investment yields.

<b>Funds:</b>	Assets or properties of every kind, whether tangible or intangible, movable or immovable, liquid or fixed, and all the rights attached thereto, and all legal documents or instruments in any form, including electronic or digital copies evidencing any of the above, whether existing inside or outside of the State. They include but are not limited to national currency, foreign currency, commercial notes, bank credits, travellers' cheques, money orders, shares, securities, bonds, bills, letters of credit, and any interest, dividends or other income on or value accruing from or generated by such assets.
<b>Money Laundering:</b>	<p>Any of the following acts:</p> <ol style="list-style-type: none"> <li>1) The conversion or transfer of funds, by any person who knows, should have known or suspects that such funds are the proceeds of crime, for the purpose of concealing or disguising the illicit origin of such funds or of assisting any person who is involved in the commission of the predicate offence to evade the legal consequences of his actions.</li> <li>2) The concealment or disguise of the true nature, source, location, disposition, movement or ownership of or rights with respect to funds by any person who knows, should have known or suspects that such funds are the proceeds of crime.</li> <li>3) The possession, acquisition, or use of funds by any person who knows, should have known or suspects that such funds are the proceeds of crime.</li> </ol>
<b>Terrorist Act:</b>	1) An act which constitutes an offence according to the following agreements: Convention for the Suppression of Unlawful Seizure of Aircraft (1970), Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1971), Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973), International Convention against the Taking of Hostages (1979), Convention on the Physical Protection of Nuclear Material (1980), Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1988),

	<p>Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988), Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf (1988), and the International Convention for the Suppression of Terrorist Bombings (1997).</p> <p>2) any other act intended to cause death or serious bodily injury to civilians, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a Government or an international organization to do or to abstain from doing any act.</p>
<b>Terrorist:</b>	<p>Any natural person who commits any of the following acts:</p> <ol style="list-style-type: none"> <li>1) commission or attempting to commit, terrorist acts, intentionally, by any means, either directly or indirectly,</li> <li>2) participation as an accomplice in terrorist acts.</li> <li>3) organizing terrorist acts, or directing others to commit such acts.</li> <li>4) contributing to the commission of terrorist acts with a group of persons acting with a common purpose where the contribution is made intentionally and with the aim of furthering the terrorist act or with the knowledge of the intention of the group to commit a terrorist act.</li> </ol>
<b>Terrorist Organization:</b>	<p>Any group of terrorists that:</p> <ol style="list-style-type: none"> <li>1) commits, or attempts to commit, terrorist acts, by any means, directly or indirectly, unlawfully and wilfully.</li> <li>2) acts as an accomplice in the execution of terrorist acts.</li> <li>3) organises or directs others to commit terrorist acts.</li> <li>4) contributes to the commission of terrorist acts with a group of persons acting with a common purpose where the contribution is made intentionally and with the aim of furthering the terrorist act or with the knowledge of the intention of the group to commit a terrorist act.</li> </ol>
<b>Terrorism Financing:</b>	<p>An act committed by any person who, in any manner, directly or indirectly, and willingly, provides or collects funds, or attempts to do so, with the intention to use</p>

	them or knowing that these funds will be used in whole or in part for the execution of a terrorist act, or by a terrorist or terrorist organization.
<b>Freezing:</b>	Prohibiting the transfer, conversion, disposition, movement, or transport of funds on the basis of, and for the duration of the validity of, a decision of a judicial or other competent authority.
<b>Seizing:</b>	Prohibiting the transfer, conversion, disposition, movement, or transport of funds on the basis of, and for the duration of the validity of, a decision of a competent judicial authority.
<b>Confiscation:</b>	The permanent deprivation of funds based on a court judgment.
<b>Financial Institution:</b>	<p>Any person or entity who conducts as a business one or more of the following activities or operations for or on behalf of a customer:</p> <ol style="list-style-type: none"> <li>(1) accepting deposits and other repayable funds such as private banking services.</li> <li>(2) lending.</li> <li>(3) financial leasing.</li> <li>(4) transferring money or things of value.</li> <li>(5) issuing or managing means of payment, such as credit and debit cards, cheques, traveller's cheques, money orders, banker's drafts and electronic money.</li> <li>(6) financial guarantees and commitments.</li> <li>(7) trading in money market instruments, such as cheques, bills, certificates of deposit and derivatives, foreign exchange, exchange instruments, interest rate, index instruments, transferable securities, and commodity futures trading.</li> <li>(8) participating in securities issues and providing financial services related to securities issues.</li> <li>(9) undertaking individual or collective portfolio management.</li> <li>(10) safekeeping or administering cash or liquid securities on behalf of other persons.</li> <li>(11) investing, administering or managing funds or money on behalf of other persons.</li> <li>(12) underwriting or placing life insurance and other investment-related insurance, whether as insurer or insurance contract intermediary.</li> <li>(13) money or currency changing.</li> </ol>



	(14) any other activity or operation prescribed by resolution issued by the Prime Minister upon the proposal of the Committee.
<b>Designated Financial Businesses Professions (DNFBPs):</b>	<p><b>Non-</b></p> <p><b>and</b></p> <p>(1) Real estate brokers, if they act in transactions for customers in relation to buying or selling of real estate, or both.</p> <p>(2) Dealers in precious metals or stones, if they engage with their customers in cash transactions equal to a minimum of 55,000 Riyals.</p> <p>(3) Lawyers, notaries, other independent legal professionals, or accountants, whether sole practitioners, partners or employed specialists in specialist firms, if they prepare, execute, or conduct transactions for clients in relation to any of the following activities:</p> <p>(a) buying or selling real estate.</p> <p>(b) managing client money, securities or other assets.</p> <p>(c) managing bank, savings or securities accounts.</p> <p>(d) organising contributions for the creation, operation or management of companies or other entities.</p> <p>(e) creating, operating or managing legal persons or legal arrangements.</p> <p>(f) buying or selling business entities.</p> <p>(4) Trust Funds and Company Service Providers, if they prepare, or conducts transactions for customer on commercial basis in relation to any of the following activities:</p> <p>a) acting as a founding agent of legal persons.</p> <p>b) acting as, or arranging for another person to act as, a director or secretary of a company, a partner of a partnership, or a similar position in relation to other legal persons.</p> <p>c) providing a registered office, a business headquarter, or correspondence address or an administrative address, for one of the companies, partnerships or any other legal person or legal arrangement.</p> <p>d) acting as, or arranging for another person to act as, a trustee for a direct trust fund.</p> <p>e) acting as, or arranging for another person to act as, a nominee shareholder on behalf of another person.</p> <p>(5) any other business or profession prescribed and regulated by a resolution issued by the Prime Minister upon the proposal of the Committee.</p>
<b>Non-profit</b>	Any legal entity or organization which collects, or disposes of funds for charitable, religious, cultural,

<b>organization:</b>	educational, social, or fraternal purposes, or to do any other kind of charitable activities.
<b>Legal arrangements:</b>	Express trust funds or any similar legal arrangements.
<b>Financial Bearer Negotiable Instruments:</b>	Monetary instruments in bearer form such as travellers cheques; negotiable instruments, including cheques, promissory notes, and money orders that are either in bearer form, endorsed without restriction, made out to a fictitious payee, or otherwise in such form that title thereto passes upon delivery; incomplete instruments including cheques, promissory notes and money orders signed, but with the payee's name omitted.
<b>Beneficial Owner:</b>	The natural person who owns, or exercises effective control, over the customer, or the person on whose behalf, the transaction is conducted, or the person who exercises effective control over a legal person, or legal arrangement.
<b>Politically exposed persons:</b>	Persons who are or have been entrusted with prominent public functions in a foreign country or territory, or any one of their' family or one of their closely related partners.
<b>Shell Bank:</b>	A bank that has no physical presence in the country or territory in which it is incorporated and licensed and is not affiliated with a regulated financial services group that is subject to effective consolidated supervision. "Physical presence" in a country or territory is a presence involving meaningful decision-making and effective management and not merely the presence of a local agent or low level staff.
<b>Correspondent Banking</b>	The provision of banking services by a bank (the "correspondent") to another bank (the "responent").
<b>Business</b>	Any relationship of a commercial aspect, including the

<b>Relationship:</b>	relationship between a non-profit organization and the persons from or to whom it receives or provides funds.
<b>Customer:</b>	Any person dealing with financial institutions, DNFBPs and non-profit organization, including the person from or to whom non-profit organizations receive or provide funds.
<b>Law Enforcement Authority:</b>	Judicial Officers, stipulated under article (27) of the afore-mentioned Code of Criminal Procedure.
<b>Legal Person:</b>	Corporate Person, i.e. company, partnership, corporation or association, or any similar body that can establish a permanent business relationship with a financial institution or can own property.

## **Chapter 2** **Money Laundering and Terrorism Financing**

### **Article (2)**

It shall be prohibited to launder any funds generated from:

- (1) All types of felonies.
- (2) Crimes covered under the International Conventions, signed and ratified by the State.
- (3) Swindling, illicit trafficking in narcotic drugs and psychotropic substances, fraud, forgery, extortion, robbery, theft, trafficking in stolen and other goods, counterfeiting and piracy of products, smuggling, sexual exploitation, environmental crime, tax evasion, sale and trade in archaeological movables, market manipulation and insider dealing.

It is prohibited to participate through association, aiding, abetting, facilitating, counselling in, cooperation, contribution, or conspiracy to commit, or attempt to commit any of the forms of the Money Laundering crime mentioned in this law.

Predicate offences also include offences committed outside the State if they constitute offences as per the law of the State where they were committed and constitute an offence as per the law of the State.

A conviction with the predicate offence is not a condition to prove the illicit source of crime proceeds.

The Money Laundering crime is considered as an independent crime from the predicate offence. The punishment of the person who committed the predicate offence does not prevent his punishment on the Money Laundering crime.

### **Article (3)**

Anyone who intentionally commits one of the following acts is considered to have committed an offence associated with Money Laundering or Terrorism Financing:

- (1) a financial institution which enters into, or continues, a correspondent banking relationship with a shell bank.
- (2) a financial institution which enters into, or continues, a correspondent banking relationship with a financial institution in a foreign country, unless the financial institution has satisfied itself that the foreign financial institution does not permit its accounts to be used by shell banks.
- (3) failure to maintain adequate, accurate and updated information on the beneficial ownership and organizational structure of legal persons and legal arrangements as required pursuant to this law;
- (4) failure, as required by this law, to take the following measures:
  - (a) to identify a customer or verify the customer's identity.
  - (b) to make enquiries in relation to a customer or collect relevant information.
  - (c) to identify the beneficial owners of a customer or verify their identity.
  - (d) to exercise ongoing due diligence with respect to business relationships, to examine transactions carried out under a business relationship, or to ensure that documents, data or information collected under customer due diligence measures are kept up to date and relevant.
  - (e) to take measures to address specific risks of money laundering or terrorism financing.
  - (f) to have risk management systems.
  - (g) to meet a requirement in relation to a correspondent banking relationship or wire transfers.
  - (h) to pay special attention to a transaction, pattern of transactions or business relationships.

- (i) to develop or implement programs for the prevention of money laundering and terrorism financing.
- (5) failure to maintain relevant records, in accordance with the provisions of this law or conceal, destroy or disguise such records.
- (6) failure to provide or to facilitate access to information or records in a timely fashion when requested by the competent authorities or the supervisory authorities in accordance with the provisions of this law.
- (7) failure to submit a report to the Unit as required pursuant to this law.
- (8) opening or facilitating the opening of an account for an unidentified customer, in violation to the provisions of this law.

#### **Article (4)**

It is prohibited to commit any terrorism financing act.

It is prohibited to participate through association, aiding, abetting, facilitating, counselling in, cooperation, contribution, or conspiracy to commit, attempt to commit any of the forms of the Terrorism Financing crime mentioned in this law.

The offence is considered as committed irrespective of any occurrence of a terrorist act, the place where it was committed, or whether the funds have actually been used to commit such act as required pursuant to this law.

#### **Article (5)**

A person commits a money laundering or terrorism financing crime when he receives information related to a money laundering or terrorism financing crime, and does not take the specified legal measures to inform the competent authorities of such crime.

### **Chapter 3**

#### **Disclosure to Customs**

#### **Article (6)**

Any traveller, upon entering or leaving the State must, upon the request of a customs officer, make a disclosure regarding being in possession of any currency, bearer negotiable instruments, or precious metals or stones.

The customs authorities may request further information from the traveller regarding the origin of the currency, bearer negotiable instruments, or precious metals or stones or their intended use. In this case, he must provide this information.

This information, including a true certified copy of the declaration form, shall be sent to the Unit who shall enter the information in its database.

#### **Article (7)**

The customs authorities may take necessary action, to retain his identification data or seize the currency, bearer negotiable instruments, precious metals or stones in his possession in order to ascertain whether evidence of money

laundering or terrorism financing may be found where there is a suspicion of money laundering or terrorism financing or where there is a false disclosure or failure to disclose the required information.

The customs authorities may refer matters to the Public Prosecution and may also request the Public Prosecution to apply cautionary measures with regard to suspected money laundering or terrorism financing crimes, in accordance with the provision of Article (126) of the aforementioned Code of Criminal Procedure.

#### **Article (8)**

The customs officers are required to keep confidential the information obtained within the scope of their duties, even after the cessation of those duties. Such information may only be used for the purposes provided for in accordance with this law.

#### **Article (9)**

The customs authorities may cooperate with related authorities both nationally and internationally with regard to the matters listed in this section and to the information related to the discovering of an unusual movement of precious metals or stones through customs departments.

The customs authorities may issue resolutions, directives or guidelines for implementing the provisions of this section.

### **Chapter 4**

#### **The National Anti Money Laundering and Terrorism Financing**

#### **Article (10)**

A committee named "The National Anti Money Laundering and Terrorism Financing" shall be formed at Qatar Central Bank, under the presidency of Qatar Central Bank Deputy Governor, and the membership of:

1. Two representatives of the Ministry of Interior, one of them to be chosen among the directors of the ministry's competent departments and to be appointed Vice-Chairman of the Committee.
2. Head of the Unit.
3. Two representatives of the Ministry of Economy & Finance, one of them to be chosen from the General Directorate of Customs.
4. Representative of the Ministry of Business & Trade.
5. Representative of the Ministry of Social Affairs.
6. Representative of the Ministry of Justice.
7. Representative of the State Security Bureau.
8. Representative of the Qatar Central Bank.
9. Representative of the Public Prosecution.
10. Representative of the Qatar Financial Markets Authority.
11. Representative of the Qatar Financial Centre Regulatory Authority.
12. Representative of the General Secretariat of the Council of Ministers.

Each body shall nominate its own representative, provided that its grade shall not be lower than head of department or an equivalent grade. The Chairman, the vice-chairman and the members shall be appointed by a resolution issued

by the Prime Minister who may also appoint other representatives from other bodies, upon the proposal of the Committee.

The Committee shall have a secretary, and a number of Qatar Central Bank employees to accomplish secretarial tasks, and whose names to be mandated, functions and remunerations to be prescribed by a resolution by the QCB governor.

#### **Article (11)**

The Committee shall have the following powers:

1. Set the national anti-money laundering and terrorism financing strategy for the State.
2. Facilitate coordination among the Ministries and authorities represented in the Committee.
3. Study and follow the international developments in fighting against money laundering and terrorism financing, and issue recommendations to the relevant government authorities regarding the improvement of the regulatory instructions and controls issued by the supervisory authorities in the State and suggest legislative amendments in line with those developments.
4. Monitor the implementation by competent authorities of the fighting against money laundering and terrorism financing legal and institutional framework.
5. Coordinate and host national training programs on anti-money laundering and terrorism financing.
6. Take part in anti-money laundering and terrorism financing international meetings and conferences.
7. Coordinate with the National Counter Terrorism Financing Committee, formed under the Council of Minister Resolution No. (7) of 2007, with regard to all what is related to international, regional and bilateral terrorism financing conventions and treaties and with regard to developing proper mechanisms for enforcement of the United Nations resolutions related to combating terrorism financing.
8. Coordinate with the National Committee for Integrity and Transparency issued by Emiri decree No. (84) of 2007, with regard to the committee's activities.
9. Prepare and submit an annual report to the Governor of the Central Bank regarding the activities and efforts deployed by the Committee and the national, regional and international developments in the anti-money laundering and terrorism financing field and the Committee's proposals to strengthen control systems and regulations inside the State.

#### **Article (12)**

The Committee shall be convened by its Chairman whenever needed. The meetings shall be held at non-official working hours, however meetings may be held at official working hours, if necessarily required.

The meetings shall not be considered valid without the presence of the chairman or the vice-chairman. The Committee issues its recommendations by majority of votes present. In case of tie vote, the Chairman shall cast the

deciding vote. The vice-chairman will deputize for the chairman in his absence.

The committee shall put in place its work system, including the rules required for the exercise of its functions.

The Committee may select workgroups among its members or other members, or delegate any of its members to address specific tasks falling under its competences. It may also have recourse to experts selected from among the government's employees or any other experts to assist the Committee in performing its duties.

## **Chapter 5**

### **Financial Information Unit and Reporting Requirements**

#### **Article (13)**

The "Financial Information Unit" shall be an independent unit, with a legal personality and an independent budget affiliated to the State's public budget. It shall be located in the city of Doha.

The Head of the Unit shall be appointed by a resolution issued by the Governor of Qatar Central Bank, upon the proposal of the Committee.

Sufficient number of qualified and trained employees shall be appointed to join the Unit in addition to an adequate number of experts and specialists in the fields relating to the implementation of the provisions of this law.

#### **Article (14)**

The Unit shall serve as a central national body which shall be responsible for receiving, requesting, analyzing and disseminating information concerning suspected proceeds of crime, potential money laundering or potential terrorism financing operations, as provided for by this law.

The Unit shall have a database of all available financial data and information and the Unit may disseminate data and information to judicial and law enforcement authorities for investigation or action when there are grounds to suspect money laundering or terrorism financing operations.

#### **Article (15)**

The Unit has the authority to obtain from any entity or person subject to the reporting obligation in this law, any information it deems useful for the accomplishment of its functions. The information requested shall be provided within the time limits set and the form specified by the Unit, taking into consideration the professional obligations limits stipulated under the Advocacy Law, issued by Law No. (23) of 2006.

The Unit may request, directly or indirectly, in relation to any report it has received, any additional information it deems useful for the accomplishment of its functions from competent authorities, supervisory authorities, and enforcement authorities.



Whenever the Unit determines that a financial institution, non-profit organization, or any DNFBP is not complying or has not complied with the obligations set out in this law, it may notify the relevant supervisory authority accordingly.

#### **Article (16)**

The Unit may, spontaneously or on request, share information with any foreign counterpart agency that performs similar functions and is subject to similar confidentiality obligations, regardless of the nature of the agency, subject to reciprocity or pursuant to the provisions of international or bilateral treaties.

The information provided shall be used only for the purposes of combating predicate offences, money laundering, and terrorism financing and shall be disclosed to another party only with the consent of the Unit.

#### **Article (17)**

The staffs of the Unit are required to keep confidential any information obtained within the scope of their duties, even after the cessation of those duties within the Unit. Such information may only be used for the purposes provided for in accordance with this law.

#### **Article (18)**

The financial institutions, DNFBPs and non-profit organizations and their personnel, shall report promptly to the Unit any suspicious financial transactions or any attempts to perform such transactions, regardless of the amount of the transaction, when they suspect or have reasonable grounds to suspect that these transactions include funds that are proceeds of a criminal activity or are linked or related to, or to be used in terrorist acts or by terrorist organizations or those who finance terrorism.

Lawyers, notaries, other independent legal professionals have no obligation to report information they receive from or obtain through a client, in the course of determining the legal position for their client or performing their task of defending or representing that client, or information concerning judicial proceedings, including advice on instituting or commencing proceedings, whether such information is received or obtained before, during or after such proceedings.

#### **Article (19)**

The Unit, in coordination with the supervisory authorities, shall issue directives and guidelines to assist financial institutions, non-profit organizations and DNFBPs on implementing and complying with their respective anti-money laundering and terrorism financing requirements and with regard to filing suspicious transaction reports.

#### **Article (20)**

The Unit shall report to the Public Prosecution the findings of its examination and analysis when there are reasonable grounds to suspect that money laundering or terrorism financing acts have been committed.

The Unit may request the Public Prosecution to apply preventive measures with regard to suspected proceeds of crime, potential money laundering, or potential terrorism financing in accordance with the provision of Article (126) of the aforementioned Code of Criminal Procedure.

#### **Article (21)**

The Unit shall prepare an annual report describing its activities in combating money laundering and terrorism financing field and providing an overall analysis and evaluation of the reports received and of money laundering and terrorism financing trends. The annual report shall be submitted to the Council of Ministers after being perused by the Committee.

### **Chapter 6**

#### **Preventive Measures**

#### **Article (22)**

Adequate, accurate and up-to-date information on the beneficial owner, ownership and organizational structure of legal persons incorporated or otherwise established in the State shall be maintained by the competent commercial register systems.

Competent authorities and supervisory authorities shall have the right of access to such information.

#### **Article (23)**

(1) Financial institutions, non-profit organizations and DNFBPs shall identify their customers whether permanent or occasional, and whether natural or legal persons or legal arrangements, verify their identities using reliable, independent source documents, data or information, when establishing business relationships, during a domestic or international transfer of funds; when doubts exist about the veracity or adequacy of previously obtained customer identification documents, data or information; when there is a suspicion of money laundering or terrorism financing; when carrying out occasional transactions, with a value equal to or above 55 000 Riyals, or an equivalent amount in a foreign currency, or a lesser amount as set out by the supervisory authorities, whether conducted as a single transaction or several transactions that appear to be linked. If the amount of the transaction is unknown at the time of the operation, the identification shall be done as soon as the amount becomes known or the threshold is reached.

Financial institutions and DNFBPs shall enquire about the anticipated purpose and the nature of the business relationship and collect all relevant information.

They shall also identify the beneficial owner of the customer and take all reasonable measures to verify his identity using reliable, independent source documents, data or information until they are satisfied that they know who the beneficial owner is. In the event that the customer is a legal person or legal arrangements, these measures must include taking additional reasonable measures to recognise and monitor the beneficial owner of the ownership of that person or arrangement as well as the one who has control thereof.

#### **Article (24)**

For the purposes of implementation of the requirements provided for in the preceding article, identification of natural persons and verification of their identity shall include the full name, as well as national identification number for Qatari citizens and residents and the passport number for expatriates.

Identification of legal persons shall include obtaining and verifying information concerning the corporate name, registered office business address, proof of incorporation or similar evidence of their legal status, legal form, the names of executives, and articles of association, as well as verifying that the person purporting to act on behalf of the customer is so authorised, and to identify and verify the identity of that person.

Identification of legal arrangements that are express trusts shall include identifying and verifying the identities of the trustees, the settlers, and major beneficiaries.

#### **Article (25)**

Supervisory authorities may prescribe, by regulation, the circumstances in which the verification of identity can be completed at a later stage provided:

- (1) this is necessary in order not to interrupt the normal course of business.
- (2) there is little risk of money laundering or terrorism financing and these risks are effectively managed.
- (3) this is completed as soon as practicable after contact is first established with the customer.

#### **Article (26)**

Financial institutions and DNFBS shall put in place the following measures:

1- Exercise ongoing due diligence with respect to each business relationship with a customer and scrutinise the transactions carried out under the business relationship in order to ensure that they are consistent with their knowledge of their customer, his business and risk profile and, where required, the source of his income and wealth. A particular care shall be given to due diligence measures related to higher risk customers, transactions, and business relationships.

2- Ensure that documents, data and information collected under the customer due diligence processes are kept up to date and relevant by undertaking reviews of existing records, particularly for higher risk categories of customers and business relationships.

3- Take specific and adequate measures to address the risks of money laundering and terrorism financing, in the event they conduct business relationships or execute transactions with a customer that is not physically present for purposes of identification.

4- Put in place appropriate risk management systems to determine if a customer or a beneficial owner is or is not a politically exposed person, and, if so:

- a- obtain approval from senior management before establishing a business relationship with the customer.
- b- take all reasonable measures to identify the source of wealth and funds and identify the beneficial owner.
- c- provide enhanced and ongoing monitoring of the business relationship.

### **Article (27)**

With respect to cross-border correspondent banking relationships, financial institutions shall:

- 1- identify and verify the identification of respondent institutions.
- 2- collect information on the nature of the respondent institution's business.
- 3- based on available information, evaluate the respondent institution's reputation and the nature of supervision to which it is subject.
- 4- obtain approval from senior management before establishing a correspondent banking relationship.
- 5- assess the controls implemented by the respondent institution with respect to anti-money laundering and terrorism financing, and ensure that they are appropriate and effective.
- 6- in case of a correspondent payable through account, ensure that the respondent institution has verified its customer's identity, has implemented mechanisms for ongoing monitoring with respect to its customers, and is capable of providing relevant identifying information on request.

### **Article (28)**

If financial institutions, and DNFBPs cannot fulfil their obligation of due diligence described in Articles (23) through (27) of this law, they shall not establish or maintain the business relationship.

Where appropriate, they shall submit a report to the Unit in accordance with this law.

### **Article (29)**

Financial institutions, and DNFBPs, each in its own competency, shall fulfil the obligations described in Articles (23) through (27) of this law, with regard to every customer with whom they have a business relationship or a cross-border correspondent banking relationship which was already existing on the commencement day of this law, during a period not exceeding six months starting the commencement day.

### **Article (30)**

Financial institutions whose activities include domestic and external wire transfers of a value exceeding (4000) Riyals, or an equivalent value in other currencies, shall obtain and verify the following information about the originators of the transfers:

- (1) full name.
- (2) account number or, if there is no account number, a unique reference number.
- (3) address, Identity Card (ID) Number, or customer identification number, or date and place of birth.

The information shall be included in the message or payment form accompanying the transfer.

Supervisory authorities may issue directives with measures to be taken with regard to some forms of wire transfers, including for transactions executed as batch transfers and domestic transfers and credit or debit card transactions.

Institutions referred to in paragraph (1) of this article, and upon receipt of wire transfers that do not contain the complete originator information, shall take

measures to obtain and verify the missing information from the ordering institution or the beneficiary. Should the institutions fail to obtain the missing information, they shall decline the transfer and report it to the Unit.

#### **Article (31)**

In case of non-suspicion of money laundering or terrorism financing, and based on an assessment of the risks represented by customer, product, business relationship or transactions, supervisory authorities may prescribe by regulation, the simplification of customer due diligence obligations established in this law with regard to the identification and verification of the identity of the customer or the beneficial owner.

#### **Article (32)**

In case of non-suspicion of money laundering or terrorism financing, supervisory authorities may, by regulation, authorise financial institutions to rely on measures conducted by others for the customer as required by this section.

In all cases, financial institutions remain responsible for the proper conduct of prescribed measures as required by this chapter and ongoing monitoring for their customers.

#### **Article (33)**

Financial institutions and DNFBPs shall pay special attention to the following matters:

- 1- Verification of the background and purpose in regards to all complex, unusual large transactions and all unusual patterns of transactions, which have no apparent economic or visible lawful purpose.
- 2- Verification of the background and purpose in regards to business relationships and transactions with persons, including legal persons and legal arrangements which are subject to legal systems that do not apply or that do not sufficiently apply the relevant international standards to combat money laundering and terrorism financing.
- 3- Have policies and procedures in place to address risks arising from products and transactions that favour anonymity.

Financial institutions and DNFBPs shall set forth in writing the specific information regarding transactions as referred to in paragraphs (1) and (2) of this article and the identity of all parties involved. They shall maintain it as specified in this law and shall be made available if requested by the Unit, the supervisory authorities or other competent authorities.

#### **Article (34)**

Financial institutions and DNFBPs shall maintain records of the following information:

- (1) copies of documents verifying the identities of customers, beneficial owners, obtained in accordance with the provisions in this chapter, account files and business correspondence for a minimum of five years after the business relationship has ended or longer if requested by the competent authority in specific cases.
- (2) information obtained in accordance with the provisions in this chapter, to enable the tracing of transactions, attempted or executed by customers and

the written reports established in accordance with the provisions of this law for a minimum of five years following the attempt or execution of the transaction or longer if requested by the competent authority in specific cases. Financial institutions and DNFBNs shall ensure that the records and underlying information are readily available to the Unit and other competent authorities.

**Article (35)**

Financial institutions and DNFBNs shall develop and implement programs for the prevention of money laundering and terrorism financing. Such programs shall include the following:

- (1) internal policies, procedures, systems and controls, including sound implementation of program management arrangements, and appropriate employee screening procedures to ensure that they are appointed accordingly with the highest standards.
- (2) ongoing training for officers and employees to assist them in recognizing transactions and activities that may be linked to money laundering and terrorism financing and inform them of the procedures to be followed in such cases.
- (3) audit arrangements to check compliance with and effectiveness of the measures taken to apply this law.

**Article (36)**

Financial institutions and DNFBNs shall designate an officer at the level of department leadership to be responsible for overseeing implementation of this law within the institution.

**Article (37)**

The relevant supervisory authorities may by regulation determine the type and extent of measures to be taken by financial institutions, NPOs and DNFBNs, having regard to the requirements of this chapter.

**Article (38)**

Financial institutions shall require their foreign majority owned subsidiaries and branches to implement the requirements of this section except to the extent that local applicable laws and regulations prevent this. If the laws of the country where the majority owned subsidiary or branch is situated prevent compliance with these obligations, the financial institution shall so inform its supervisory authority.

**Article (39)**

Under no circumstance shall financial institutions, NPOs and DNFBNs, and their personnel disclose to their customer or a third party that information was provided to the Unit or that a report concerning suspected money laundering or terrorism financing will be, is being or has been submitted to the Unit or that a money laundering or terrorism financing investigation is being or has been carried out.

This shall preclude disclosures or communications regarding suspicious money laundering or terrorism financing between and among their directors, officers and employees, legal departments and appropriate competent authorities, while performing their duties.

**Article (40)**

Save the professional obligations stated in the Advocacy Act, issued by Law No. (23) of 2006, professional secrecy or requirements shall not be invoked as a ground not to provide information or documents, when requested, in accordance with the provisions of this law.

**Chapter 7****Supervisory Authorities****Article (41)**

A supervisory authority may issue or make regulations, directives, rules, guidelines, recommendations or other instruments, for the implementation of the provisions of this law and for the purpose of fighting against money laundering and terrorism financing.

**Article (42)**

The supervisory authorities shall supervise compliance by financial institutions, NPOs and DNFBPs with the requirements stipulated in this law.

They shall:

- (1) adopt necessary measures to establish fit and proper criteria for owning, controlling, or participating, directly or indirectly, in the directorship, management or operation of financial institutions.
- (2) regulate and supervise financial institutions, NPOs and DNFBPs for compliance with the obligations set out in this law, including through on-site examinations, and the request of documents, information, or records.
- (3) cooperate and share information with competent authorities, and provide assistance in evidence collection, prosecutions or proceedings relating to predicate offences, money laundering, and terrorism financing.
- (4) develop in cooperation with the Unit, standards applicable to the reporting of suspicious transactions that shall take into account pertinent national and international standards.
- (5) ensure that financial institutions and their foreign branches and majority owned subsidiaries adopt and enforce measures consistent with this law except to the extent that local laws and regulations prevent this.
- (6) report promptly to the Unit any information concerning suspicious transactions or information that could be related to money laundering or terrorism financing.
- (7) provide prompt and effective cooperation to counterpart agencies performing similar functions in other States, including exchange of information.
- (8) maintain statistics concerning measures adopted and sanctions imposed in the context of enforcing this law.

**Article (43)**

No one may operate as a DNFBP without prior registration by the relevant supervisory authority, taking into consideration legal regulations specific to each business and profession.

**Article (44)**

A supervisory authority, in case of a violation of the obligations established under this law by a financial institution, NPO, or DNFBP, made intentionally or by gross negligence, is evidenced, may impose one or more of the following measures and sanctions:

- (1) ordering regular reports on the measures it is taking.
- (2) ordering compliance with specific instructions.
- (3) sending written warnings.
- (4) replacing or restricting the powers of managers, board members, or controlling owners, including the appointing of ad hoc administrator.
- (5) barring individuals from employment within a business, profession or activity, either permanently or for a provisional period.
- (6) imposing supervision, suspending license, restricting or withdrawing any other form of permission and prohibiting the continuation of a business, profession or activity.
- (7) imposing financial penalty in an amount no greater than 10 million Rials.
- (8) any other measures.

The supervisory authority shall inform the Unit of the measures and sanctions imposed.

**Chapter 8**

**Investigation Procedures and Provisional Measures**

**Article (45)**

Investigation in money laundering crimes may be carried out independently from predicate offences.

**Article (46)**

The Public Prosecutor, or the authorised General Advocates, may issue an order to the financial institutions, DNFBPs, or NPOs to disclose or provide any information or data on any accounts, deposits, trusts, funds or other transactions that may assist in revealing the facts of any possible money laundering or terrorism financing crimes, or any related predicate offence.

**Article (47)**

The Public Prosecutor, or authorised General Advocates, may issue an order to seize all types of letters, printed materials, mail boxes, and telegrams and to control all communication means and record any activities taking place in public or private places if this assists in revealing the facts of any possible money laundering or terrorism financing crime, or any related predicate offence.

In all cases, the seizure order or the recording order shall be grounded on reasons and it shall not exceed ninety days. This term may only be extended pursuant to an order issued by the competent court.



**Article (48)**

Without prejudice to the authority of the Public Prosecutor set out in this law, in cases where there is a concern about the disposal of money laundering proceeds held at Financial Institutions, or where there is suspicion that funds, balances or accounts are being used in terrorism financing, the Governor of the Central Bank, may order the freezing of the suspected funds, balances or accounts for a period not exceeding ten business days. The Public Prosecutor shall be notified of such an order within three business days of its issuance, otherwise it shall be treated as void *ab initio*. The Public Prosecutor may cancel the freezing order or renew it for a period not exceeding three months.

The freezing order may not be renewed beyond the three months limit referred to except by order of the competent court at the request of the Public Prosecutor and the renewal shall be for a similar period or periods until a final judgment is passed in the criminal case.

In all cases, every party concerned may lodge a grievance against the freezing order or the renewal thereof before the competent court within 30 days from the date of his knowledge thereof, and the court ruling thereon shall be final.

**Article (49)**

Without prejudice to the rights of third parties acting in good faith, the Public Prosecutor may, at his discretion, impose temporary measures including freezing or seizing, intended to preserve the availability of funds, instrumentalities used or intended to be used in the commission of a predicate offence, a money laundering crime, or a terrorism financing crime, or any properties of corresponding value.

Such measures may be lifted at any time by the competent court at the request of the Public Prosecutor, or at the request of the suspects or persons claiming rights to these properties.

**Article (50)**

The Public Prosecutor shall issue the necessary orders for freezing the funds of terrorists, those who finance terrorism and terrorist organizations, designated by the United Nations Security Council acting pursuant to Chapter VII of the United Nations Charter, or designated by a resolution issued by the Combating of Terrorism Committee, formed under the Council of Ministers Resolution No.(7) of 2007, pursuant to UN Security Council Resolution (1373) of 2001 or subsequent resolutions.

The Public Prosecutor's decision shall define the terms, conditions and time limits applicable to the freezing, and shall be published in the Official Gazette. The financial institutions, designated non-financial businesses and professions, or any other person holding such funds shall immediately freeze them and report the freezing to the Unit or any competent authority.

**Article (51)**

Frozen funds shall remain the property of persons which had interest therein, when the freezing was imposed. The financial institution may continue the management thereof.

Seized funds shall remain the property of persons which had interest therein, when the seizure was signed, provided that they are managed by the competent judicial authority.

**Chapter 9**

**International Cooperation**

**Section: One**

**General Rules**

**Article (52)**

The competent authorities shall provide help to their competent counterpart authorities in other States for purposes of extradition and mutual legal assistance in connection with criminal investigations and proceedings related to money laundering and terrorism financing, according to the rules set by the aforementioned Code of Criminal Procedure, the bilateral or multilateral agreements, that Qatar is party thereto, or the reciprocity principle, and in such a way that does not contradict the basic principles of the State's legal system.

The request for criminal extradition or legal assistance shall only be executed, based on this law, unless the law of the requesting State and the laws of the State of Qatar penalize the crime, which is the subject of extradition request, or a similar crime. Dual criminality shall be deemed to have been fulfilled irrespective of whether the laws of the requesting State place the offence within the same category of offences or denominate the offence by the same terminology as in the State, provided the conduct underlying the offence for which request is presented is a criminal offence under the laws of the requesting States.

**Article (53)**

The Public Prosecutor has the authority and power to receive requests for mutual legal assistance or extradition requests sent by competent foreign authorities with respect to money laundering and terrorism financing, and he shall either execute them or refer them to the competent authorities for execution as soon as possible.

In urgent cases, such requests may be sent through the International Criminal Police Organization (ICPO/Interpol) or directly by the competent foreign authorities to the judicial authorities of the State. In such cases, the authority receiving the request shall notify the Public Prosecutor.

Requests and answers should be sent either by post or any other faster means that makes a written record or its equivalent obtainable under conditions allowing the State to establish authenticity.

In all cases, requests and their annexes shall be accompanied by a translation into Arabic.

#### **Article (54)**

Requests for legal assistance or extradition requests shall include the following:

- 1) the identity of the authority requesting the measures.
- 2) the name and function of the authority conducting the investigation, or prosecution.
- 3) the requested authority.
- 4) the purpose of the request and any relevant contextual remarks.
- 5) the facts supporting the request.
- 6) any known details that may facilitate identification of the person concerned, particularly his name, his marital status, his nationality, his address, his location and his occupation.
- 7) any information necessary for identifying and tailing the persons, tracking instrumentalities, funds or properties in question.
- 8) the legal text incriminating the act or, if required, a statement of the law applicable to the offence and any indication of the penalty that can be imposed against the offender.
- 9) the details of the assistance required and any specific procedures that the requesting State wishes to be applied.

In addition, to the preceding data, the request shall include in some specific cases, the following particulars:

- 1) a description of the measures sought in case of requests for provisional measures.
- 2) a statement of the relevant facts and arguments to enable the judicial authorities to order the confiscation under the law, this shall be sought in case of requests for the issuance of a confiscation order.
- 3) in case of requests for the enforcement of orders relating to provisional measures or confiscations:
  - a) a certified copy of the order, and a statement of the grounds for issuing the order if they are not indicated in the order itself.
  - b) a document certifying that the order is executable and is incontestable by the normal path of appeal.
  - c) an indication of the extent to which the order is to be enforced and the amount to be recovered from the value of properties.
  - d) any information concerning third-party rights in the instrumentalities, proceeds, properties or other things in question if such information is possible and appropriate.
  - e) the original copy of the judicial judgment, or a certified copy thereof or any other document indicating the conviction of the person accused and the sentence imposed, the fact that the sentence is enforceable and the extent to

which the sentence remains to be served, this is in case of requests for extradition of a person convicted of committing a crime.

**Article (55)**

The Public Prosecutor or the concerned competent authority may, out of its own motion or based on the request of the Public Prosecutor, request additional information from the competent foreign authority if such information is necessary to execute or facilitate the execution of the request.

**Article (56)**

It must be adhered to the confidentiality of the request if a condition to that effect is stipulated therein, and if that is not possible, the requesting authority shall be promptly informed thereof.

**Article (57)**

The Public Prosecutor may delay the referral of the request to the competent authorities responsible for the execution of the request if the measure or order sought is likely to substantially interfere with an ongoing investigation or a pending case. Consequently, the requesting authority shall immediately be informed of such delay.

**Section: Two**

**Mutual Legal Assistance**

**Article (58)**

If a foreign State requests mutual legal assistance in connection with money laundering or terrorism financing, the request shall be executed in accordance with the principles set out in this chapter. The mode of mutual legal assistance, in particular, may include the following:

- 1) obtaining evidence or statements from persons.
- 2) assistance in making detained persons, voluntary witnesses or others appear before the judicial authorities of the requesting State in order to give evidence or assist in investigations.
- 3) delivering of judicial papers.
- 4) executing searches and seizures.
- 5) examining objects and sites.
- 6) providing information, evidentiary items and experts reports.
- 7) providing originals or certified copies of relevant documents and records, including government, bank, financial, companies and business records.
- 8) identifying or tracking the proceeds of crime, funds or property or instrumentalities or other things for evidentiary or confiscation purposes.
- 9) confiscation of assets.
- 10) execution of freezing and other provisional measures.
- 11) any other form of mutual legal assistance which is not contrary to the laws in force in the State.

**Article (59)**

A request for mutual legal assistance shall not be refused except in the following cases:

- 1) If it was not made by a competent authority according to the law of the requesting State, or if it was not sent in accordance with applicable laws or if its contents are in substantial non-conformity with Article (54) of this law.
- 2) If its execution is likely to prejudice the security, sovereignty, public order or fundamental interests of the State.
- 3) If the offence to which the request relates is the subject of criminal case, which is pending or has already been adjudicated upon by a final judgment in the State.
- 4) If there are substantial grounds for believing that the measure or order being sought is directed at the person in question solely on account of that person's race, religion, nationality, ethnic origin, political opinions, gender or status.
- 5) If the offence referred to in the request is not provided for under the laws of the State or does not have features in common with an offence provided for under the law of the State; however, assistance shall be otherwise granted if it does not entail coercive measures.
- 6) If it is not possible to issue an order to take or execute the measures requested by reason of the rules of prescription applicable to money laundering or terrorism financing under the legislation of the State or the law of the requesting State.
- 7) If the order whose execution is being requested is not enforceable under the law.
- 8) If the decision rendered in the requesting State was issued under conditions that did not afford sufficient protections with respect to the rights of the accused.

**Article (60)**

No request for mutual legal assistance shall be refused on the basis of unduly restrictive conditions, or on the basis of confidentiality provisions which bind the financial institutions, or for the sole ground that the offence involves fiscal matters.

The decision passed by a court, in relation to a request for mutual legal assistance shall be subject to appeal, in accordance with prescribed legal rules.

In case of refusal to execute the request, the Public Prosecutor or the competent authority in the State shall promptly inform the foreign competent authority of the grounds for refusal.

**Article (61)**

Requests for Investigative measures shall be undertaken in conformity with the procedural rules of the State, unless the competent foreign authority has requested specific procedures which are not contrary to such rules to be followed.

A public official authorised by the competent foreign authority may attend the implementation of the measures.

**Article (62)**

Requests for taking provisional measures shall be executed in accordance with the above-mentioned Code of Criminal Procedure. If the request is worded in general terms, the most appropriate measures provided by law`

Should the requested measures are not provided for in the aforementioned Code of Criminal Procedure, the competent authority may substitute those measures with measures provided for in that Code, which have effects corresponding most closely to the requested measures.

The provisions relating to the lifting of provisional measures as stipulated in this law shall be applicable. Before lifting the provisional measures, the requesting State should be informed thereof.

**Article (63)**

In case of a request for mutual legal assistance seeking a confiscation order, the competent authorities shall recognize the confiscation order made by a court of the requesting State or refer the request to the Public Prosecution for issuing the confiscation order and the execution thereof if such order has been issued.

The confiscation order shall apply to the funds referred to in the confiscation provisions of this law, and existing in the territory of the State.

Where the competent authorities recognize and enforce a confiscation order, they shall be bound by the findings of facts on which the order is based.

**Article (64)**

Without prejudice to the rights of a *bonafide* owner, the State shall have power of disposal of properties confiscated on its territory at the request of foreign authorities, unless an agreement concluded with the requesting State provides otherwise.

**Article (65)**

The competent authorities of the State may enter into bilateral or multilateral agreements or arrangements, in relation to matters that are the subject of investigations or proceedings in one or more States, in order to set up joint investigative teams and conduct joint investigations.

In the absence of such agreements or arrangements joint investigations may be undertaken on a case by case basis.

## **Section : Three**

### **Criminals' Extraditions**

#### **Article (66)**

Money laundering and terrorism financing shall be considered as an extraditable offence.

For the purposes of this law, money laundering and terrorism financing shall not be regarded as political offences, or offences connected with a political offence, or offences inspired by political motives.

#### **Article (67)**

Extradition shall not be granted in the following cases:

- 1) If there are substantial grounds to believe that the request for extradition has been made for the purpose of prosecuting or punishing a person on account of that person's sex, race, religion, nationality, ethnic origin or political opinions or that compliance with the request would cause prejudice to that person's position for any one of these reasons.
- 2) If a final judgment has been rendered in the State in respect of the offence for which extradition is requested.
- 3) If the person whose extradition is requested has, under the legislation of either country, become immune from prosecution or punishment for any reason, including elapse of time or amnesty.
- 4) If there are substantial grounds to conclude that the person whose extradition is requested has been or would be subjected to torture or cruel, inhuman or degrading treatment or if that person has not received or would not receive the minimum guarantees in criminal proceedings, pursuant to international standards in that regard.
- 5) the person whose extradition is requested is a Qatari citizen.

Extradition shall not be refused on the sole ground that the offence is considered to entail fiscal matters.

#### **Article (68)**

Extradition may be refused if:

- 1) a prosecution in respect of the offence for which extradition is requested is pending in the State against the person whose extradition is requested.
- 2) the offence for which extradition is requested has been committed outside the territory of either country and the legislation of the State does not provide for jurisdiction over offences committed outside its territory for the offence which gave rise to the request.
- 3) the person whose extradition is requested has been sentenced for the conduct which gives rise to the request or would be liable to be tried or sentenced in the requesting State by an irregular or fundamentally unfair extraordinary or ad hoc court or tribunal.
- 4) the State, while also taking into account the nature of the offence and the interests of the requesting State, considers that, in the circumstances of the case, the extradition of the person in question would be incompatible with humanitarian considerations in view of the age, health or other personal circumstances of that person.

- 5) the extradition is requested pursuant to a final judgment rendered in the absence of the convicted person who, for reasons beyond his control, has not had sufficient notice of the trial or the opportunity to arrange for his defence and he has not had or will not have the opportunity to have the case retried in his presence.
- 6) the State has assumed jurisdiction over the offence.

**Article (69)**

If extradition is refused on either of the grounds stated in this law, the case shall be referred to the competent authorities in order to institute criminal proceedings against the person concerned in respect of the offence which gave rise to the request.

**Article (70)**

With regard to money laundering and terrorism financing, the State may assist in extradition after receipt of a request for provisional arrest by the requesting State, provided that the person whose extradition is requested explicitly consents before a competent authority.

**Chapter 10**

**Penalties**

**Article (71)**

The money laundering crime does not fall within the provisions of Article (85) of the afore-mentioned Penal Code.

**Article (72)**

Without prejudice to a more severe punishment prescribed under any other law:

- 1- Any one who commits, or attempts to commit one of the terrorism financing crimes stipulated in Article (4) of this law shall be sentenced to imprisonment for a term not exceeding ten years and a fine not exceeding 2.000.000 Riyals.
- 2- Any one who commits, or attempts to commit one of the money laundering crimes stipulated in Article (2) of this law shall be sentenced to imprisonment for a term not exceeding seven years and by a fine not exceeding 2.000.000 Riyals.
- 3- Any one who violates the provisions of Articles (3), (5), and (39) of this law shall be sentenced to imprisonment for a term not exceeding three years and by a fine not exceeding 500,000 Riyals.

The penalties stipulated under the previous paragraphs shall be doubled if the criminal was assisted in the commitment of his crime by one or more persons or by an organised criminal gang, or through a terrorist organization; or if the



crime was committed as part of other criminal acts; or if it is associated with other criminal activities; or if the criminal committed the crime by abusing his authority or powers in a financial institution, NPO or DNFBP, or by abusing the facilities offered through his job position or his professional or social activity; or if the criminal has taken part in the predicate offence from which the funds of the money laundering crime derive, whether as committer or partner, or for the intention to hinder the investigation of the money laundering and terrorism financing crime.

In addition to the penalties mentioned in the above two paragraphs, the perpetrator of a crime may be barred from employment within a business, profession or activity, which contributed in presenting the opportunity to commit a crime provided for in this article, either permanently or for a provisional period.

#### **Article (73)**

Without prejudice to a more severe punishment prescribed under any other law, any one who breaches the provisions of Article (6), paragraphs (1) and (2), and Article (17) of this law shall be sentenced to imprisonment for a term not exceeding three years and a fine not exceeding 500,000 Riyals.

#### **Article (74)**

Without prejudice to a more severe punishment prescribed under any other law, any one who breaches the provision of Article (8) of this law shall be sentenced to imprisonment for a term not exceeding one year and a fine not exceeding 100,000 Riyals.

#### **Article (75)**

Without prejudice to a more severe punishment prescribed under any other law, a legal person, on whose behalf or for whose benefit money laundering or terrorism financing has been committed by any natural person, acting either individually or as part of an organ of the legal person, who has a leading position within it, based on a power of representation of the legal person, an authority to take decisions on behalf of the legal person, or an authority to exercise control within the legal person, acting in such capacity, shall be punished by a fine not less than 5 million Riyals or equivalent to the total value of the instrumentalities and the proceeds of the crime, irrespective of the conviction of the natural person as perpetrator of the offence.

The above does not prevent the punishment of the natural person, perpetrator of the crime with the corresponding sanction prescribed by the law.

A legal person may additionally be barred permanently or for a provisional period from directly or indirectly carrying on certain business activities, placed under court supervision; ordered to close, permanently or for a provisional period, its premises which were used for the commission of the offence; wound up; or ordered to publicise the judgment issued in relation thereto.

#### **Article (76)**

Without prejudice to a more severe punishment prescribed under any other law, every financial institution, or DNFBP shall be punished by a fine not

exceeding 1.000.000 Riyals, if it violates the provision of Article (50) of this law.

#### **Article (77)**

In the event of a conviction for a predicate offence, a money laundering or a terrorism financing crime, or an attempt to commit such an offence, without prejudice to the rights of *bona fide* third parties, an order shall be issued by the court for the confiscation of:

- 1) funds constituting the proceeds of crime, including properties intermingled with such proceeds or derived from or exchanged for such proceeds, or properties the value of which corresponds to that of such proceeds.
- 2) funds forming the object of the offence.
- 3) funds constituting income and other benefits obtained from such funds or properties, or proceeds of crime.
- 4) instrumentalities of the crime.
- 5) funds referred to in this article that have been disposed of and transferred to any party, unless the court finds that the owner acquired them by paying a fair price or in return of services corresponding to their value or on any other legitimate grounds, and that he was unaware of its illicit origin.

If, in cases where an offence is established by the provisions of this law, the perpetrator thereof has not been convicted because he is unknown, or he died, the Public Prosecution may nevertheless submit the file to the competent court to order the confiscation of the seized funds if sufficient evidence is adduced that they constitute proceeds of crime.

In all cases, the confiscation order shall specify the relevant funds and contain the necessary details to identify and locate these funds.

#### **Article (78)**

Without prejudice to the rights of *bona fide* third parties, a contract, arrangement, or any other legal instrument, shall become null and void if its parties or any party becomes aware or believes that the purpose of the contract is to avoid confiscation of the instrumentalities, returns or proceeds related to either a money laundering or a terrorism financing crime.

#### **Article (79)**

Unless otherwise provided for in this law, confiscated funds shall accrue to the State Treasury. Such funds shall remain encumbered, up to their value, by any rights lawfully established in favour of third parties acting in good faith.

#### **Article (80)**

An office for seizure and confiscation shall be established and directly affiliated to the Public Prosecutor. It shall be responsible for identifying and tracing funds that may be subject to seizure and confiscation. It shall collect and maintain all data associated with its mission in accordance with the law. It shall also manage seized assets.

#### **Article (81)**

The office for seizure and confiscation shall be responsible for the administration or management of seized assets in accordance with the feasible means available to it, with a view to returning or confiscating such assets in a condition reasonably comparable to their condition at the time of

the seizure. The Public Prosecutor may authorise the sale of funds or properties likely to incur significant depreciation as a result of management or for which the cost of preservation is unreasonably disproportional to its value. In such case, the value of the sale shall remain subject to the seizure.

The office for seizure and confiscation shall manage the sums of money seized unless they were already entrusted to a financial institution or private manager or were seized or withheld there.

#### **Article (82)**

Every person, who reports, in good faith, any suspicious transaction covered under the provisions of this law or submits any information or data on suspicious transactions is exempted from criminal or civil liability for breach of professional secrecy requirements.

No criminal action for money laundering or terrorism financing shall be brought against financial institutions, designated non-financial businesses and professions, NPOs or their personnel in connection with the execution of a suspicious transaction where reports of suspicions were made in good faith in accordance with this law.

#### **Article (83)**

A perpetrator of money laundering or terrorism financing crime shall be exempted from the punishments of imprisonment and fine payment stipulated under this law if he notifies the competent authorities of any information related to the crime and involved persons, before they become aware of the crime.

If the notification takes place after the competent authorities have become aware of the crime and the involved persons, which led to the detention of the remaining criminals and the confiscation of the instrumentalities and the proceeds, the court may issue a judgment suspending the imposition of the punishment.





## **Annex 45**

State of Qatar, Decree No. 11 of 2017 to Amend Law No. 3 of 2004 (13 July 2017)



**Decree Law no. (11) of 2017**  
**On Amendment of Some Provisions of Law no. (3) of the year 2004**  
**On Combating Terrorism**

**We, Tamim bin Hamad Al Thani**

**Amir of the State of Qatar,**

Having perused the Constitution; and

Law no. (10) of the year 2002 on the General Prosecution, as amended by Law no. (4) of the year 2005;  
and

Law no. (3) of the year 2004 on Combating Terrorism; and

The Penal Code promulgated by Law no. (11) of the year 2004 and the laws promulgated in amendment thereto; and

The Code of Criminal Procedure promulgated by Law No. (23) of the year 2004 and the laws promulgated in amendment thereto; and

The Law on Combating Money Laundering and Financing of Terrorism promulgated by Law no. (4) of the year 2010; and

Based on the recommendation of the Minister of Interior, and

The draft law presented by the Council of Ministers,

**Have enacted the following Law:**

**Article (1)**

The text of Articles (1) and (2) of the afore-referenced Law no. (3) of the year 2004 shall be replaced by the following:

**Article (1):**

“In applying the provisions of this Law, the following words and terms shall have the meanings ascribed thereto as shown opposite each word or term, unless the context requires otherwise:

- 1. Crimes of terrorism:** Every crime provided in this Law and every felony provided in the Penal Code or any other law that is committed using one of the means of terrorism or with the aim of executing or carrying out an act of terrorism or to call to or threaten with the commission of any of the above crimes.
- 2. Act of terrorism:** Any use of force, violence, threat, or intimidation inside or outside the country with the aim of disabling the provisions of the Constitution or the law, to violate the public order, expose the safety or security of society to danger, or do damage to the national unity, if such use leads or may lead to harming or frightening people or exposing their lives, freedoms, or security to threats; causing harm to the environment, public health, the national economy, public or private utilities, facilities, or property or seizing or hindering the operation thereof; preventing the public authorities from or hindering them in the performance of their duties; or in accordance with the agreements and treaties ratified by the State.



- 3. Terrorist:** Every natural person who commits, attempts to commit, or incites, threatens, or plans the commission of a terrorist crime inside or outside the country by any means whatsoever, whether solely or within the framework of a common terrorist project; facilitates the travel of individuals to another state for the purpose of committing a terrorist act; prepares for, participates in, or provides or receives training for terrorist acts; assumes leadership, command, or management of or founds or becomes a member of or finances any terrorist entity; or knowingly participates in the activity of a terrorist entity.
- 4. Terrorist entities:** Organizations, groups, gangs, or other groups, whatever their legal or real form, that engage in, or whose purpose is to encourage, by any means, inside or outside the country, the commission or attempted commission of terrorist crimes.
- 5. Funds:** Assets, property, or economic resources of any kind, whether tangible or intangible, movable or immovable, and rights thereto; liquid financial assets; and all legal instruments whatever their form, including bonds, shares, or digital or electronic copies of any of the above, whether inside or outside the State.
- 6. Freezing:** Prohibition of transfer, exchange, or disposition of funds, or movement or transport of the same, based on a listing decision issued by the Prosecutor General throughout the period of validity of the said decision.

- 7. Financing of terrorism:** Collecting, receiving, possessing, supplying, transporting, or providing funds, weapons, ammunition, explosives, supplies, machines, data, information, materials, or safe harbor to one or more terrorists, and any person who finances any such terrorist through one of the above means or otherwise, directly or indirectly, in any way whatsoever; or attempting to do so, with the intent of using some or all such financing in the commission of a terrorist crime or with the knowledge that such financing will be used in the commission of a terrorist act or by a terrorist or terrorist group.”

**Article (2):**

“The terrorist crimes provided for in the previous Article shall be punishable by the following penalties instead of the established penalties therefor:

1. Death, if the established penalty for the crime is life imprisonment;
2. Life imprisonment, if the established penalty for the crime is imprisonment for a period of not less than fifteen years;
3. Imprisonment for a period of not less than fifteen years, if the established penalty for the crime is imprisonment for a period of not less than ten years; or
4. The maximum penalty established for the crime if the penalty is imprisonment for a period of less than ten years.”

**Article (2)**

The following shall be added to the afore-referenced Law no. (3) of the year 2004:

**Article (21 bis):**

Two lists shall be created which shall be named the "Terrorist List" and the "Terrorist Entities List."

**Article (21 bis/1):**

The Prosecutor general shall list, in the two lists referred to in the previous Article, the following:

- a. Every person against whom, and entity against which, a final court judgment has been issued that applies thereto the criminal description provided for in Article (1) of the Law;
- b. Every person and entity listed in the lists of terrorist persons and entities by decision of the Security Council in application of Chapter VII of the Charter of the United Nations;
- c. Every person and entity, at the request of the competent authorities, in any of the following cases:
  1. If documented security or intelligence information is available that indicates that the person or entity has committed terrorist or associated acts or threatened to commit such acts; planned, sought, promoted, or incited the commission of such acts; trained or facilitated the travel of individuals to another state for the purpose of committing, arranging, preparing, or participating in terrorist acts; or financed terrorism;

2. If the person or entity commits an armed or unarmed terrorist act against the State or its interests abroad; or
3. If the person or entity confesses to or publicly claims responsibility for, threatens, incites to, or promotes a terrorist crime.

**Article (21 bis/2):**

Listing in either of the two Lists referred to in the cases provided for in Items (1), (2), and (3) of Article (21 bis/1) shall be for a period not longer than three years. If this period expires without the issuance of a final judgment to apply the criminal attribute provided for in Article (1) of this Law to the listed person or entity, the Prosecutor General shall present the matter to the Criminal Division of the Court of Appeals, which shall be convened in the Consultative Chamber, to consider extending the listing for one or more identical periods; otherwise, he must remove the name from the list from the date on which such period expires.

The Prosecutor General, during the listing period, may remove the name of a listed person or entity from the list if significant evidence exists that the reason for such listing is invalid.

Every concerned party shall be informed of the relevant decisions for listing, extension, and removal of listing.

**Article (21 bis/3):**

The relevant parties may challenge the decision issued with respect to listing, extension of listing, or removal of the name in either of the two aforementioned lists before the Criminal Division of the Court of Cassation within sixty days from the date of notice in accordance with the established procedures for filing challenges before it.

**Article (21 bis/4):**

The following effects shall arise from the listing decision and shall continue throughout the duration of its effectiveness:

**I. For terrorist persons:**

1. Listing on the travel ban list and arrival watch list, or prevention of non-Qataris from entering the State unless wanted by the official bodies and authorities therein;
2. Withdrawal or cancellation of passports or denial of issuance of new passports;
3. Disqualification from assuming public or prosecutorial positions or posts; and
4. Freezing of the terrorist's funds.

**II. For terrorist entities:**

1. Prohibition of the terrorist entity;
2. Closure of the places allocated thereto and prohibition of its meetings;
3. Prohibition on direct and indirect financing and raising funds and objects for the entity;
4. Freezing of the funds and property owned by the entity or its members; and
5. Prohibition of joining or recruiting for, promoting, or using the slogans of the entity.

In all cases where the nature of the frozen assets requires the appointment of an administrator, the court judgment shall specify the person who shall be the administrator, after consulting with the Prosecutor General.

**Article (3)**

The competent authorities, each within its area of competence, shall implement this Law, which shall be in effect on the day following its publication in the Official Gazette.

**Tamim bin Hamad Al Thani**

**Amir of the State of Qatar**

Promulgated at the Amiri Diwan on 19/10/1438H

Corresponding to 07/13/2017G

مرسوم بقانون رقم (١١) لسنة ٢٠١٧  
بتعديل بعض أحكام القانون رقم (٣) لسنة ٢٠٠٤  
بشأن مكافحة الإرهاب

نحن تميم بن حمد آل ثاني أمير دولة قطر ،

بعد الاطلاع على الدستور ،  
وعلى القانون رقم (١٠) لسنة ٢٠٠٢ بشأن النيابة العامة ، المعدل بالقانون رقم  
(٤) لسنة ٢٠٠٥ ،

وعلى القانون رقم (٣) لسنة ٢٠٠٤ بشأن مكافحة الإرهاب ،  
وعلى قانون العقوبات الصادر بالقانون رقم (١١) لسنة ٢٠٠٤ ، والقوانين  
المعدلة له ،

وعلى قانون الإجراءات الجنائية الصادر بالقانون رقم (٢٣) لسنة ٢٠٠٤ ،  
والقوانين المعدلة له ،

وعلى قانون مكافحة غسل الأموال وتمويل الإرهاب الصادر بالقانون رقم (٤)  
لسنة ٢٠١٠ ،

وعلى اقتراح وزير الداخلية ،

وعلى مشروع القانون المقدم من مجلس الوزراء ،

قررنا القانون الآتي :

مادة (١)

يُستبدل بنصي المادتين (١) ، (٢) من القانون رقم (٣) لسنة ٢٠٠٤ المشار إليه ، النصان التاليان :

مادة (١) :

" في تطبيق أحكام هذا القانون يكون للكلمات والعبارات التالية ، المعاني الموضحة قرين كل منها ، ما لم يقتض السياق معنى آخر :

١- الجرائم الإرهابية : كل جريمة منصوص عليها في هذا القانون وكل جنابة منصوص عليها في قانون العقوبات أو في أي قانون آخر ، ترتكب باستخدام إحدى وسائل الإرهاب أو بقصد تحقيق أو تنفيذ عمل إرهابي أو بقصد الدعوة إلى ارتكاب أي جريمة مما تقدم أو التهديد بها .

٢- العمل الإرهابي : كل استعمال للقوة أو العنف أو التهديد أو الترويع في الداخل أو الخارج ، بغرض تعطيل أحكام الدستور أو القانون أو الإخلال بالنظام العام أو تعريض سلامة المجتمع وأمنه للخطر أو الإضرار بالوحدة الوطنية ، إذا أدى ذلك أو كان من شأنه أن يؤدي ، إلى إيذاء الناس أو تسبب الرعب لهم أو تعريض حياتهم أو حرياتهم أو أمنهم للخطر ، أو إلحاق الضرر بالبيئة ، أو الصحة العامة ، أو الاقتصاد الوطني ، أو المرافق أو المنشآت أو الممتلكات العامة أو الخاصة أو الاستيلاء عليها أو عرقلة أداؤها لأعمالها ، أو منع أو عرقلة السلطات العامة عن ممارسة أعمالها أو وفقاً للمعاهدات والاتفاقيات التي صادقت عليها الدولة .



٣- الإرهابي : كل شخص طبيعي ارتكب أو شرع في ارتكاب أو حرض أو هدد أو خطط في الداخل أو الخارج لجريمة إرهابية ، بأية وسيلة كانت ، بشكل منفرد أو ساهم فيها في إطار مشروع إجرامي مشترك ، أو سهل سفر أفراد إلى دولة أخرى بغرض ارتكاب أعمال إرهابية ، أو تدبيرها ، أو الإعداد لها ، أو المشاركة فيها ، أو توفير تدريب على أعمال الإرهاب ، أو تلقي ذلك التدريب ، أو تولي قيادة أو زعامة أو إدارة أو إنشاء أو تأسيس أو الاشتراك في عضوية أي من الكيانات الإرهابية ، أو قام بتمويلها ، أو ساهم في نشاطها مع علمه بذلك .

٤- الكيانات الإرهابية : المنظمات أو الجماعات أو العصابات أو غيرها من التجمعات ، أياً كان شكلها القانوني أو الواقعي ، متى مارست أو كان الغرض منها الدعوة بأية وسيلة في داخل أو خارج الدولة إلى ارتكاب أو محاولة ارتكاب الجرائم الإرهابية .

٥- الأموال : الأصول أو الممتلكات أو الموارد الاقتصادية أياً كان نوعها سواء مادية أو غير مادية ، منقولة أو ثابتة ، عينية أو غير عينية ، وكافة الحقوق المتعلقة بها ، والأموال النقدية السائلة وجميع المستندات والصكوك القانونية أياً كان شكلها بما في ذلك السندات أو الأسهم أو الصور الرقمية أو الإلكترونية المثبتة لأي مما تقدم ، سواء كانت موجودة داخل الدولة أو خارجها .

٦- التجميد : حظر تحويل الأموال أو تبديلها أو التصرف فيها أو تحريكها أو نقلها ، استناداً إلى قرار الإدراج الصادر عن النائب العام وذلك طوال مدة سريان القرار .

٧- تمويل الإرهاب : جمع أو تلقي أو حيازة أو إمداد أو نقل أو توفير أموال أو أسلحة أو ذخائر أو مفرقات أو مهمات أو آلات أو بيانات أو معلومات أو مواد أو ملاذ آمن لإرهابي أو أكثر أو لمن يقوم بتمويله بأي من الطرق المتقدم ذكرها أو غيرها ، بشكل مباشر أو غير مباشر ، وبأي وسيلة كانت ، أو الشروع في ذلك ، وذلك بقصد استخدامها كلها أو بعضها في ارتكاب أي جريمة إرهابية ، أو العلم بأنها ستستخدم كلياً أو جزئياً في تنفيذ عمل إرهابي أو من قبل إرهابي أو كيان إرهابي . "

#### مادة (٢) :

" يُعاقب على الجرائم الإرهابية المنصوص عليها في المادة السابقة بالعقوبات التالية بدلاً من العقوبات المقررة لها :

- ١- الإعدام ، إذا كانت العقوبة المقررة للجريمة هي الحبس المؤبد .
- ٢- الحبس المؤبد ، إذا كانت العقوبة المقررة للجريمة هي الحبس مدة لا تقل عن خمس عشرة سنة .
- ٣- الحبس الذي لا يقل عن خمس عشرة سنة ، إذا كانت العقوبة المقررة للجريمة الحبس مدة لا تقل عن عشرة سنوات .
- ٤- الحد الأقصى للعقوبة المقررة للجريمة ، إذا كانت هذه العقوبة هي الحبس مدة تقل عن عشر سنوات . "

## مادة (٢)

يُضاف إلى القانون رقم (٣) لسنة ٢٠٠٤ المشار إليه ، النصوص التالية :

### مادة (٢١ مكرراً) :

تُنشأ قائمتان تُسميان " قائمة الإرهابيين " و " قائمة الكيانات الإرهابية " .

### مادة (٢١ مكرراً/١) :

يُدرج النائب العام على القائمتين المشار إليهما في المادة السابقة :

أ- كل شخص أو كيان صدر ضده حكم قضائي نهائي يسبغ عليه الوصف الجنائي المنصوص عليه في المادة (١) من هذا القانون .

ب- كل شخص أو كيان يصدر بإدراجه على قوائم الأشخاص والكيانات الإرهابية قرار من مجلس الأمن عملاً بالفصل السابع من ميثاق الأمم المتحدة .

ج- كل شخص أو كيان ، بناءً على طلب الجهات المختصة ، في أي من الحالات الآتية :

١- إذا توفرت معلومات أمنية أو استخباراتية موثقة على القيام بأعمال إرهابية أو أعمال مرتبطة بها أو التهديد بارتكابها أو التخطيط أو السعي لارتكابها أو الترويج لها أو التحريض عليها ، أو تدريب الأفراد أو تسهيل سفرهم إلى دولة أخرى بغرض ارتكاب أعمال إرهابية أو تدبيرها أو الإعداد لها أو المشاركة فيها أو تمويل الإرهاب .

- ٢- إذا قام الشخص أو الكيان بعمل إرهابي مسلح أو غير مسلح ضد الدولة أو مصالحها في الخارج .
- ٣- إذا اعترف الشخص أو الكيان أو تبني جريمة إرهابية علناً أو هدد بها أو حرض عليها أو روج لها علناً .

#### مادة (٢١ مكرراً/٢) :

يكون الإدراج على أي من القائمتين المشار إليهما في الحالات المنصوص عليها في البنود (١،٢،٣) من المادة (٢١ مكرراً /١) لمدة لا تتجاوز ثلاث سنوات ، فإذا انقضت هذه المدة دون صدور حكم نهائي بإسباغ الوصف الجنائي المنصوص عليه في المادة (١) من هذا القانون على الشخص أو الكيان المدرج ، تعين على النائب العام العرض على الدائرة الجنائية بمحكمة الاستئناف منعقدة في غرفة المشورة ، للنظر في مد الإدراج لمدة أو لمدد أخرى ماثلة ، وإلا وجب عليه رفع الاسم من القائمة من تاريخ انقضاء تلك المدة .

وللنائب العام خلال مدة الإدراج أن يرفع اسم الشخص أو الكيان المدرج على القائمة ، إذا قامت دلائل جديدة على انتفاء أسباب الإدراج .

ويُعلن ذوي الشأن بقرار الإدراج وقرار مد مدته وقرار رفع الاسم .

#### مادة (٢١ مكرراً/٣) :

لذوي الشأن الطعن في القرار الصادر بشأن الإدراج على أي من القائمتين المشار إليهما ، أو مد مدته ، أو رفع الاسم ، أمام الدائرة الجنائية بمحكمة التمييز ، خلال ستين يوماً من تاريخ الإعلان ، وذلك وفقاً للإجراءات المقررة للطعن أمامها .

### مادة (٢١ مكرراً/٤) :

يترتب على قرار الإدراج وطوال مدة سريانه الآثار الآتية :

أولاً : بالنسبة للأشخاص الإرهابيين :

- ١- الإدراج على قوائم المنع من مغادرة الدولة وترقب الوصول ، أو منع غير القطري من دخول الدولة ما لم يكن مطلوباً للجهات أو السلطات العامة فيها .
- ٢- سحب جواز السفر أو إلغائه ، أو منع إصدار جواز سفر جديد .
- ٣- عدم الأهلية لتولي الوظائف والمناصب العامة أو النيابة .
- ٤- تجميد أموال الإرهابي .

ثانياً : بالنسبة للكيانات الإرهابية :

- ١- حظر الكيان الإرهابي .
- ٢- غلق الأماكن المخصصة له ، وحظر اجتماعاته .
- ٣- حظر تمويل أو جمع الأموال أو الأشياء للكيان سواء بشكل مباشر أو غير مباشر .
- ٤- تجميد الأموال المملوكة للكيان ، أو لأعضائه .
- ٥- حظر الانضمام للكيان أو الدعوة إلى ذلك ، أو الترويج له ، أو رفع شعاراته .

وفي جميع الأحوال التي تقتضي فيها طبيعة الأموال المجمدة تعيين من يديرها ، يجب أن يُحدد قرار المحكمة المختصة من يتولى ذلك بعد أخذ رأي النائب العام .

مادة (٣)

على جميع الجهات المختصة ، كل فيما يخصه ، تنفيذ هذا القانون .  
ويُعمل به من اليوم التالي لتاريخ نشره في الجريدة الرسمية .

تميم بن حمد آل ثاني  
أمير دولة قطر

صدر في الديوان الأميري بتاريخ: ١٩/١٠/١٤٣٨هـ  
الموافق: ١٣/٧/٢٠١٧م



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**CERTIFICATION**

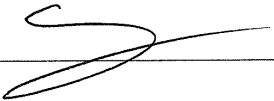
This is to certify that the attached translation is, to the best of my knowledge and belief, a true and accurate translation from Arabic into English of the attached Decree Law no. (11) of 2017.

  
\_\_\_\_\_

David Rene, Project Manager  
Geotext Translations, Inc.

Sworn to and subscribed before me  
this 16th day of February, 20 19.

HOA WIN LY  
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## **Annex 46**

U.S. Department of State, *Global Counterterrorism Forum Co-Chairs: About the Global Counterterrorism Forum (GCTF)* (23 Sept. 2014), available at <https://www.state.gov/j/ct/rls/fs/fs/232003.htm>



# U.S. Department of State Diplomacy in Action

## Global Counterterrorism Forum Co-Chairs': About the Global Counterterrorism Forum (GCTF)

Fact Sheet

BUREAU OF COUNTERTERRORISM

September 23, 2014

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The GCTF is an informal, multilateral counterterrorism (CT) platform that focuses on identifying critical civilian CT needs, mobilizing the necessary expertise and resources to address such needs and enhance global cooperation. Launched at a ministerial meeting in New York on 22 September 2011, the Forum, with its 30 founding members (29 countries and the European Union), regularly convenes key CT policymakers and practitioners from nations around the world, as well as experts from the United Nations and other multilateral bodies. It has strengthened the international architecture for addressing 21st century terrorism and is promoting a strategic, long-term approach to dealing with the threat. The Forum identifies urgent needs, devises solutions, and mobilizes resources for addressing key CT challenges facing civilian institutions. With its primary focus on countering violent extremism and strengthening criminal justice and other rule of law institutions that deal with terrorism, the GCTF aims to diminish terrorist recruitment and increase countries' capabilities for dealing with terrorist threats within their borders and regions.

### MEMBERS AND PARTNERS

The 30 founding members of the GCTF are: Algeria, Australia, Canada, China, Colombia, Denmark, Egypt, the European Union (EU), France, Germany, India, Indonesia, Italy, Japan, Jordan, Morocco, the Netherlands, New Zealand, Nigeria, Pakistan, Qatar, Russia, Saudi Arabia, South Africa, Spain, Switzerland, Turkey, the United Arab Emirates (UAE), the United Kingdom (UK), and the United States. Additionally, some 40 non-member states and dozens of non-member international, regional, sub-regional, and non-governmental organizations have participated in one or more GCTF activities.

The United Nations is a close partner of the GCTF and a regular participant in its activities. The GCTF takes as a central part of its mission the implementation of the UN Global Counter-Terrorism Strategy. More broadly, the GCTF's work complements and reinforces existing multilateral CT efforts, including those of the UN and relevant regional organizations.

### STRUCTURE

The GCTF consists of a strategic-level Coordinating Committee, co-chaired by the United States and Turkey; five thematic and regional expert-driven working groups; and a small administrative unit. The working groups focus on: 1) *the criminal justice sector and rule of law*, co-chaired by Egypt and the United States; 2) *countering violent extremism (CVE)*, co-chaired by the UAE and the UK; 3) *detention and reintegration*, co-chaired by Australia and Indonesia; 4) *capacity building in the Sahel region*, co-chaired by Algeria and Canada; and 5) *capacity building in the Horn of Africa region*, co-chaired by the EU and Turkey.

### ACCOMPLISHMENTS

## Annex 46

- The mobilization of more than \$250 million to support CT-related strengthening of criminal justice systems, including the training of prosecutors, police, judges, and corrections officials, with a particular focus on countries in transition.
- The December 2012 launch in Abu Dhabi of *Hedayah*, the first-ever international center of excellence for training, dialogue, research, and collaboration on CVE.
- The June 2014 launch of the International Institute for Justice and the Rule of Law (IJJ) in Valletta, Malta, which is dedicated to providing criminal justice officials from across North, West, and East Africa and the Middle East with human rights-compliant training to address terrorism and related security challenges within a rule of law framework.
- The September 2014 establishment in Geneva of the Global Fund on Community Engagement and Resilience (GCERF), the first-ever public-private global fund to support local, grass-roots efforts to counter violent extremism.
- The adoption of framework documents designed to serve as practical guides for rule of law-based CT capacity-building activities and implementing CT good practices at the national, sub-regional, and regional levels. <sup>[1]</sup>  
(file:///C:/Users/finklejj/AppData/Local/Microsoft/Windows/Temporary%20Internet%20Files/Content.Outlook/MXP47L28/09-23-2014-Media%20Note-About%20the%20GCTF.docx#\_ftn1) These framework documents address a variety of salient CT topics including:
  - o Effective, human rights-compliant CT practice in the criminal justice sector;
  - o Preventing and denying the benefits of kidnapping for ransom by terrorists;
  - o Multi-sectoral approaches to CVE;
  - o Community engagement and community-oriented policing as tools for CVE;
  - o Supporting victims in the immediate aftermath of a terrorist attack; and
  - o Rehabilitation and reintegration of violent extremist offenders.
- The adoption of the July 2012 GCTF *Madrid Declaration on Victims of Terrorism* and the December 2012 GCTF *Plan of Action on Victims of Terrorism* to advance the cause of victims of terrorism, their families, and victims' groups.

### 2014 – New Initiatives

The Forum has launched a number of new initiatives in 2014, including:

- An initiative aimed at identifying and developing the *first-ever* set of good practices to assist countries in developing a more comprehensive and effective response to the “Foreign Terrorist Fighter” challenge;
- An “intelligence-evidence” initiative, to address complexities that the criminal justice sector addresses when considering the role of intelligence information in criminal justice investigations and prosecutions;
- An initiative, aimed at promoting practical implementation of the *Algiers Memorandum on Good Practices for Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists*, to develop a set of highly interactive, discussion-based training modules on kidnapping for ransom (KFR) that will be made available to any interested partner;

- An initiative aimed at developing a draft legal and policy framework for “hot pursuit” of terrorists and other criminals across open borders in the Sahel region;
- Developing the *first-ever* set of global good practices on the role of judges in handling CT cases within a rule of law framework; and
- A joint collaboration with *Hedayah* to develop and implement an initiative on CVE and education, which will culminate in the development of associated good practices and form the basis of a plan of action to explore how to implement education approaches to CVE.

## ANNEX 1 – GCTF ACTIVITIES IN 2014<sup>[2]</sup>

([file:///C:/Users/finklejj/AppData/Local/Microsoft/Windows/Temporary%20Internet%20Files/Content.Outlook/MXP47L28/09-23-2014-Media%20Note-About%20the%20GCTF.docx#\\_ftn2](file:///C:/Users/finklejj/AppData/Local/Microsoft/Windows/Temporary%20Internet%20Files/Content.Outlook/MXP47L28/09-23-2014-Media%20Note-About%20the%20GCTF.docx#_ftn2))

<b>Coordinating Committee</b>
Fifth Coordinating Committee Meeting, Rabat, Morocco, 2-3 April 2014
Sixth Coordinating Committee Meeting, New York, United States, September 2014
<b>Countering Violent Extremism Working Group</b>
Workshop to Develop an Action Plan for Community-Oriented Policing as a Tool for Countering Violent Extremism, Doha, Qatar, 3-4 March 2014
Workshop on Supporting Civil Society Initiatives to Empower Women’s Roles in Countering Violent Extremism and Radicalization that Lead to Terrorism, Istanbul, Turkey, 13-14 May 2014 ( <i>jointly hosted with the Organization for Security and Co-Operation in Europe</i> )
Practitioner-Focused Workshop on Countering Violent Extremism and Education, Abu Dhabi, UAE, 18-20 May 2014 ( <i>jointly hosted with Hedayah</i> )
Third Countering Violent Extremism Working Group Plenary Meeting, Abu Dhabi, UAE, 4 September 2014
<b>Criminal Justice Sector and the Rule of Law Working Group</b>
Experts Meeting on Protecting and Using Intelligence Information in Rule of Law-Based and Criminal Justice Sector-Led Investigations and Prosecutions, Frankfurt, Germany, 8-9 January 2014
Workshop on Proactive CT Good Practices in the Criminal Justice Sector, Abuja, Nigeria, 22-23 January 2014
Second Seminar on the Role of the Judiciary in Handling Counterterrorism and Other National Security Cases within a Rule of Law Framework, The Hague, the Netherlands, 30 June-2 July 2014

<b>Criminal Justice Sector and the Rule of Law Working Group</b>
Second Experts Meeting on Protecting and Using Intelligence Information in Rule of Law-Based, Criminal Justice Sector-Led Investigations and Prosecutions, Vienna, Austria, 7-8 July 2014 ( <i>jointly hosted with the UN Office on Drugs and Crime</i> )
<b>Detention and Reintegration Working Group</b>
First Detention and Reintegration Working Group Plenary Meeting, Bali, Indonesia, 12-13 August 2014
<b>“Foreign Terrorist Fighters” (FTF) Initiative</b>
Opening Meeting of the GCTF “Foreign Terrorist Fighters” Initiative, The Hague, The Netherlands, 19-20 February 2014
First Expert Meeting of the GCTF “Foreign Terrorist Fighters” Initiative, Marrakech, Morocco, 14-15 May 2014
Second Expert Meeting of the GCTF “Foreign Terrorist Fighters” Initiative, Abu Dhabi, UAE, 16-17 June 2014 ( <i>jointly hosted with Hedayah</i> )
<b>Sahel Capacity-Building Working Group</b>
Second Sahel Cross-Border Workshop, Dakar, Senegal, 26-27 March 2014
Local Capacity-Building Coordination Meeting, Nouakchott, Mauritania, 22 April 2014
Local Capacity-Building Coordination Meeting, Ouagadougou, Burkina Faso, 6 May 2014
Local Capacity-Building Coordination Meeting, Nouakchott, Mauritania, 4 August 2014
<b>Horn of Africa Region Capacity-Building Working Group</b>
Workshop on Countering Violent Extremism in the Horn of Africa, Ankara, Turkey, 11 February 2014
Third Plenary Working Group Meeting, Nairobi, Kenya, 11-13 March 2014
Workshop on Improving Coordinating of CT Capacity-Building Efforts in the Horn of Africa, Brussels, Belgium, 17 July 2014

[1] [file:///C:/Users/finklejj/AppData/Local/Microsoft/Windows/Temporary%20Internet%20Files/Content.Outlook/MXP47L28/09-23-2014-Media%20Note-About%20the%20GCTF.docx#\\_ftnref1](file:///C:/Users/finklejj/AppData/Local/Microsoft/Windows/Temporary%20Internet%20Files/Content.Outlook/MXP47L28/09-23-2014-Media%20Note-About%20the%20GCTF.docx#_ftnref1)) For more information on GCTF framework documents, please visit the GCTF website at [www.thegctf.org](http://www.thegctf.org/) (<http://www.thegctf.org/>).

[2]

(file:///C:/Users/finklejj/AppData/Local/Microsoft/Windows/Temporary%20Internet%20Files/Content.Outlook/MXP47L28/09-23-2014-Media%20Note-About%20the%20GCTF.docx#\_ftnref2) This represents those activities implemented and planned in CY 2014. Please visit [www.theGCTF.org](http://www.theGCTF.org) (<http://www.theGCTF.org/>) for additional information about all GCTF activities since the official launch in September 2011.

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The Office of Website Management, Bureau of Public Affairs, manages this site as a portal for information from the U.S. State Department.

External links to other Internet sites should not be construed as an endorsement of the views or privacy policies contained therein.

Note: documents in Portable Document Format (PDF) require Adobe Acrobat Reader 5.0 or higher to view, [download Adobe Acrobat Reader](http://get.adobe.com/reader/) (<http://get.adobe.com/reader/>).





## **Annex 47**

U.S. Department of State, Bureau of Counterterrorism and Countering Violent Extremism, Country Reports on Terrorism, *Chapter 4: Terrorist Safe Havens (Update to 7120 Report)* (2017), available at <https://www.state.gov/j/ct/rls/crt/2017/282849.htm>



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 [state.gov/j/ct/rls/crt/2017/282849.htm](https://www.state.gov/j/ct/rls/crt/2017/282849.htm)

Bureau of Counterterrorism and Countering Violent Extremism

Country Reports on Terrorism 2017  
Report

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Terrorist safe havens described in this report include ungoverned, under-governed, or ill-governed physical areas where terrorists are able to organize, plan, raise funds, communicate, recruit, train, transit, and operate in relative security because of inadequate governance capacity, political will, or both.

**As defined by section 2656f(d) of Title 22 of the U.S. Code, the term “terrorist sanctuary” or “sanctuary” excludes the territory of a country the government of which is subject to a determination under section 4605(j)(1)(A) of Title 50; section 2371(a) of Title 22; or section 2780(d) of Title 22– the state sponsors of terrorism. You can find information regarding the Democratic People’s Republic of Korea, Iran, Sudan, and Syria in Chapter 2, State Sponsors of Terrorism.**

## TERRORIST SAFE HAVENS

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### AFRICA

**Somalia.** In 2017, terrorists used under-governed areas throughout Somalia as safe havens to plan, conduct, and facilitate operations, including mass-casualty bombings in major urban areas. Somali officials failed to implement critical national security reforms and pass legislation that could help enhance the government’s capacity to secure and govern effectively at all levels. Despite these critical gaps in its counterterrorism strategy, the Somali government remained a committed partner and vocal advocate for U.S. counterterrorism efforts.

Despite facing increased pressure from strikes and other counterterrorism operations, al-Shabaab retained much of its safe haven throughout the country, and, in some cases, regained ceded territory after African Union Mission in Somalia (AMISOM) forces continued to consolidate positions throughout southern Somalia in 2017. With the notable exception of targeted operations carried out by U.S.-trained and -equipped units of Somali commandos, the Somali National Army, as a whole, remained incapable of securing and retaking towns from al-Shabaab independently. This critical gap allowed al-Shabaab to continue to extort local populations and forcibly recruit fighters, some of whom were children.

In northern Somalia, ISIS-linked fighters used the limited safe haven they established in Puntland to launch a suicide attack against regional security forces in May, killing five and wounding several more. In the months that followed, the group failed to expand its foothold in

the face of targeted airstrikes and other counterterrorism operations that commenced in the latter part of 2017, as well as fierce opposition from al-Shabaab cells operating in the region. As if to declare itself the more capable and potent threat in Puntland, al-Shabaab launched an attack against Puntland security forces in Af Urur that killed more than 60 soldiers and civilians.

As seen in previous years, al-Shabaab kept much of its safe haven in the Jubba River Valley as a primary base of operations for plotting and launching attacks throughout Somalia and northern Kenya. The group maintained control of several towns throughout the Jubaland region, including Jilib and Kunyo Barow, and increased its base of operations in the Gedo region to exploit the porous Kenya-Somalia border and attack targets in northeastern Kenya. Al-Shabaab also used its safe havens in Somalia to escalate its campaign in northern Kenya, primarily using buried improvised explosive devices and other explosives against Kenyan security forces and civilian passenger vehicles. The Kenyan government increased its presence throughout the border region, including in the Boni forest area best known as one of al-Shabaab's primary facilitation routes, but security officials continued to struggle with border security and crisis response in the more remote areas of northeastern Kenya.

Somalia remained heavily dependent on regional and international partners to support almost all major security functions throughout the country, making little progress on improving interagency coordination to limit terrorist transit through the country.

According to independent sources and non-governmental organizations engaged in demining activities on the ground, there was little cause for concern for the presence of weapons of mass destruction in Somalia.

**The Lake Chad Region.** In 2017, Boko Haram and its offshoot ISIS-West Africa (ISIS-WA) maintained limited safe havens in parts of Northeast Nigeria and on islands in Lake Chad, and prevented the reestablishment of state administration, service delivery, and humanitarian relief in broader territory surrounding Lake Chad. These safe havens are greatly reduced from the territory Boko Haram controlled in 2014-2015. Forces from Nigeria and other members of the Multinational Joint Task Force (Benin, Cameroon, Chad, and Niger) conducted operations to clear these safe havens, but lacked the capacity and resources to secure borders and hold and administer liberated territory. Both Boko Haram and ISIS-WA continued to conduct asymmetric attacks against civilians, military, and government personnel, including through suicide bombers, vehicle-borne improvised explosive devices, raids, ambushes, kidnappings, and other means. As a result of this insecurity, at year's end over two million people in the Lake Chad Region remained displaced and millions more remain dependent on humanitarian assistance.

No government in the Lake Chad Region was known to support or facilitate the proliferation or trafficking of weapons of mass destruction in or through its territory.

**The Trans-Sahara.** In 2017, the Sahara Branch of al-Qa'ida in the Islamic Maghreb, al-Murabitoun, Ansar al-Dine, and the Macina Liberation Front came together to form Jama'at Nusrat al-Islam wal-Muslimin (JNIM). JNIM and other groups like Movement for Unity and

Jihad in West Africa, Ansural Islam, and ISIS in the Greater Sahara continued to stage asymmetric attacks in the Trans-Sahara region. These terrorist groups were able to exercise relatively unimpeded freedom of movement in northern and central Mali and certain border regions of Niger and Burkina Faso.

Following their degrading and scattering in 2013 by combined African and French operations, these terrorist groups took a year to reorganize and began a campaign of asymmetric warfare that included small raids, soft target attacks, and use of improvised explosive devices, land mines, and suicide bombers.

The groups are no longer able to conduct major military-style campaigns as they did in 2012, but, in 2017, these groups have once again become serious challenges to the security of the Sahel region.

No government in the region was known to support or facilitate the proliferation or trafficking of weapons of mass destruction in or through its territory, although the region remained prone to arms and munitions smuggling, which can have a destabilizing effect on security.

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## SOUTHEAST ASIA

**The Sulu/Sulawesi Seas Littoral.** The sheer expanse of the area, its numerous islands, and substantial maritime traffic in the Sulawesi Sea and the Sulu Archipelago make it a difficult region to secure. Traditional smuggling and piracy groups often supported terrorist networks, including through the movement of personnel, equipment, and funds. Kidnapping-for-ransom remained an ongoing threat and a source of funding for terrorist networks based in the southern Philippines.

Indonesia, Malaysia, and the Philippines have made concerted new efforts to control their shared maritime boundaries. In 2016, the three countries signed a trilateral agreement that envisions joint air and maritime patrols, information sharing, and standard operating procedures for “hot pursuit” of criminal and terrorist elements actively conducting attacks. The agreement took effect in June 2017, and the Philippines, Indonesia, and Malaysia began joint patrols to combat piracy, terrorism, and the illegal drug trade.

Southeast Asia serves as a global trade hub, with some of the highest volume transit and transshipment ports in the world. Lack of political will, incomplete legal and regulatory frameworks, weak strategic trade controls, inadequate law enforcement and security capabilities, and emerging and re-emerging infectious disease and burgeoning bioscience capacity, make Southeast Asia an area of concern for weapons of mass destruction proliferation and transit. Malaysia, the Philippines, and Singapore are the only countries in the region with strategic trade control laws, and countries across Southeast Asia struggle with controls over dual-use items, as well as end-use or “catch-all” provisions. Assisting countries in the region to develop strong laws that meet international standards and help to build effective targeting and risk management systems are major goals of the Department of State’s Export Control and Related Border Security program.

**The Southern Philippines.** From May to November 2017, terrorist organizations pledging support to ISIS – including a faction of the Abu Sayyaf Group, the Maute Group, and others – seized and occupied Marawi City. When the siege began, President Duterte declared martial law over the entire Mindanao region – approximately one-third of the country’s territory – and Congress granted an extension of martial law until the end of 2018. Security forces ultimately cleared the city and eliminated much of the terrorist leadership, but suffered many casualties during the siege.

While the Philippine government possesses the political will to apply security measures against terrorist threats, and has consistently partnered with the United States and other nations to build the capacity to do so, it struggles to apply a coordinated whole-of-government approach to prevent terrorism. Terrorist organizations’ continued ability to operate in the southern Philippines is a reflection of the centuries-long challenge of governing effectively in areas outside of Manila, and establishing consistent security in a region possessing a strong separatist identity, endemic poverty, and religious differences.

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## THE MIDDLE EAST AND NORTH AFRICA

**Egypt.** Portions of Egypt’s Sinai region remained a safe haven for terrorist organizations in 2017, primarily for ISIS-Sinai Province (ISIS-SP). Throughout the year, ISIS-SP used this under-governed safe haven to plan and carry out attacks against civilian and military targets both in the Sinai and in mainland Egypt. In November, ISIS-SP attacked the Al-Rawad Mosque in northern Sinai, killing 311 people. In December, it attempted to assassinate the Egyptian Minister of the Interior at the El Arish International Airport.

In response to these attacks, the Egyptian Armed Forces began planning a major offensive against ISIS-SP, beginning with a buildup of personnel and equipment in the Sinai.

The United States supported Egypt’s efforts to combat ISIS-SP and other terrorist groups in Egypt by providing AH-64 “Apache” helicopters, mine-resistant ambush protected vehicles, counter-improvised explosive devices training, mobile sensor towers, and border security training programs. The United States routinely engages in military-to-military discussions on how it can help Egypt defeat ISIS-SP and other terrorist groups in Egypt. The United States remains concerned about the deteriorating security situation and potential impacts on the Multinational Force and Observers peacekeeping mission in the Sinai.

Through the Department of State’s Export Control and Related Border Security Program, the United States worked with the Government of Egypt to enhance its border security capabilities. It provided land, air, and maritime border enforcement and targeting and risk management training for Egyptian Customs, Ministry of Defense, Ministry of Interior, Ministry of Transportation, and Ministry of Foreign Affairs officials. In addition, since 2009, the Department of State’s Nonproliferation and Disarmament Fund has assisted Egypt with the provision of passenger and cargo vehicle x-ray detection equipment with the capability to inspect vehicular and truck traffic at fixed transportation checkpoints for weapons of mass destruction-related materials, conventional weapons, and other illicit items.

**Iraq.** Supported by the 75-member Global Coalition to Defeat ISIS, the Government of Iraq retook the remaining territory held by ISIS in 2017. Prime Minister Abadi declared on December 9 that Iraq was fully liberated. The series of successive ISIS defeats included the Iraqi Security Forces' (ISF) liberation of Mosul, Tall Afar, Hawija, and finally al-Qaim and Rawa, in November. As the ISF liberated territory, ISIS killed thousands of Iraqi civilians, forcing residents to remain as human shields to discourage airstrikes and shooting those attempting to flee. ISIS remained a terrorist threat in Iraq in 2017 and continued to carry out suicide, hit-and-run, and other asymmetric attacks throughout the country.

The terrorist organization Kata'ib Hezbollah continued to maintain an active presence in Iraq.

ISIS continued to use the territory under its control in 2017 to produce sulfur mustard and improvised explosive devices filled with chlorine. The United States has proactively worked with our allies to dismantle this chemical weapons capability, as well as deny ISIS access to chemical, biological, radiological, and nuclear (CBRN) materials and expertise through interdictions and strengthening the ability of regional governments to detect, disrupt, and respond effectively to suspected CBRN activity.

Due to security conditions in Iraq, the Export Control and Related Border Security program had difficulty implementing its outreach activities from 2015-2017.

The United States and Iraq also continued their bilateral partnership to counter nuclear smuggling under the framework of the 2014 Joint Action Plan on Combating Nuclear and Radioactive Materials Smuggling.

**Lebanon.** Lebanon remained a safe haven for certain terrorist groups in both undergoverned and Hezbollah-controlled areas. Hezbollah used areas under its control for terrorist training, fundraising, financing, and recruitment. The Government of Lebanon did not take significant action to disarm Hezbollah, even though Hezbollah maintained its weapons in defiance of UNSCR 1701. The government was unable to limit Hezbollah's travel to and from Iraq or Syria to fight in support of the Assad regime. The Lebanese government did not have complete control of all regions of the country, or fully control its borders with Syria and Israel. Hezbollah controlled access to parts of the country and had influence over some elements within Lebanon's security services.

Ungoverned areas along the un-demarcated Lebanese-Syrian border also served as safe havens for al-Nusra Front, ISIS, and other Sunni terrorist groups in 2017, which operated in mountainous, mostly uninhabited zones where the government had limited reach. In late summer 2017, Hezbollah cleared out al-Nusra Front positions along the Syria-Lebanon border. Separately, the Lebanese Armed Forces (LAF) later undertook a major military offensive to expel ISIS fighters from Lebanon. Other terrorist groups, including Hamas, the Popular Front for the Liberation of Palestine, the Popular Front for the Liberation of Palestine General Command, Asbat al-Ansar, Fatah al-Islam, Fatah al-Intifada, Jund al-Sham, Palestinian Islamic

Jihad, and the Abdullah Azzam Brigades, continued to operate within Lebanon primarily inside Lebanon's 12 Palestinian refugee camps. These groups used the Palestinian camps as safe havens to house weapons, shelter wanted criminals, and plan terrorist attacks.

The United States worked closely with the LAF and Internal Security Forces (ISF) to counter terrorist threats within Lebanon and along its border with Syria by providing counterterrorism training, military equipment, and weaponry.

Lebanon was not a source country for weapons of mass destruction (WMD) components, but its porous borders and limited controls on strategic trade made the country vulnerable for use as a transit and transshipment hub for proliferation-sensitive transfers, particularly with the conflict in Syria. The LAF Engineer Regiment partnered with U.S. government agencies to detect and prevent proliferation and trafficking of WMD along the Syrian border.

The Department of State's Export Control and Related Border Security program (EXBS) provided commodity identification training for items that could be used in chemical, biological, radiological, and nuclear weapons, to keep these items from transiting through Lebanon. A frontier border security interdiction-training program, in partnership with the Department of Defense, strengthened LAF and ISF border security and interdiction capabilities. In addition, the U.S. Department of Energy's Office of Nuclear Smuggling Detection and Deterrence equipped the Port of Beirut with radiation detection equipment to scan cargo for the presence of radiation.

**Libya.** Libya's vast, undergoverned territories constituted potential safe havens for terrorist organizations in 2017, including Benghazi, Darnah, and the deserts in the south and the west. U.S. airstrikes in cooperation with the GNA successfully targeted ISIS camps and drove remaining ISIS remnants to coastal areas or locations elsewhere. Due to the difficulties of controlling the southern and desert borders in particular, the GNA remained unable to effectively track flows of foreign terrorist fighters in and out of its territory. Rival factions and political stakeholders outside of the GNA, including in the House of Representatives and the "Libyan National Army," had also not stemmed or tracked the flow of foreign terrorist fighters.

The Department of State's Export Control and Related Border Security (EXBS) program provided training to the Libyan Ministries of Defense, Customs, Interior, Foreign Affairs, Libyan Airport Authority, and Libyan Intelligence Service officials. This aimed to enhance Libya's contribution to preventing weapons of mass destruction (WMD) proliferation and diversion of conventional arms and explosives to ISIS and other terrorist organizations. The country's history with WMD, its significant conventional stockpiles, and the continuing strength of armed groups with independent allegiance make these priority engagements. In 2017, targeted technical training included airport security and cargo interdiction training, basic and advanced land border security training, counter-proliferation investigations training, and fraudulent documentation training and counter-improvised explosive device training. These activities encourage interagency cooperation and promote regional and international cooperation to counter illicit trafficking in strategic items.



**Yemen.** Saudi Arabia and the United Arab Emirates (UAE), on behalf of the Republic of Yemen Government, are fighting to reclaim territory currently held by Houthi forces and al-Qa'ida in the Arabian Peninsula (AQAP). The northwest of the country, as well as portions of the southern coast interior are beyond governmental control, severely constraining the Yemeni government's ability to prevent terrorist training, funding, recruitment, and transit. AQAP and ISIS-Yemen continued to benefit from the ongoing conflict with the Houthis, successfully insinuating themselves among elements of the anti-Houthi coalition and exploiting the security vacuum in large parts of the country to increase support. Under President Hadi's leadership, the Government of Yemen has been as cooperative with U.S., Saudi, and UAE counterterrorism operations as its limited capacity will allow. In 2017, counterterrorism operations, led primarily by UAE-supported forces, targeted AQAP safe havens for clearance in Abyan Shabwah and Hadramawt Governorates.

Yemen's political instability continued to hinder efforts to enact or enforce comprehensive strategic trade controls to counter the flow of weapons and munitions in the region. This left Yemen vulnerable as a transit point for destabilizing weapons. Nonetheless, the Department of State's Export Control and Related Border Security (EXBS) program provided Yemeni authorities with training to reconstitute land border and maritime security capabilities – with a counter-proliferation focus – through a series of training programs for border guards, customs officers, and the coast guard.

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## SOUTH ASIA

**Afghanistan.** Terrorist and insurgent groups are active in the border region of Afghanistan and Pakistan. The Government of National Unity (GNU) struggled to assert control over this remote terrain, where the population is largely detached from national institutions. Afghanistan generally cooperated with U.S. counterterrorism efforts, including participation in joint operations against insurgents in districts bordering Pakistan.

The potential for weapons of mass destruction (WMD) trafficking and proliferation remained a concern. In 2017, the United States and Afghanistan worked to finalize a bilateral framework to help Afghanistan enhance its capabilities to prevent, detect, and respond to nuclear and other radioactive material smuggling incidents. The Afghanistan and U.S. governments also continued to work to implement comprehensive strategic trade controls and strengthen Afghanistan's border security.

The United States continued to assist the GNU in building capacity to secure potentially dangerous biological materials and infrastructure housed at Afghan facilities, to promote surveillance capabilities to detect and identify possibly catastrophic biological events, and to engage Afghan scientists and engineers that have WMD or WMD-applicable expertise.

**Pakistan.** Although Pakistan's National Action Plan calls to "ensure that no armed militias are allowed to function in the country," several terrorist groups focused on attacks outside of the country continued to operate from Pakistani soil in 2017. These groups included the Haqqani Network, Lashkar e-Tayyiba, and Jaish-e-Mohammad. Pakistan continued military operations



## **Annex 48**

“The Kingdom severs diplomatic and consular relations with Qatar”, Saudi Ministry of Foreign Affairs (6 June 2017), *available at* <https://www.mofa.gov.sa/sites/mofaen/ServicesAndInformation/news/MinistryNews/Pages/ArticleID201765134958689.aspx>





## Kingdom of Saudi Arabia severs diplomatic and consular relations with Qatar

Last updated: 6/5/2017 1:56 PM



An official source stated that the Government of Saudi Arabia, in exercising its sovereign rights guaranteed by the international law and protecting its national security from the dangers of terrorism and extremism has decided to sever diplomatic and consular relations with the State of Qatar, close all land, sea and air ports, prevent crossing into Saudi territories, airspace and territorial waters, and start immediate legal procedures for understanding with fraternal and friendly countries and international companies to implement the same procedure as soon as possible for all means of transport to and from the State of Qatar for reasons relating to Saudi national security.

The Kingdom of Saudi Arabia has taken this decisive decision as a result of grave violations committed by the authorities in Doha over the past years in secret and public aiming at dividing internal Saudi ranks, instigating against the State, infringing on its sovereignty, adopting various terrorist and sectarian groups aimed at destabilizing the region including the Muslim Brotherhood Group, Daesh (ISIS) and Al-Qaeda, promoting the ethics and plans of these groups through its media permanently, supporting the activities of Iranian-backed terrorist groups in the governorate of Qatif of the Kingdom of Saudi Arabia and the Kingdom of Bahrain, financing, adopting and sheltering extremists who seek to undermine the stability and unity of the homeland at home and abroad, and enticing the media that seek to fuel the strife internally; and it was clear to the Kingdom of Saudi Arabia the support and backing from the authorities in Doha for coup Al-Houthi militias even after the announcement of the Coalition to Support the Legitimacy in Yemen.

The Kingdom has also taken this decision in solidarity with the Kingdom of Bahrain being subjected to terrorist campaigns and operations supported by the authorities in Doha.

Since 1995 the Kingdom of Saudi Arabia and its brothers have made strenuous and continued efforts to urge the authorities in Doha to abide by its commitments and agreements, yet, they have repeatedly violated their international obligations and the agreements they signed under the umbrella of the Gulf Cooperation Council (GCC) for Arab States to cease the hostilities against the Kingdom and stand against terrorist groups and activities of which the latest one was their failure to implement Riyadh Agreement.

In accordance with the decision to cut off diplomatic and consular relations, Saudi citizens are prohibited from traveling to Qatar, residing in or passing through it, while Saudi residents and visitors have to hurry leaving Qatari territories within 14 days.

The decision, for security reasons, unfortunately prevents Qatari citizens' entry to or transit through the Kingdom of Saudi Arabia and those Qatari residents and visitors have to leave Saudi territories within 14 days, confirming the Kingdom's commitment and keenness to provide all facilities and services for Qatari pilgrims and Umrah performers.

## Annex 48

The Kingdom of Saudi Arabia affirms that it has long been patient despite the fact that the authorities in Doha continue to evade their commitments and conspire against it in the interest of the Qatari people, which is a natural and genuine extension of their brethren in the Kingdom and an integral part of their pillars. The Kingdom will continue to support the people of Qatar, its security and stability regardless of the hostile practices being carried out by the authorities in Doha.

<https://www.mofa.gov.sa/sites/mofaen/ServicesAndInformation/news/MinistryNews/Pages/ArticleID201765134958689.aspx>

## **Annex 49**

U.S. Department of State, *Press Availability with Qatari Foreign Minister Sheikh Mohammed bin Abdulrahman al-Thani* (11 July 2017), available at <https://www.state.gov/secretary/20172018tillerson/remarks/2017/07/272522.htm>





# U.S. Department of State

## Diplomacy in Action

### Press Availability With Qatari Foreign Minister Sheikh Mohammed bin Abdulrahman al-Thani

Press Availability  
Rex W. Tillerson  
Secretary of State  
Foreign Ministry  
Doha, Qatar  
July 11, 2017

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**FOREIGN MINISTER AL-THANI:** (In progress) (Via interpreter) -- at the trilateral level between the United States and Qatar, then a trilateral meeting with the presence of our brothers in Kuwait to discuss the latest developments in the Gulf crisis and the appreciated efforts by our brothers in the state of Kuwait and the help of our friends in the United States.

As for the bilateral aspect of the meetings, we have agreed on many points, and we have signed a memorandum of understanding to – on combating financing terrorism. And this comes in the context of bilateral cooperation between the U.S. and Qatar, and as a result of the joint efforts to develop mechanisms to combat financing terrorism and exchange information and expertise to develop this mechanism and to develop the institutions between different countries.

As for the other fields of cooperation in the – on the bilateral – at the bilateral level, we have discussed affairs relating to all political and other aspects. But the main output was the memorandum of understanding pertaining to combating financing terrorism, which for long the blockading countries have accused Qatar of financing terrorism. Now the state of Qatar is the first country to sign this memorandum of understanding with the United States. We invite the other blockading countries to join signing this understanding.

**SECRETARY TILLERSON:** Thank you very much, Your Excellency. And thank you for welcoming us to Doha today. And we also appreciated the time His Highness The Emir afforded us for a very good discussion upon our arrival as well.

I am here in Qatar today carrying with me the same spirit which President Trump traveled in Riyadh with in May. The United States has one goal: drive terrorism off the face of the Earth. The President said, and I quote, “Every country in the region has an absolute duty to ensure that terrorists find no sanctuary on their soil.” The agreement in which we both have signed on behalf of our governments represents weeks of intensive discussions between experts and reinvigorates the spirit of the Riyadh summit. The memorandum lays out a series of steps the two countries will take over the coming months and years to interrupt and disable terror financing flows and intensify counterterrorism activities globally. The agreement includes milestones to ensure both countries are accountable to their commitments.

Together, the United States and Qatar will do more to track down funding sources, will do more to collaborate and share information, and will do more to keep the region and our homeland safe.

I applaud the leadership of His Highness The Emir of Qatar for being the first to respond to President Trump’s challenge at the Riyadh summit to stop the funding of terrorism. And again, I want to thank His Excellency and His Highness The Emir for the time they have given us today. Thank you.

**MODERATOR:** (Via interpreter) Now we open the floor for questions and answers. Al Jazeera channel.

**QUESTION:** (Via interpreter) (Inaudible) from Al Jazeera. For Your Excellency, the Qatari foreign minister: What's your response to the leaking the agreement of Riyadh and the timing of it?

**FOREIGN MINISTER AL-THANI:** (Via interpreter) First of all, regarding the leaking of the Riyadh agreement last night and the timing of this leaking, these are clear efforts to diminish the role by Kuwait and the mediation by Kuwait, and the efforts exacted by the United States to mediate this crisis. If this leaking reflects anything, it only reflects the approach by the blockading countries, similarly to what they did when they leaked the list of demands. This brings into question the level of trust in these countries in international relations. Usually, commercial companies show respect for this agreement, let alone respected countries and states.

As for the campaign that accompanied this leaking and the accusation that Qatar did not respect the agreement, these are falsifications and Qatar has committed itself and respected this agreement, and this can be proven. This is not a unilateral agreement. This is a multilateral agreement. And the statement – the agreement does not singularly single out Qatar to adhere to this agreement. And this is a clear violation of the blockading countries because they did not use any of the dispute settlement mechanisms, and as a result, if there are any grievances, these shall be discussed either according to the agreement of Riyadh or according to the charter of the GCC.

**MODERATOR:** A question from Bloomberg.

**QUESTION:** Thank you, a question for both of you. A couple of days ago, the discussion of what was happening in the Gulf was framed by the U.S. side as something that could take months to resolve and that you were at an impasse – all of the countries involved. Do you have an indication from the other parties in this crisis that they would be willing to sign a similar agreement with you? And does what happened today now sort of revise your timeframe? Do you think this could be solved more quickly, or do you still expect that this is something that will last for some time? Thank you.

**SECRETARY TILLERSON:** Well, I think it's important to first make sure that the proper understanding of the agreement that was signed today is an agreement that we have been working on for quite some time. In fact, there's elements of this work that actually had been underway as long as a year ago. So what I think you're seeing the culmination today is really of this reinvigoration of our talks as a result of the Riyadh summit. And President Trump's very strong call in Qatar, I think, has taken the initiative to move out on things that had been discussed but had not been brought to a conclusion, and to put in place a very, very strong agreement, one that has commitments for action immediately in a number of fronts, and in fact, several steps have already been taken and implemented.

As it relates to the conflict that exists here in the Gulf, we had a good trilateral exchange around the conflict with His Highness The Emir and the foreign minister, with our Kuwaiti mediator partner. And my role here is to support the efforts of the Emir of Kuwait and the Kuwaiti mediator to bring what we can to the discussions to help both sides more fully understand the concerns of the relative parties and also point out possible solutions to those.

So we did have a good, thorough discussion today. I think as most of you know, I'll be traveling to Jeddah tomorrow to meet with the parties who are on the other side of this issue, and similarly, to explore their feelings and explore options for how we might move this forward. So I would not want to comment on any expectation for a timetable at this point because these are discussions that are still ongoing.

**FOREIGN MINISTER AL-THANI:** Just to follow up what His Excellency just mentioned, this agreement which was signed, which is being signed now, it's a separate bilateral agreement between Qatar and the United States which has been underway and in discussion for weeks now, and it has nothing related directly to or indirectly to the recent crisis and the blockade which is imposed against Qatar.

And also, we support the role which is carried out by the Kuwaiti mediator and supported by the United States, and we have been very much positive and forthcoming in engaging in a constructive dialogue which will result for a solution, which is – which has been the behavior of the state of Qatar from the beginning of this crisis. And we hope that the blockading countries behave in the same manner.

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## **Annex 50**

Ministry of Defence of United Kingdom, *Defence Secretary hosts Qatari counterpart at historic Horse Guards* (16 Jan. 2018), available at <https://www.gov.uk/government/news/defence-secretary-hosts-qatari-counterpart-at-historic-horse-guards>



## Defence Secretary hosts Qatari counterpart at historic Horse Guards

[gov.uk/government/news/defence-secretary-hosts-qatari-counterpart-at-historic-horse-guards](https://www.gov.uk/government/news/defence-secretary-hosts-qatari-counterpart-at-historic-horse-guards)

Defence Secretary Gavin Williamson and Minister of State for Defence Affairs of Qatar, His Excellency Dr Khalid bin Mohammed Al-Attiyah, met horses and soldiers from the Blues and Royals at Horse Guards in London. Crown copyright.



The Defence Secretary Gavin Williamson and his Qatari counterpart, His Excellency Khalid bin Mohammed Al-Attiyah, have reaffirmed the important long-term relationship between the UK and Qatar during a meeting in London.

The visit follows the Defence Secretary's trip to Qatar last December, where he signed a [£6bn deal](#) for Typhoon jets and missiles, supporting thousands of British jobs at BAE Systems.

Defence Secretary Gavin Williamson said:

Qatar is a vital partner in the fight against Daesh, hosting the headquarters of the coalition air campaign which is still coordinating strikes on targets in Syria every day.

Our two countries face the same threats from violent extremism and a mutual interest in supporting stability in the region, which will deliver security at home.

The visit to London focussed on defence and security cooperation between the UK and Qatar ahead of the 2022 World Cup, which is being hosted by Qatar, and lessons learned from the military support to the London 2012 Olympics. In addition to the Defence Secretary, Al-Attiyah also met with Security Minister Ben Wallace and the Deputy National Security Advisor Paddy McGuinness. His Excellency also inspected the men and horses of the Blues and Royals at the Army's historic London Headquarters at Horse Guards Parade.





## **Annex 51**

U.S. Department of State, *Joint Statement of the Inaugural United States-Qatar Strategic Dialogue* (30 Jan. 2018), available at <https://www.state.gov/r/pa/prs/ps/2018/01/277776.htm>



# U.S. Department of State

## Diplomacy in Action

### Joint Statement of the Inaugural United States-Qatar Strategic Dialogue

Media Note

Office of the Spokesperson

Washington, DC

January 30, 2018

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The governments of the State of Qatar and the United States held the inaugural Strategic Dialogue in Washington D.C. on January 30, 2018. U.S. Secretary of State Rex W. Tillerson and U.S. Secretary of Defense James N. Mattis co-chaired the opening session jointly with Qatari Deputy Prime Minister and Minister of State for Defense Khalid al-Attiyah and Qatari Deputy Prime Minister and Foreign Minister Mohammed bin Abdulrahman Al Thani. U.S. Secretary of Energy James R. Perry and U.S. Secretary of Commerce Wilbur L. Ross, Jr. participated in sessions with Qatari Minister of Energy and Industry Mohammed al-Sada and Qatari Minister of Economy and Commerce Ahmed bin Jassim Al Thani, respectively. U.S. Secretary of Treasury Steven T. Mnuchin and Qatari Minister of Finance Ali Sharif al-Emadi co-chaired the closing ceremony.

The two countries welcomed this first Strategic Dialogue, highlighting the strength of their bilateral relationship and the mutually beneficial opportunities for the peoples of both countries to deepen bilateral cooperation. Today, the United States and Qatar underscored the strength of their ties and established a shared vision for the future of their strategic partnership. The two governments took an important step to elevate the bilateral relationship by signing a Memorandum of Understanding establishing an annual Strategic Dialogue.

In this inaugural Strategic Dialogue, the two countries discussed specific areas of partnership, including defense, counterterrorism, combating extremism, and trade and investment. As those conversations continue, both the United States and Qatar believe their continued mutual cooperation will benefit the interests of both countries, as well as the security and stability of the Gulf region.

Qatar and the United States discussed and welcomed enhanced cooperation, particularly, but not limited to, the areas described below.

#### **Political Cooperation**

Qatar and the United States expressed satisfaction at the recently strengthened and expanded bilateral relationship. This highlights their shared commitment to advance global peace and prosperity.

Qatar and the United States discussed the Gulf crisis and expressed the need for an immediate resolution which respects Qatar's sovereignty. The two governments expressed concern about the harmful security, economic and human impacts of the crisis. Concern was also expressed over peace and stability in the Gulf and adherence to international law. Qatar emphasized its appreciation for the role played by the United States in the mediation of the dispute in support of the efforts of the Emir of Kuwait. Qatar and the United States affirmed their backing for a strong Gulf Cooperation Council that is focused on countering regional threats and ensuring a peaceful and prosperous future for all its peoples.

Qatar emphasized the role of the United States in the region and the significant part it plays in countering threats of terrorism and violent extremism. The two governments discussed regional security and stability, including joint efforts to defeat ISIS, ongoing conflicts in Syria, Iraq, Libya, and Afghanistan, as well as efforts to resolve the Israeli-Palestinian conflict.

The United States acknowledged Qatar's generous humanitarian role bilaterally and multilaterally through the work of various UN agencies, in supporting forcibly displaced populations, and in assisting refugees including millions of vulnerable young children and women. The United States acknowledged recent progress and commitments made by Qatar on combating human trafficking and advancing labor rights. The two governments signed a Memorandum of Understanding to continue progress in these areas.

The two governments intend to identify and prioritize areas for further cooperation based on the results of the inaugural dialogue and decided to establish a working group to advance common policy priorities and political partnerships.

### **Defense**

Qatar and the United States emphasized the vital contribution their defense partnership provides for the security and stability of the region. This cooperation is key to successfully combating terrorism, countering violent extremism, and deterring external aggression. U.S. officials lauded Qatar's contributions in supporting the sizeable U.S. military presence in Qatar under the U.S. Central Command.

The two governments issued a Joint Declaration on Security Cooperation, affirming the two countries' joint commitment to promoting peace and stability and countering the scourge of terrorism. The United States expressed its readiness to work jointly with Qatar to deter and confront any external threat to Qatar's territorial integrity that is inconsistent with the United Nations Charter.

The two governments discussed the \$24.7 billion Foreign Military Sales (FMS) program that currently exists between the United States and Qatar. Since 2014, Qatar has used its national funds to purchase state of the art military systems and conduct extensive training at U.S. facilities. The United States thanked the Qatari government for those purchases, noting they have resulted in over 110,000 American jobs and the sustainment of critical military capabilities for the United States. Qatar highlighted the continued opportunity for future FMS and direct commercial sales, particularly relating to the development of the Expeditionary Amphibious Capability, which could lead to several billion dollars of future acquisitions and training in the near term, as well as an improved ability to defend against external aggression and to better interoperate with U.S. and NATO military forces in coalition operations.

The United States welcomed Qatar's offer to expand critical facilities at U.S. bases in the country. Qatari funding of capital expenditures and sustainment offers the possibility of an enduring presence, as with U.S. facilities in Europe and the Pacific. The two governments acknowledged the strong and lasting bilateral security partnership, and look forward to further discussions on the possibility of permanent basing.

### **Counterterrorism**

Both sides intend to strengthen their security and counterterrorism partnership to eradicate terrorism and violent extremism. They reviewed the positive progress made under the terms of the Memorandum of Understanding on Counterterrorism signed on July 11, 2017, including with respect to information sharing, countering the financing of terrorism, aviation security, and capacity building. The United States thanked Qatar for its action to counter terrorism and violent extremism in all forms, including by being one of the few countries to move forward on a bilateral Memorandum of Understanding with the United States.

Qatar and the United States intend to begin the Anti-Terrorism Assistance training program as soon as possible, as set forth in a Letter of Intent signed in 2017; the program will focus on key areas such as aviation security, terrorism investigations, and the protection of soft targets.

The two governments also noted the recent conclusion of the Memorandum of Understanding between the U.S. Attorney General and his Qatari counterpart on the fight against terrorism and its financing and combating cyber-crime.

Qatar and the United States expressed the need to address violent extremism through preventive frameworks. They emphasized the role that both countries are playing in founding and being leading donors of the Global Counterterrorism Forum (GCTF) and the Global Community Engagement and Resilience Fund (GCERF).

### **Trade and Investment**

The two governments acknowledged the challenges facing Qatar as a result of the GCC dispute, which disrupted Qatar's previous trading partnerships. Qatar noted that despite the dispute, Qatar has honored its international trade obligations.

Qatar and the United States committed to boosting bilateral trade. They welcomed the role of U.S. companies in Qatar's development and of Qatari investment in U.S. firms and jobs. Both countries recognized the importance of bilateral investment. The Qatari delegation described recent reforms designed to attract foreign investment in Qatar, including free trade zones, expanding ownership for non-citizens, improvement of the banking system, consolidation of the rule of law, including the development of a mechanism for dispute resolution.

The two governments recognized the importance of Qatar Investment Authority's previously committed investment of \$45 billion in American firms, real estate, and jobs. Qatar Investment Authority's chief executive described plans to increase investments in U.S. infrastructure and to expand across the United States of America.

The two governments recognized the positive outcomes emerging from the bilateral Trade and Investment Framework Agreement (TIFA) signed in 2004. It was noted that TIFA continues to serve as a platform for increased cooperation in the fields of job creation, property law, communications, customs, SMEs, and new markets.

Qatar and the United States signed various Memoranda of Understanding and Letters of Intent in the fields of bilateral trade, investment, and technology. They welcomed the United States' Commercial Law Development Program's partnership with the Ministry of Finance, and officials signed a Letter of Intent on cybersecurity cooperation and a Letter of Intent on smart technologies collaboration.

The two governments welcomed a set of Understandings on civil aviation reached January 29 aimed at ensuring healthy competition in the global aviation sector while maintaining the Open Skies framework of U.S. international aviation policy. Anchored in the two countries' close bilateral economic and strategic relationship, the Understandings represent important, high-level political commitments. They affirm both governments' intention to promote best practices for marketplace participation by their airlines, while ensuring a continuation of the important economic, political, and cultural benefits of air services made possible by Open Skies.

Qatar and the United States stressed the importance of maintaining freedom of navigation, of overflight, and of unimpeded lawful commerce in accordance with international law.

The two governments expressed their mutual desire to further strengthen their bilateral relations in the energy sector, signing a Memorandum of Understanding to enhance cooperation between Qatar and the United States.

### **Forward Together**

This new Strategic Dialogue process underlines the commitment of Qatar and the United States to increase cooperation in fields that are of the greatest mutual and practical benefit. Such cooperation includes the issues discussed today but also incorporates important work in the fields of sports, education, health, arts, and culture.

The two governments outlined a way forward together for the development of their partnership. They committed to continue their dialogue and cooperation on issues including: combating regional terrorism and violent extremism; countering the financing of terrorism; consolidating state of the art defense facilities; and expanding their trade and investment partnerships. Qatar and the United States look forward to making progress in these areas when the Dialogue reconvenes in Qatar in 2019. Both sides look forward to further enhancing bilateral relations during the visit of the Emir of Qatar to Washington later this year.

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Note: documents in Portable Document Format (PDF) require Adobe Acrobat Reader 5.0 or higher to view, [download Adobe Acrobat Reader \(http://get.adobe.com/reader/\)](#).

## **Annex 52**

U.S. Embassy & Consulate in the UAE, *Meeting of the Terrorist Financing Targeting Center Member States Convened in Kuwait* (6 Mar. 2018), available at <https://ae.usembassy.gov/meeting-terrorist-financing-targeting-center-member-states-convenes-kuwait-march-6-2018/>







U.S. Embassy & Consulate  
in the United Arab Emirates

## Meeting of the Terrorist Financing Targeting Center Member States Convenes in Kuwait – March 6, 2018

Meeting of the Terrorist Financing Targeting Center Member States Convenes in Kuwait  
[March 6, 2018]

Co-led by the United States and Saudi Arabia, TFTC members meet in Kuwait City

KUWAIT CITY –On March 4-5, the United States and Saudi Arabia co-led a meeting of the Terrorist Financing Targeting Center (TFTC) in Kuwait City, Kuwait. Representatives from the seven member countries, which include Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, the United Arab Emirates, and the United States, met and engaged in positive and constructive discussions regarding governance and general procedures of the Center which will lay the groundwork for future multilateral efforts to combat shared terrorist financing threats.

The TFTC was established in 2017 as a collaborative approach to confronting new and evolving threats arising from terrorist financing. The TFTC represents a new and creative response that leverages existing tools and formalizes cooperation between the United States, Saudi Arabia and partners in the Gulf to counter this threat. The TFTC's goals are to: 1) identify, track, and share information regarding terrorist financial networks; 2) coordinate joint disruptive actions, and; 3) pursue capacity building assistance to counter terrorist financing threats.

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### **Annex 53**

U.S. Department of State, *Secretary Pompeo's Meeting with Qatari Foreign Minister Al Thani* (26 June 2018), available at <https://www.state.gov/r/pa/prs/ps/2018/06/283519.html>



# U.S. Department of State

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 [state.gov/r/pa/prs/ps/2018/06/283519.htm](https://state.gov/r/pa/prs/ps/2018/06/283519.htm)

## Diplomacy in Action

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### Secretary Pompeo's Meeting With Qatari Foreign Minister Al Thani

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Readout

Washington, DC

June 26, 2018

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The below is attributable to Spokesperson Heather Nauert:

Secretary Michael R. Pompeo met today with Qatari Foreign Minister Sheikh Mohammed bin Abdulrahman Al Thani in Washington. The Secretary thanked the Foreign Minister for Qatar's strategic partnership and friendship with the United States. The Secretary commended the Foreign Minister for Qatar's continued efforts on counterterrorism and countering terrorism financing. The Secretary emphasized the President's desire to see the Gulf dispute eased and eventually resolved, as it only benefits Iran. The Secretary and the Foreign Minister also discussed a range of regional and bilateral topics.





## **Annex 54**

Permanent Mission of the State of Qatar to the United Nations Office in Geneva, Switzerland,  
*HE the Foreign Minister delivers a statement before the 36<sup>th</sup> Session of the Human Rights Council* (11 Sept. 2017), available at <http://geneva.mission.qa/en/news/detail/2017/09/17/he-the-foreign-minister-delivers-a-statement-in-front-of-the-36th-session-of-the-human-rights-council>







PERMANENT MISSION  
OF THE STATE OF QATAR TO THE UNITED NATIONS  
OFFICE IN GENEVA - SWITZERLAND



[Home](#) > [News](#)

## HE the Foreign Minister delivers a statement before the 36th session of the Human Rights Council

*11 September 2017*



Qatar's Minister of Foreign Affairs HE Sheikh Mohammed bin Abdulrahman al-Thani has underlined that Qatar's national, regional and international bias towards human rights, public

opinion and the right of peoples to self-determination is one of the most important reasons for attempts to impose guardianship on it and to influence its foreign policy independence and its media.

Addressing the 36th Session of the Human Rights Council in Geneva today, HE the Foreign Minister reiterated Qatar's readiness to dialogue to end the Gulf crisis, within the framework of mutual respect and preservation of the sovereignty of the States, away from dictates, but in the form of compromises resulting in mutual collective obligations.

HE Sheikh Mohammed bin Abdulrahman Al-Thani expressed Qatar's appreciation and support for the Kuwaiti mediation, which is being carried out by HH the Emir Sheikh Sabah Al Jaber Al-Ahmad Al-Sabah to end the crisis.

HE the Foreign Minister affirmed Qatar's firm belief in the dialogue to resolve the crisis, despite the depth of the wound in the hearts of the Qatari people, which was caused by the policies the siege countries, despite the low level of media discourse of the countries of the blockade and the policy of spreading lies and fabrications, and despite the official discourse of some officials of the siege countries of respected international diplomatic framework to an unprecedented level, even in their speeches towards those who consider them their enemies.

HE Sheikh Mohammed bin Abdulrahman Al-Thani said that the use of force policy in all its forms in domestic and foreign policy is a major reason for the waste of justice in the international system, which reflects negatively on the respect and protection of human rights as well as the threat of security, peace and peaceful coexistence in the international community.

HE the Minister of Foreign Affairs noted that the State of Qatar has been subjected to exceptional circumstances and challenges for more than three months as a result of an illegal siege imposed by a number of countries which clearly violate international human rights laws and conventions, in particular the Universal Declaration of Human Rights and the United Nations General Assembly resolution, the outcomes of the World Summit of 16 September 2005, the provisions of international law and the rules governing relations between States.

He pointed out that this crisis began with the crime of hacking the website of the Qatar News Agency and spreading false news attributed to HH the Emir of the State of Qatar Sheikh Tamim bin Hamad Al-Thani, followed by malicious media campaigns against the State of Qatar, and false accusations are not based on any evidence that the State of Qatar funds terrorism, stressing that all this confirms the existence of political intent built behind piracy.

HE Sheikh Mohammed bin Abdulrahman Al-Thani said that the siege countries had closed since the first day air, sea and land borders in violation of the provisions of international law and international trade rules, which had a negative impact on the freedom of trade and investment, noting that these countries had taken many illegal measures that constitute a grave violation of civil, economic and social rights, including prohibiting the entry of Qatari citizens into or passing through their countries, as well as preventing their citizens from traveling to or residing in Qatar. He added that these measures led to the dispersal of many families and their members, especially women and children, and the deprivation of many Qatari students of their right to continue their education in universities after being expelled from them. Many other basic rights and freedoms, such as the right to work for the siege countries citizens working in Qatar, who had been forced to return home, the right to own private property, both for Qatari citizens in the siege countries or for nationals of these countries in Qatar, and freedom of movement, noting that these violations are still ongoing.

## **Annex 55**

UN General Assembly, 72<sup>nd</sup> Session, General Debate, *Address by His Highness Sheikh Tamim bin Hamad Al-Thani, Amir of the State of Qatar* (19 Sept. 2017)





Unofficial Translation

Address by  
**His Highness Sheikh Tamim bin Hamad Al-Thani**  
**Amir of the State of Qatar**

At  
**The General Debate of the 72<sup>nd</sup> Session**  
**of the United Nations General Assembly**

New York  
19 September 2017

*In the Name of God, Most Gracious, Most Merciful,*

**Honorable Audience,**

It pleases me to congratulate His Excellency Mr. Miroslav Lajčák on assuming the tasks of President of the 72<sup>nd</sup> Session of the General Assembly, wishing him every success in his mission.

I wish also to express my appreciation to His Excellency Mr. Peter Thomson for his valuable efforts in managing the affairs of the 71st Session of the General Assembly, and I take this opportunity to commend the efforts of His Excellency the Secretary-General, Mr. António Guterres, to strengthen the role of the United Nations.

**Mr. President,**

Maintaining the regional and international peace and security is a priority in the State of Qatar's foreign policy, whose principles and objectives are based on the United Nations Charter and the rules of international legality which calls for constructive cooperation among States, mutual respect and non-interference in the internal affairs, good neighborliness, as well as promoting peaceful coexistence and pursuing peaceful means to settle disputes.

The issue of settling of disputes by peaceful means is still being addressed as an episodic and non-binding proposal. Perhaps the time has come to impose dialogue and negotiation as a basis for resolving disputes through concluding an international convention on settling disputes between States by peaceful means.

In this context, and after major events such as the Second World War, Rwanda & Burundi and the Balkans in the last century, the danger of the impunity of perpetrators of crimes against humanity and crimes of genocide has come back again to threaten humanity to become the rule rather than the exception, because the international legitimacy is subjected to political pressures, interests of the axes and dictations of force on the ground, which could be a harbinger that the law of force may supersede the force of law.

In our view, the position of the major powers should not range between two extremes: the direct occupation to impose the will and policy on other countries, or standing idly in a spectator's position who refrain from doing anything vis-à-vis wars of genocide and crimes against humanity perpetrated by a fascist despotic regime, or a continuous repression by an occupying state of people under occupation.

Lately a feeling is spreading that peoples who are exposed to repression face their fate alone, as if the international arena is governed by the law of the jungle, and that the countries under

threat have to stand on their own through their alliances and relations, in the absence of a system to implement the provisions of international law, and the binding conventions and charters.

**Mr. President,**

We commend opting for the theme of this session: “Focusing on People: Striving for Peace and a Decent Life for All on a Sustainable Planet.”

In this context, I call upon the Government of the Republic of the Union of Myanmar and the international community to assume their legal and moral responsibility to take the necessary measures to stop the violence against Rohingya minority, provide them with protection, repatriate the displaced to their homeland, prevent sectarian or ethnic discrimination against them, and ensure that they have their full legitimate rights as full-fledged citizens, and we urge all States to provide humanitarian assistance to them.

**Mr. President,**

Every time I stand here I speak in favor of constructive international cooperation, just peace, the rights of peoples under occupation, as well as those who are subjected to crimes against humanity and those who are under siege.

This time, I stand here while my country and my people are subjected to a continuing and unjust blockade imposed since June 5th by neighboring countries. The blockade involves all aspects of life, including the intervention by these countries to sever family ties. Qatar is currently managing successively its living, economy, development plans and its outreach to the outside world, thanks to sea and air routes that these countries have no control over.

The blockade was imposed abruptly and without warning, prompting Qataris to consider it as a kind of betrayal.

It seems that those who planned and implemented it had envisaged that their move would cause a shocking and direct impact that will bring the State of Qatar to its knees and to capitulate to a total tutelage to be imposed on it.

And what is worse, the blockade planners found it necessary to rely on fabricated quotes attributed to me and posted on the website of Qatar News Agency after hacking it. The mobilized and guided media of these countries was ready to launch an all-out campaign of incitement prepared in advance in which all values, morals and norms were breached, and the truth was infringed by a torrent of lies. Funds are still being spent unsparingly on the machine of faking and disseminating fabrications in the hope of fooling people by distorting the truth with lies.

Despite the exposure of the hacking and falsification of quotes of the Amir of a sovereign State, the blockading countries did not back down or apologize for lying, but rather intensified their campaign, in the hope that the blockade would cause a cumulative effect on the economy and the society of my country, after it failed to bring about any direct impact.

The perpetrators of the hacking and the falsification of the quotes have committed an assault against a sovereign State. The crime was deliberately committed for political aims, and was followed by a list of political dictations, which contravene sovereignty, and caused worldwide astonishment.

This disgraceful act has once again raised international queries about digital security and the unruliness in cybercrime and electronic piracy.

It also revealed the anxiety of a lot of public and official circles in the world over the absence of clear-cut international legislations and institutions to organize this dangerous and vital field and punish the perpetrators of transnational crimes.

It is time now to take steps in this regard, and we are ready to put our potentials to serve such joint effort.

The countries who imposed the unjust blockade on Qatar have intervened in the internal affairs of the State by putting pressure on its citizens through foodstuffs, medicine and ripping off consanguineous relations to force them change their political affiliation to destabilize a sovereign country. Isn't this one of the definitions of terrorism?

This illegal blockade was not confined to the economic aspect and the breach of the WTO Agreement, but it exceeded that to violate the human rights conventions by the arbitrary measures that have caused social, economic and religious harm to thousands of citizens and residents of the GCC countries, due to the violation of the basic human rights to work, education, freedom of movement and the right to dispose of private property.

However, things did not stop at this point, but the blockading countries went beyond that to persecute their own citizens and residents of their territory and imposing penalties of imprisonment and fines on them for the mere expression of their sympathy with Qatar, even if that was on the social media, in a precedent never seen before in the world, in violation of the human rights conventions and agreements that guarantee the right of everyone to freedom of opinion and expression of ideas.

There are countries that permit themselves not only to attack a neighboring country to dictate its foreign and media policy, but also believe that their possession of funds qualifies them to put pressure and blackmail other countries to participate in their aggression, while they are supposed to be held accountable internationally for what they have done.



The countries who imposed the blockade on the State of Qatar interfere in the internal affairs of many countries, and accuse all those who oppose them domestically and abroad with terrorism. By doing so, they are inflicting damage on the war on terror, while at the same time opposing reform and supporting the tyrannical regimes in our region, in whose prisons terrorists are initiated.

We were not alone to be taken by surprise by the imposition of the blockade, as many countries whose leaders have questioned its motives and reasons were also taken by surprise. The blockading countries have promised all those who asked them about the reasons of the blockade to provide them with evidence of their anti-Qatar absurd allegations and fabrications, which kept changing according to the identity of the addressee. Everyone is still waiting for evidence that did not and will not arrive, because it does not exist. In contrast, these allegations contradict a lot of evidence about Qatar's contribution to the fight against terrorism, which is recognized by the entire international community.

The State of Qatar has fought terrorism - the whole international community bears witness to that - and it is still fighting it and will continue to do that. It stands in the camp of those who are fighting by security means, and believes that it is necessary to fight it ideologically as well. It goes beyond that to participate in draining its sources through providing education to seven million children around the world, so that they do not fall prey to ignorance and radical ideas.

We have refused to yield to dictations by pressure and siege, and our people was not satisfied by less than that. At the same time, we have taken an open attitude towards dialogue without dictation, and have expressed our readiness to resolve differences through compromises based on common undertakings. Resolving conflicts by peaceful means is actually one of the priorities of our foreign policy. From here, I renew the call for an unconditional dialogue based on mutual respect for sovereignty and I highly value the sincere and appreciated mediation that the State of Qatar has supported since the beginning, and which was initiated by my brother, His Highness Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, the Amir of the sisterly State of Kuwait. I also thank all the countries that have supported this mediation.

Allow me, on this occasion and from this podium, to express my pride in my Qatari people, along with the multinational and multicultural residents in Qatar.

The people have withstood the conditions of siege, and rejected the dictations with resolve and pride, and insisted on the independence of Qatar's sovereign decision, and strengthened its unity and solidarity, and maintained their refined manners and their progress despite the fierceness of the campaign against them and their country.

I reiterate my thanks to the sisterly and friendly countries which recognize the significance of respecting the sovereignty of States and the rules of international law, for their appreciated stances which were, and still are, supportive of the Qatari people during this crisis.

**Mr. President,**

Terrorism and extremism are among the most serious challenges facing the world. Countering them require us all to carry out a concerted action against terrorist organizations and their extremist ideology in order to maintain security for humanity and stability for the world.

The governments of the world have no choice but to cooperate in the security confrontation with terrorism, but halting the initiation of terrorism and extremism could be achieved by addressing its social, political and cultural root causes.

We must also be careful not to make the fight against terrorism an umbrella for reprisals or shelling of civilians.

The fight against terrorism and extremism was and will continue to be our highest priority. This is affirmed by the effective participation of the State of Qatar in the regional and international efforts through the implementation of the measures included in the United Nations strategy adopted in 2006, and the implementation of all the Security Council resolutions and measures related to the fight against terrorism and its financing and through the participation in the International Coalition, regional organizations and bilateral relations with the United States and many countries of the world. The State of Qatar will continue its regional and international efforts in this regard and will develop them.

While reaffirming our condemnation of all forms of extremism and terrorism, we reject tackling this phenomenon with double standards according to the identity of the perpetrators, or by linking it with any particular religion, race, civilization, culture or society.

**Mr. President,**

The issues of the Middle East continue to pose the greatest threat to international peace and security, due to the vital importance of this region to the world.

Israel still stands in the way of achieving a lasting, just and comprehensive peace and rejects the Arab Peace initiative. The Israeli government continues its intransigent approach and strategy to create facts on the ground through expanding settlement construction in the occupied territories, Judaizing Jerusalem and restricting the performance of religious rituals in Al-Aqsa Mosque, which is a serious provocative act, and continuing its blockade of the Gaza Strip.

The international community must give high priority to the resumption of peace negotiations on the basis of ending the Israeli occupation of the Arab territories within a specified time frame and reaching a just, comprehensive and final settlement in accordance with the two-state solution agreed upon by the international community, based on the resolutions of international legitimacy and the Arab Peace initiative.

This will only be achieved through the establishment of an independent Palestinian State on the basis of 1967 borders, with Jerusalem as its capital.

I renew my appeal to the Palestinian brothers to complete national reconciliation and unify positions and words in confronting the dangers and challenges facing the Palestinian cause and the future of the Palestinian people.

**Mr. President,**

The international community remains unable to find a solution to the Syrian crisis despite its consequences and serious repercussions on the region and the world. Political efforts continue to falter due to the conflicting international and regional interests, this confliction is conducive to protect those against whom we are supposed to stand united.

The international community relinquishes its legal and moral responsibilities, including the implementation of its decisions, in submission to the logic of force. What is required is to work seriously to reach a political solution to the Syrian crisis in a way that meets the aspirations of the Syrian people for justice, dignity and freedom, and maintains the unity and sovereignty of Syria, in accordance with the Geneva-1 decisions.

Qatar will spare no effort in providing support and assistance to alleviate the humanitarian suffering of our Syrian brothers and to implement our humanitarian pledges within the framework of the United Nations.

The international community has given up the task of protecting civilians. Will it also hesitate to hold war criminals accountable? Their impunity would have dire consequences on the situation in Syria and the region, which would affect the behavior of future dictatorships towards their peoples in the absence of any deterrent.

On the Libyan issue, Libya's national consensus - which would preserve Libya's unity, sovereignty and social fabric, and restore its stability - could be achieved by means of combining domestic and international efforts. We must all intensify efforts and support the Government of National Accord, which has been established with the support of United Nations, in its efforts to restore stability, counter terrorism and its grave consequences.

The State of Qatar has supported international mediation efforts and will support them in the future to achieve the aspirations of the Libyan people.

Concerning the brotherly Iraq, we support the efforts of the Iraqi government in its endeavor to achieve security, stability and unity of the territory and people of Iraq. We commend its achievements in its fight against terrorism, and affirm the necessary support to it by the State

of Qatar to complement these victories by realizing the aspirations of the people of Iraq to equality among its citizens and restore its role at the regional and international levels.

Concerning Yemen, we affirm the importance of maintaining Yemen's unity, security and stability, and ending the state of infighting and war and adopting dialogue, political solution and national reconciliation as a basis for ending this crisis and implementing the Security Council resolution 2216.

We call upon the international community to facilitate the access of humanitarian assistance to various Yemeni regions. The State of Qatar supports the efforts of the UN envoy to end this crisis and realize the aspirations of the brotherly Yemeni people in unity, security and stability.

In order to achieve security and stability in the Gulf region, we renew the call that we have already launched from this podium, for conducting a constructive dialogue between the GCC countries and Iran on the basis of common interests, the principle of good neighborliness, respect for the sovereignty of States and non-interference in their internal affairs.

**Mr. President,**

Within the framework of the international efforts to tackle the humanitarian crises, the State of Qatar has continued to contribute to the response to the growing humanitarian needs in the world. We have increased our financial contributions to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) to enable the United Nations to implement UN programs and provide humanitarian relief to those in need worldwide. Today the State of Qatar ranks third on the list of major donors in 2017 to the United Nations Office for the Coordination of Humanitarian Affairs.

We have continued to provide support to countries facing challenges to help them implement their development plans. It is worth mentioning here that the State of Qatar ranked first in the Arab world and 33rd in the world in the field of human development. This proves the effectiveness of our humanitarian and development policy. We look forward to achieving the goals of the United Nations Sustainable Development Agenda, which we have all committed to realize.

In conclusion, we reiterate that the State of Qatar will spare no effort in working to strengthen the role and efforts of the United Nations to achieve what the international community seeks in regard to peace and security, and to promote human rights and advance development. Qatar will remain, as is always the case, a safe haven for the oppressed, and will continue its mediation efforts to find just solutions in conflict zones.

**Thank you, and may Allah's peace, mercy and blessings be upon you.**

## **Annex 56**

UN General Assembly, 72<sup>nd</sup> Session, General Debate, *Statement of H.E. Abdel Fattah Al-Sisi, President of the Arab Republic of Egypt* (19 Sept. 2017)



**EGYPT**



**مصر**

The Permanent Mission of Egypt  
to the United Nations  
New York

بعثة مصر الدائمة  
لدى الأمم المتحدة  
نيويورك

*Unofficial Translation*

**Statement of  
H.E. Abdel Fattah Al-Sisi**

**President of the Arab Republic of Egypt**

**before the 72<sup>nd</sup> session of the United Nations  
General Assembly**

New York, 19 September 2017

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*Please check against delivery*

Mr. President Miroslav Lajčák, President of the General Assembly,

Allow me at the outset to congratulate you for assuming the presidency of the 72<sup>nd</sup> session of the United Nations General Assembly. I wish you all success in carrying out your duties. I also seize this opportunity to express the utmost appreciation to Mr. Peter Thomson, the president of the 71<sup>st</sup> session of the General Assembly, who has most ably overseen the work of the previous session.

Mr. President,

Each time we meet at this august body, we rekindle the hopes and aspirations of the peoples whom we are honored to represent and serve, to provide them with peace and development. New generations look up to us to realize their dreams for a decent life within a just international order; a global order that can face challenges, such as climate change, natural disasters, diseases and epidemics, as well as other man-made crises such as war, terrorism and the huge discrepancies in the distribution of resources and development opportunities.

It is evident that the purposes and principles of the United Nations are still valid as a basis for a world that offers everyone an opportunity to benefit from the great strides in scientific advancement, economic development, as well as the information revolution, which has brought societies ever more closer in an unprecedented manner. These developments offer great potential for establishing a just and secure international order; one that is based on the right to development, freedom, progress and open interactions between peoples.

In Egypt, we adamantly believe in the values of the United Nations and the purposes of its Charter. We have great confidence that realizing such values is not only possible, but rather an obligation and a necessity.

Egypt's longstanding involvement with the UN, both as a founding member of the United Nations that has been elected to the Security Council for six times, and the seventh largest contributor to peace keeping operations world-wide, bears witness to our constant strive to build a world that is worthy of the aspirations of our children and grandchildren to live in freedom, dignity, security and prosperity.

The responsibility that we bear necessitates that we be frank in saying that this world that we seek and is very possible to achieve remains unfortunately far from reality. We are still unable to prevent armed conflict,



confront terrorism, realize nuclear disarmament and address the major structural imbalances in the international economic order, which have widened the gap between the developed and developing worlds.

Based on the experiences of the African and Arab regions, I can state with a clear conscience that these experiences summarize the current crisis in the international order, and its inability to deliver on the goals of this organization.

The Arab region, Egypt's civilizational and cultural milieu, has today become an epicenter for some of the most vicious civil conflicts in recent human history. It is the most prone region to the dangers posed by terrorism. One out of every three refugees in the world today is an Arab, and the Mediterranean Sea has become a conduit for irregular migrants from Asian and African states, who are fleeing the scourge of civil strife, as well as the despair of economic and social hardships, as reflected in the Arab regional report on multi-dimensional poverty conducted by the League of Arab States in collaboration with the United Nations.

As Egypt's geographical home, Africa lies at the heart of Egypt's foreign policy, for it is in Africa that our historic roots lie, and it is from Africa that we derive pride in our identity and our deep sense of belonging. This continent has also become subject to the same security threats facing the Arab region, and constitutes a major example of the crisis in the current international economic order, which cements poverty and economic disparity. This global order bears a major responsibility in the economic, political and social crises that threaten international peace and stability, rendering any discussion on sustainable development goals futile.

Mr. President,

Egypt is encircled by the most dangerous crises in the world. It is our destiny to navigate confidently through these unprecedented dangers, relying on an ambitious development strategy based on radical and bold economic reforms. Such reforms aim at empowering the youth, who represent the majority of the population, not only in Egypt but also in most of the societies of the Arab countries and the developing world.

In a world that is interconnected, complex and full of challenges that cannot be confronted by any country alone, regardless of its capabilities, it is imperative for Egypt's ambitious development plans to correlate with an active foreign policy strategy. Such a strategy is guided by the long established moral principles ingrained in our heritage and culture, and abides

by the legal principles of the international system, which Egypt has actively participated in formulating. It is also based on a vision to address the shortcomings that have prevented the realization of the objectives of the United Nations.

Our vision is based on the following five main principles and priorities:

**First:** The only solution to the of the crises afflicting the Arab region is through upholding the notion of the modern nation-state, which is based on the principles of citizenship, equality, rule of law and human rights, thereby defeating any attempts at retracting to doctrinal, sectarian, ethnic or tribal loyalties. The path towards reform passes inevitably through the realization of the nation-state, and cannot be built on its demise.

This principle lies at the core of Egypt's foreign policy, and it is the foundation on which we base our positions in addressing crises affecting our region.

With regards to Syria, we believe that there would be no salvation for Syria except through a consensual political solution amongst all Syrians at the core of which is the preservation of the unity of the Syrian state, the maintenance of its institutions and the broadening of their political and social base to include all factions of the Syrian society, and to decisively counter terrorism until it is defeated. The way to achieve this is through the UN led negotiations process, supported by Egypt as stridently as we reject any attempt to manipulate the tragedy in Syria to establish international or regional zones of influence, or to carry out the subversive policies of some regional parties, whose practices have caused great suffering to our region over the past few years. It is now high time for a final and decisive confrontation with these practices.

Similarly, we believe that a political settlement is the only viable solution to the ongoing crisis in Libya. Libya continues to face attempts to dismantle the state and to turn it into an open field for tribal conflicts, a field of operations for terrorist organizations, and a theatre of activity for arms and human traffickers. Here, I would like to emphasize very clearly, that Egypt will not allow the continuation of attempts to tamper with the unity and integrity of the Libyan state, or to undermine the capabilities of the Libyan people. We will continue to work diligently with the United Nations

to achieve a political settlement based on the “Sokhairat Agreement.” This political settlement is inspired by the recommendations agreed upon between Libyans during their consecutive meetings in Cairo during the last months. The aim is to end the current political stalemate, and to revive the settlement process in the country.

The aforementioned same logic applies to the Egyptian strategy regarding the crises in Iraq and Yemen. A unified, capable and just modern nation-state is the only way to overcome the current crises, and to realize the legitimate aspirations of Arab peoples.

**Second:** It is time for a comprehensive and final settlement to the longest outstanding crisis in the Arab region, namely the Palestinian cause, which is a clear depiction of the international community's inability to implement a long series of United Nations and Security Council resolutions. The closure of this chapter through a just settlement, based on established international norms and principles, establishing an independent Palestinian state along the 1967 borders with East Jerusalem as its capital, is a necessary precondition for the entire region transit into a new phase of stability and development. This is also necessary to restore the credibility of the United Nations and the international order. Undoubtedly, achieving peace will eliminate one of the main excuses terrorism has been manipulating to justify its proliferation in the region. It is time to permanently overcome the barrier of hatred forever. I would like to underscore that the Arabs still extend their hands in peace. Egypt's experience validates that peace is possible, and is indeed a realistic objective that we should all continue seriously pursuing.

**Third:** It is impossible to envisage a future for the regional or international order without a definitive and comprehensive confrontation with terrorism. This should be approached in a manner that eradicates terrorism and eliminates its roots and causes, in addition to openly challenging any party that supports or finances terrorism, or that grants it political, media fora, or safe havens.

In all candidness, there is no room for any serious discussion on the credibility of any international system that applies double standards. A system that fights terrorism while tolerating its supporters, and simultaneously engaging them in the discussions on how to eliminate a threat they created in the first place. In order to be true and faithful to our peoples, members of different international alliances should answer the pertinent questions we are raising, for answers are usually avoided by those

who prefer duplicity in order to attain narrow political interests at the demise of states and at the expense of blood shed by their people, which we shall not allow to be lost in vain under any circumstances.

We in the Muslim world need to face our reality and work together to rectify misconstrued notions which have become an ideological pretext for terrorism and their destructive discourse. As you may recall, Egypt has launched an initiative to rectify religious discourse in order to revive the moderate and tolerant values of Islam. Egypt's religious institutions are currently engaged in this process in coordination with relevant international entities worldwide.

Egypt, which is currently engaged in an unrelenting battle to eradicate terrorism from its territory, is committed to track, confront, and eliminate terrorism decisively wherever it exists. It is evident that confronting terrorism has been at the forefront of Egypt's priorities during its membership of the Security Council in 2016/2017, as well as its chairmanship of the Counter Terrorism Committee. This was not only in defense of Egypt's future, but also in defense of the future of the international community as a whole.

**Fourth:** The elimination of the root causes of international crises and sources of threat to international stability, necessitates the operationalization of the principle of common but differentiated responsibilities between members of the international community, in order to narrow the economic and social gaps between developed and developing countries.

How can the United Nations, Agenda 2030, and the sustainable development goals have any credibility when the international economic order is in itself responsible for augmenting disparities in a manner inconsistent with the values of justice and equality?

And how can there be any opportunity for less developed countries to implement fundamental economic reforms to rectify defects aimed at managing their resources, without fundamentally addressing issues that are no less foundational to international economic conditions? This requires involving developing countries more in the international economic governance structure and facilitating their access to easier financing, markets and technology transfer.

**Fifth:** Settling disputes in our world today can only be achieved through respect for the principles of international law, and negotiation on the basis of legal, historic, and moral principles, as well as the respect of the sovereignty of states and of the principle of non-intervention in their internal affairs.

After more than seven decades have elapsed since the establishment of the United Nations, force and zero-sum games cannot remain as a means to realize interests, especially in today's world, which is based on mutual interdependence among nations, and where significant horizons for cooperation and understanding exist to achieve the common interests for everyone.

Based on the aforementioned principles, Egypt has been at the forefront of countries that have been keen on initiating the Nile Basin Initiative in 1999. It has also pursued the conclusion of a trilateral agreement between Egypt, Sudan and Ethiopia to address the Renaissance Dam issue from a cooperative perspective, in a manner that establishes a clear legal framework to manage this issue in accordance with international law and established principles, as well as the well established rules governing relations between states sharing basins of trans-boundary rivers all over the world. This agreement remains as the legal framework that can translate the logic of cooperation and sharing between its three parties, as long as good faith persists and the parties apply the agreement fully and with integrity. In this regard, it is of paramount importance to carry out what has been previously agreed upon between the parties in the context of this agreement, especially given the pressing time factor, in order to avoid squandering the opportunity of presenting a successful model for the management of relations between three sisterly countries in the Nile basin.

Mr. President,

In conclusion, our meeting today in this august body, is an opportunity for truthful self-reflection, where we should admit the several deficiencies that hinder the international system from delivering on the noble objectives and aspirations it was set up to realize. It is also an opportunity to renew our commitment to establish a more equitable international order, given that the attainment of justice globally remains a necessary condition to confront the immense challenges impacting our world today, and endangering the credibility of the international system.

The humanitarian tragedy facing the Rohingya minority in Myanmar represents another reason to remind the international community of its moral obligations, let alone its legal responsibilities, as reflected in the UN Charter, to promptly work towards a lasting solution that ends the plight of civilians and addresses the root causes of the crisis, which has become a threat to regional security and the stability of neighboring countries.

Let us move together to empower the people of this world regain control of their destinies, and to explore new horizons of cooperation between members of the international community... Let us transcend together the vicious circle of narrow interests as well as the futile logic of power politics to the broader horizons of common human interests and cooperation among all.... Let us be true to ourselves and dispel the mentality of polarizing policies...For the world today is in dire need to uphold common human interests. It is incumbent upon all states to strive to further relations with all partners with malice to none.

This, Mr. President, was Egypt's message that I have conveyed to you today... explicitly and clearly. I am full of hope that our joint efforts during the upcoming period will succeed in realizing a better world, which is more secure, stable and prosperous.

Thank you....

Long live Egypt.... Long live Egypt.... Long live Egypt....

## **Annex 57**

UN General Assembly, 72<sup>nd</sup> Session, General Debate, *Statement by His Highness Sheikh Abdullah Bin Zayed Al Nahyan, Minister of Foreign Affairs and International Cooperation of the United Arab Emirates* (22 Sept. 2017)





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Statement by

His Highness Sheikh Abdullah Bin Zayed Al Nahyan  
Minister of Foreign Affairs and International Cooperation  
of the United Arab Emirates

before

The General Debate of the 72<sup>nd</sup> session  
of the United Nations General Assembly

New York, 22 September 2017

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Mr. President,

Let me begin by congratulating you on your presidency of this session of the General Assembly. We are confident that your deep experience in international affairs will contribute to its success, and we stand ready to provide you with all the support and cooperation you need. I also wish to thank your predecessor, Mr. Peter Thompson, for his stewardship of the last session.

Let me also take this opportunity to express my country's appreciation for the efforts of the Secretary-General, Antonio Guterres, to reform the United Nations' work in conflict prevention and the achievement of peace and security. We fully support his vision, which will require United Nations member states to cooperate more closely on both existing and emerging global challenges.

The foreign policy of the United Arab Emirates is guided by principles consistent with the Charter of the United Nations and international law: a spirit of partnership, support for the rule of law, good-neighborliness and non-interference in the internal affairs of other States. These principles lead us to support a stronger role for the United Nations, and its reform, so that it can fulfil its mandate to maintain international peace and security and to bring about development and prosperity.

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Mr. President,

The United Arab Emirates works hard and responsibly, both within its neighbourhood and beyond it, to promote the stability and development of Arab countries and tackle the destruction which our region's wars have left in their wake. We see security and stability as the key to the advancement of nations and peoples, a promising future for younger generations, and a decent life for all. Our collective priority must be to promote peace and stability.

Despite serious regional and international efforts, our region continues to suffer from crises. These have several causes: extremism and terrorism; continued interference by states in each other's internal affairs; aggressive and expansionist policies driven by hegemonic ambitions; and regimes which seek influence by providing support to extremist and terrorist groups to undermine legitimate governments and spread chaos and conflict throughout the region and the world. These crises have killed many, displaced millions and destroyed infrastructure. If this situation persists, it will only generate more violence, destruction and depletion of economic, cultural and human resources not only in our region, but throughout the world.

There is no doubt that we, as an international community, have made progress in confronting security and humanitarian threats. However, more can be done to restore stability in the Arab world. The UAE believes that the initial steps to restore stability in the region should be the following:

First: to protect the development progress that has been made, and prevent any party from obstructing or wrecking collective efforts at peacebuilding. Otherwise we will be reduced to managing these conflicts instead of being able to solve them. I refer in particular to Libya, Syria, Yemen and Somalia. In those countries comprehensive political solutions can be achieved. Stability can be restored. But this will only be possible if we put a stop to outside interference in Arab affairs, and prevent any form of support from being given to extremist and terrorist groups. In this regard, we support the efforts of the United Nations to bring warring parties to the negotiating table and achieve comprehensive political solutions for the crises in our region.

Second: to unite in a firm and sincere rejection of extremism and terrorism in all its manifestations. There is no other way to confront and eradicate this scourge. My country believes that the Riyadh Summit was historic by any standard. It attracted an

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unprecedented breadth of attendance at the highest levels, including the important participation of the President of the United States. The outcomes of the Summit demonstrated that the Arab and Islamic world stands firmly against terrorism and its ideological roots.

We believe that the elimination of this threat from our Arab region is within our reach. The liberation of ancient Arab cities with a rich history, such as Mosul in Iraq and Mukalla in Yemen from the grip of terrorist organizations is proof of this. It shows what can be achieved when we work together to combat extremism and terrorism.

Third: To take collective action to identify countries that support and finance terrorism, and hold them accountable. This is why the UAE has taken measures in tandem with its close allies the Kingdom of Saudi Arabia, the Kingdom of Bahrain and the Arab Republic of Egypt, aimed at stopping Qatar's support for extremism and terrorism, and forcing it to abandon policies which have destabilized our region.

We are committed to protecting our national interests, the security of the Arabian Gulf, and the stability of our region. Some parties in our region are making alliances with organisations that seek to undermine peace and security in the Arab region and the world. This is a gamble that they will lose. It is behavior that we should not accept. Let us stand united against those who finance, promote and justify extremism and terrorism.

We have a clear choice with no alternative: to stand against terrorism in all its manifestations and to stand against all perpetrators without exception. We must demonstrate zero tolerance to those who spread violence, fear and destruction among innocent people, and those who provide support and safe haven to terrorist groups. The sovereign measures taken by my country in cooperation with its close allies serve this purpose. They are consistent with international law and are intended to protect Arab national security and counter Qatar's support for terrorism.

Fourth: to promote compassion, tolerance and inclusion. Today more than ever, the Arab region is in great need of these values to counter the misleading messages and ideologies spread by extremist and terrorist groups, especially through social media platforms. My country works with regional and international partners to put in place mechanisms which remind our youth of our shared human values and counter the rhetoric of the terrorists. Specifically, the UAE established and hosts specialized institutions such as the "Sawab" Center, the International Center of Excellence for Countering Violent Extremism "Hedayah", as well as the "Muslim Council of Elders" which aims to demonstrate the peaceful nature of our Islamic religion, and the "Forum for Promoting Peace in Muslim

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Societies” which consolidates the principle of peace among Muslims . We have learned from experience that we must expose extremist and terrorist rhetoric and defeat it intellectually, and provide an alternative narrative based on the principle of peaceful coexistence and tolerance.

While these institutions promote a culture of peaceful coexistence and tolerance, we regret that some countries fund media platforms which call for violence, incite hatred and sectarianism and provide a podium for the murderous ideology of terrorism. History has repeatedly proven the catastrophic consequences that follow when media platforms incite people to commit violence and justify it.

Mr. President,

Our international efforts to achieve peace in the region will not be successful without ending the Israeli occupation of the Palestinian and Arab territories which has lasted over seven decades. This situation makes young people vulnerable to exploitation by terrorist groups who claim that they are the only choice through which they can achieve their aspirations.

The common factor in all crises suffered in the region and the real obstacle to any concrete progress in resolving these crises remains the hostile and expansionist policy of Iran in the region. That policy is one of interference in the internal affairs of other states, and of arming and supporting terrorist groups, such as the Houthis and Hezbollah, as well as terrorist groups and cells in Iraq, Syria, Yemen, Lebanon, the Kingdom of Saudi Arabia, the Kingdom of Bahrain and Kuwait. Iran has not only committed blatant violations of the principles of sovereignty, but also continues to exploit the crises in the Arab world to undermine regional security by inciting and fueling conflict. Iran must realize that peaceful co-existence based on respect for sovereignty in the region is the best basis for a harmonious relationship with the states of the Arabian Gulf.

We reaffirm from this podium the UAE’s firm position and its legitimate right to sovereignty over its three islands: Greater Tunb, Lesser Tunb and Abu Musa, which are occupied by Iran in violation of the provisions of international law and the Charter of the United Nations. We will not abandon our demand for Iran to return the occupied islands to their rightful owners, either voluntarily or through the peaceful means that are available for the resolution of international disputes, particularly through the International Court of Justice.

Two years have passed since Iran’s nuclear agreement, with no sign of change in its hostile behavior in the region or any desire to abandon its nuclear ambitions. Instead, Iran

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continues to develop and conduct more ballistic missile tests in a deliberate violation of the spirit of the nuclear agreement. Therefore, we support enhancing controls on Iran's nuclear program and continued assessment of the agreement and its provisions.

We view the similarly provocative behavior of North Korea, through its continued development of its nuclear program and ballistic missiles, as a part of the destructive efforts of these states to pursue their nuclear ambitions and threaten global security and stability. The aggressive policies of Iran and North Korea are inconsistent with their membership in an international organization whose primary concern is the maintenance of international peace and security.

Mr. President,

If we are to restore security in the region and protect its peoples from conflicts and extremism, then we must make development, in both its human and strategic dimensions, our top priority. We must create opportunities and hope for young generations looking to a tomorrow with optimism and confidence. Therefore, my country is committed to achieving economic and human progress, and to contribute to rehabilitation and reconstruction projects in conflict-affected countries, in order to enable their national institutions to undertake their role in restoring security and stability.

The UAE continues its humanitarian approach to alleviate the suffering of refugees. It supports international and regional efforts to protect them and improve their conditions by providing humanitarian and development assistance. However, the UAE stresses that managing crises by providing only humanitarian and development assistance is not a sustainable solution if we do not address the root causes of such crises.

In this regard, we reiterate the need for the United Nations to assume its responsibilities in finding solutions to humanitarian and political crises and addressing their grave implications, especially with regard to the recent violence and ethnic cleansing committed against the Rohingya in Myanmar. The United Arab Emirates condemns the acts of violence, and displacement and collective punishment, committed against the Rohingya and affirms that it will continue to provide humanitarian assistance and support efforts taken to reduce their suffering.

In this context also, we refer to the obstinate rejection by the Houthi rebels in Yemen of a political settlement to the Yemeni crisis and of humanitarian initiatives there. We see this clearly in their disruption and delay of numerous relief efforts and initiatives aimed at responding effectively to the deteriorating humanitarian situation in Yemen. Despite this,

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we will continue to work determinedly through the Arab coalition under the wise leadership of the Kingdom of Saudi Arabia on the political and humanitarian processes with the utmost vigour and determination. We will strive to address the humanitarian and development needs of the Yemeni people, especially women and children, and restore stability.

Mr. President,

The UAE believes that it is by looking to the future, promoting humane values and human development, and responding to the aspirations of young people that peoples and nations can best advance their own development and prosperity. Today, my country has moved beyond the establishment of infrastructure and fulfillment of basic needs, including the provision of health, nutrition and education services, and adopted a model which is based on the principles of good governance and values of tolerance according to a vision for building happy societies. In addition, my country has ensured the provision of a safe environment to enable women and youth to fulfill their dreams and ambitions, and engage in the development of their country. This has allowed the UAE to pioneer innovations and ground-breaking achievements, and to become a beacon of hope for the younger generation throughout the region. The UAE is cognizant that its greatest challenge is to make its development sustainable and prepare itself for the post-oil era. This is a vital endeavor and it is our goal in every action that we undertake.

The UAE considers these values and principles a human and historic legacy passed on and celebrated by generations. Therefore, we have declared 2018 to be the "Year of Zayed" in memory and recognition of the achievements of the founding father of the United Arab Emirates, and to enshrine his values as we continue his journey to build and advance the nation.

Mr. President, we stand before a historic juncture. On the one hand stand those who pursue peace, development, modernity and the future. On the other, those who choose darkness, destruction, sabotage and chaos. In this most necessary and just confrontation, we must stand united. Our goal must be the eradication of extremism and terrorism and the elimination of those forces that are tearing our Arab region apart. Our path will then be clear, towards a future that is brighter and full of hope.

Thank you.

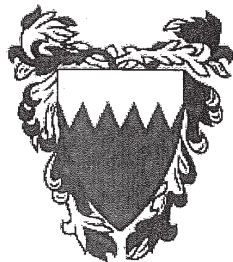
## **Annex 58**

UN General Assembly, 72<sup>nd</sup> Session, General Debate, *H.E. Mr. Shaikh Khalid Bin Ahmed Bin Mohamed Al Khalifa, Minister for Foreign Affairs of Bahrain* (22 Sept. 2017)





Permanent Mission of the Kingdom of Bahrain to the United Nations



STATEMENT

by

**H.E. Shaikh Khalid Bin Ahmed Bin Mohamed Al Khalifa**

**Minister of Foreign Affairs of the Kingdom of Bahrain**

before the

**United Nations General Assembly**

**72<sup>nd</sup> Session**

**New York City**

**23<sup>rd</sup> September 2017**

**#UNGA72**

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Your Excellency Mr. Miroslav Lajčák,  
President of the General Assembly,

I wish at the outset to congratulate you wholeheartedly, and your country Slovakia, on your election as President of the current session of the General Assembly, and to pledge our full cooperation in the discharge of the duties with which you are entrusted. We are fully confident that, thanks to your insight and clear vision, you will successfully conduct the business of this session.

I also wish to praise your choice of the theme of our session which is “*Focusing on People—Striving for Peace and a Decent Life for All on a Sustainable Planet*”. This important theme meets the expectations of all countries and nations.

I avail myself of this opportunity to express my deep appreciation for your predecessor His Excellency Mr. Peter Thomson for his able and competent presidency of the previous session.

I renew my congratulations to His Excellency Secretary-General António Guterres, and applaud his tireless efforts as reflected in his valuable report on the work of the Organization in which he demonstrated his resolve to reform its structure and management, to enhance its role in the consolidation of international peace and security, and to support sustainable development in response to the challenges and changing circumstances confronting us. In this respect, I also applaud the efforts of His Excellency President Donald Trump, President of the United States of America, to support the reform of the United Nations. The Kingdom of Bahrain was among the first countries to sign the Political Declaration initiated by His Excellency in support of the Secretary-General’s reform plan for the United Nations.

I would be remiss not to express the heartfelt condolences of the Kingdom of Bahrain to the United States of America, Mexico and the Caribbean nations on the natural disasters to which they have been subjected to and which caused numerous fatalities and material damage. I reiterate our solidarity with them and pray that they will soon recover from their impact.

Mr. President,

Under the leadership of His Majesty King Hamad bin Isa Al Khalifa, King of the Kingdom of Bahrain; His Royal Highness Prince Khalifa bin Salman Al Khalifa, Prime Minister; and His Royal Highness Prince Salman bin Hamad Al Khalifa, Crown Prince, Deputy Supreme Commander and First Deputy Prime Minister, the Kingdom of Bahrain remains faithful to its consistent policy of enhancing partnerships with the United Nations and its various bodies and entities in expression of its firm belief in the role that our Organization is playing in achieving a more stable and prosperous world.

Accordingly, this current year witnessed numerous initiative of fruitful cooperation, notably the launching of *King Hamad Youth Empowerment Award to Achieve the SDGs*, aimed at

consolidating the efforts of governmental and private entities to enhance the contribution of young people to the process of sustainable development.

In March of this year, the *Princess Sabeeka bint Ibrahim Al Khalifa Global Award for Women Empowerment* was officially launched. This award, named after the wife of His Majesty the King and President of the Supreme Council for Women, is in full conformity with the objectives of the United Nations in enhancing the role of women in development. It reflects the pioneering experience of Bahraini women, nationally and internationally.

Similarly, the International Youth Conference to Achieve Sustainable Development was held under the patronage of His Highness Shaikh Nasser bin Hamad Al Khalifa, Representative of His Majesty the King for Charity Works and Youth Affairs, in collaboration with the UNDP Office, with a focus on raising awareness amongst youth of the United Nations Sustainable Development Goals (SDGs) and enhancing the role of youth in achieving them.

In the context of Bahrain's keen interest to pursue its efforts aimed at achieving the SDGs, and to maintain its leading position among countries with very high indicators in the field of human development according to international sources, Bahrain looks forward to the forthcoming signing of a strategic partnership framework with the United Nations for the period 2017-2020. My country has also made strides towards the elimination of forced labour and human trafficking and ratified the relevant international agreements and protocols. It further issued an act prohibiting all forms of human trafficking, with severe sentences imposed on the perpetrators. It also implemented the national referral system for the victims of trafficking, the first of its kind in the region which provides a mechanism to monitor and redress this illegal practice.

Recently, the Kingdom of Bahrain issued the Unified Family Law, which constitutes a key legislative tool for the consolidation of the family's stability and the preservation of all its rights without exploitation or mistreatment. This is based on the noble teachings of Islam and the principles enshrined in the Bahraini Constitution that the family is the foundation of society. This act equally exemplifies Bahrain's commitment to international instruments related to the family and women including most importantly: CEDAW.

In support of the United Nation's endeavors to address global warming and its implications in the field of climate change, my country deposited in December 2016 its instrument of ratification of the Paris Agreement, thereby renewing its commitment to this historic agreement which we hope will consolidate international efforts to address this perilous phenomenon.

Mr. President,

The Kingdom of Bahrain firmly believes that maintenance of stability and security in the Middle East and in the entire world requires a strong and common political will as well as serious collective efforts to guarantee respect for the basic principles underlying relations among states, such as good neighborliness, non – interference in the internal affairs and compliance with

international conventions and instruments so that we can address the greatest challenge facing us, namely terrorism, and deter those individuals or entities supporting and financing it.

All the more so now, that terrorism is no longer confined to terrorist organizations that we can confront and eliminate. Rather, it has become a tool in the hands of states determined to create crises in other countries in pursuit of their own agenda. They thus become a full partner in the terrorist acts and a factor of destabilization of international peace and security.

Considering the strategic importance of peace and security for our vital region, my country is keen to establish strategic partnerships within its own region and with its allies. As partners, we can work together to preserve the security of the Gulf region, to combat terrorism and to provide protection for international navigation and commerce routes, notably through close cooperation between the Bahrain Defense Force and the American Fifth Fleet, based in the Kingdom of Bahrain.

The GCC - US summit held in May of this year in the Kingdom of Saudi Arabia and the ensuing Memorandum of Understanding to establish a Centre charged with combatting the financing of terrorism, as well as the Arab Islamic American Summit, all constitute an important landmark in the war against terrorism in that they establish a strategic and effective partnership between the US, the GCC and the other Arab Islamic countries. We reaffirm that the *Global Center to Fight Extremism* known as *I'tidal* "moderation", inaugurated in the city of Riyadh on the sidelines of the aforementioned Summit will contribute greatly to the fight against extremist ideologies and will enhance the values of tolerance and co-existence in the world.

In this context, I commend the General Assembly's resolution establishing the United Nations Office of Counter Terrorism which constitutes an important step towards the consolidation of international efforts to address this scourge.

Mr. President,

It is no longer acceptable that among us, there are rogue countries occupying others' territories, violating the sovereignty of states, threatening international peace and security, supporting terrorism, and spreading hate and anarchy. It is no longer possible to allow these countries to become parties to our efforts to bring an end to struggles, resolve conflicts and put an end to complex humanitarian tragedies. Those countries were behind the aggravation of these situations. We should not allow them the opportunity to be among us and to misuse their presence among us to satisfy their ambitions and hostile objectives. Confronting these countries is a duty and a responsibility that the entire international community must shoulder. Either they respect their commitments and catch up with the collective international will to achieve peace, development and welfare, or be held clearly accountable, and suffer isolation and the severe consequences of international resolutions and laws.

Against this backdrop, and to consolidate anti-terrorist and anti-extremist efforts, the Kingdom of Bahrain, together with the Kingdom of Saudi Arabia, the United Arab Emirates and the Arab Republic of Egypt, with the support of many other countries, availed themselves of their sovereign right under international law to sever relations with Qatar after a lengthy period of patience during which we exhausted all available means to halt Qatar's policies that violated all brotherly relations of good neighborliness and non-interference in the internal affairs of states, provided financial support and safe haven to terrorists and fugitives, and disseminated a discourse of hate and extremism via its media and the individuals and institutions supporting it; all of whom we have placed on a unified terrorist list, most of which are also included in international terrorist lists, in order to make the situation clear to the entire world, after the effects of this terrorism, spread to many countries, among them, my own. Qatar has supported systematic terrorist acts which we have suffered from in the Kingdom of Bahrain and which have cost us the lives of many innocent civilians and security personnel, with a view to undermining national security and social peace and overthrowing the government system with the help of parties associated with them.

It is therefore our collective responsibility to protect our states and nations against those who seek to harm them, and to confront them firmly. If Qatar is serious, by act and not only through words, to engage in a dialogue and reclaim its place among us, it must respond positively and commit itself in all transparency to our just demands, based on the principles enshrined in the declaration issued by the meeting of the four countries in Cairo on 5 July 2017, in full conformity with international covenants and instruments. In this regard, we highly appreciate the tireless efforts of the good offices of His Highness Shaikh Sabah Al-Ahmad Al-Jaber Al-Sabah, Amir of Kuwait.

We stress the fact that all actions taken against Qatar are directed neither against our peoples nor the Qatari people for whom we have nothing but respect and affection and with whom we are tied by religion, family relations and common history. We will continue to stand by the Qatari people and support their security and stability and for that purpose, our countries have taken a number of measures to accommodate humanitarian cases, notably family relations and health conditions as is amply demonstrated by the latest facilities provided to Qataris by the Kingdom of Saudi Arabia including for Hajj and Umra. This confirms the solid ties and refutes assertions of blockade or violations of human rights.

I wish here to express my country's congratulations to the Kingdom of Saudi Arabia for the great success of the Hajj season, which has been widely praised by all those participating in this major Islamic rite, and is a strong response to all those who seek to politicize the Hajj and make it a season of conflict and sedition. The Saudi Government, consistent with its highest objective, thus demonstrated its outstanding ability to protect the Two Holy Mosques and other sacred sites as well as all the visitors performing Hajj or Umra.

Mr. President,

Those regimes that constantly seek to disseminate anarchy and evil are instruments of destruction and will be the biggest losers as they drift away from the values of collective cooperation among nations. As is the case of the Islamic Republic of Iran, where the people suffer from oppression, misery, and poverty, while gallows are hoisted in the streets. Living conditions are harsh and have taken this people, rich in history and civilization, tens of years backward while wasting the people's resources to feed violence and undermine the region's security, for the sake of realizing Iran's hegemonic and expansionist ambitions, through its Revolutionary Guard and its satellite organizations such as the terrorist Hezbollah in Lebanon and Syria and the militias in Yemen or the terrorist cells and groups in Bahrain, the Kingdom of Saudi Arabia, Kuwait and Iraq as well as other countries that have suffered at length from these adversarial actions. We believe that the statement by His Excellency President Trump here before the General Assembly of the United Nations presents an accurate interpretation that clearly denounces the dangerous nature of the Iranian rogue regime that undermines peace in the region. The world is obliged to confront this regime and to stop it from pursuing its policies and its support of terrorism and obliging it to respect its neighbors' sovereignty.

And because we always aspire to peace, we affirm that establishing normal ties with Iran is subject to the latter dropping its hegemonic, sectarian, and ideological policies. It must respect the national values of peoples and refrain from exporting its revolution based on a theocratic system or government. It must abide by the principles of good neighborliness and non-interference in the internal affairs. We call on Iran also to end its occupation of the three Emirati islands (Greater Tunb, Smaller Tunb and Abu Musa) and to respond favorably to the peaceful demarches by the United Arab Emirates to recoup sovereignty over its territories either through direct and serious negotiations or by referral to the International Court of Justice.

On the other hand, the Republic of Iraq, that has suffered for so long, and is still suffering, from foreign interference, has recently achieved, with the means available to it, the liberation of Mosul and Tal Afar from the grip of Daesh. This would not have been possible without the immense sacrifices by the Iraqi armed forces and the determination of the Government under His Excellency Dr. Haider Al Abadi, as well as the support provided by the international coalition to combat Daesh of which Bahrain is an active member. We reaffirm our constant support for all efforts aimed at restoring peace and security throughout Iraq and preserving its independence, sovereignty and territorial integrity.

As regards to the situation in the Republic of Yemen, we reiterate our firm position of support for the legitimate government under the leadership of His Excellency President Abdrabuh Mansour Hadi, President of the Republic of Yemen and we do so through our participation in the "Arab Coalition to support legitimacy in Yemen" and through our support for the measures

taken by the legitimate government to extend its authority over the totality of the Yemeni territory, to put an end to the coup d'état militias supported by foreign powers, to reach a comprehensive political solution on the basis of international mandates, notably the GCC Initiative and its Implementation Mechanism, the outcomes of the National Dialogue, and Security Council Resolution 2216. This will terminate all forms of foreign intervention and put an end to the critical humanitarian situation of the Yemeni people. We reaffirm that we do not side with any one Yemeni party against the other but rather, we oppose foreign interventions that seek to harm this beloved country and we appreciate the efforts of Mr. Ismail Ould Cheikh Ahmed, Special Envoy of the Secretary-General for Yemen.

In the Arab Republic of Syria, we urge the international community to exert greater efforts towards protecting civilians and saving their lives, compelling all parties to abide by the cease fire decision and the establishment of de-escalation zones, guaranteeing access to besieged areas for the delivery of humanitarian assistance, and intensifying support to countries hosting large numbers of our Syrian brethren, most notably the Hashemite Kingdom of Jordan. In addition to pushing forward all efforts aimed at achieving a political solution that would preserve Syria's unity and territorial integrity while ending foreign intervention in its internal affairs. The solution should also see the abolition of all terrorist organizations and provide peace and security to all Syrians so that they are enabled to actively participate in the determination of their own future on the basis of the communiqué of the First Geneva Conference and Security Council resolutions 2254 and 2268. We reaffirm our support for the Astana talks and the action of the Special Envoy of the Secretary-General for Syria, Mr. Staffan de Mistura in the hope that they will contribute to the resolution of this protracted crisis.

In Libya, we applaud the liberation of a number of major cities from the hands of terrorist groups. We reaffirm our full support to the efforts exerted by all actors to achieve consensus among all Libyan parties and the implementation of the political agreement signed in Skhirat. Among these efforts are those deployed by Libya's neighboring countries, the meetings held in UAE and France between Mr. Faiez Serraj, President of the Presidency Council of the Government of National Accord of Libya and Field Marshal Khalifa Haftar, Commander-in-Chief of the Libyan army. We hope that such efforts shall continue with a view to preserving Libya's unity and territorial integrity consistent with the aspirations of the people for development and progress. We welcome the appointment of Mr. Ghassan Salamé as Special Representative in Libya and wish him every success.

As regards to the question of the Moroccan Sahara, the Kingdom of Bahrain reaffirms the need to support the negotiations aimed at achieving a consensual and final political solution to this problem in the context of Moroccan national sovereignty and on the basis of relevant Security Council resolutions that confirm the seriousness of Morocco's self-government initiative. We urge all parties to fully cooperate with the United Nations in this respect.

We reiterate our total objection to the plight of Muslims in Myanmar as a result of excessive use of force and we call on the Myanmar Government to assume its responsibilities in protecting the Rohingya Muslims and facilitate their access to all forms of relief and assistance so as to put an end to this human tragedy.

Mr. President,

The Palestinian question comes on top of foreign policy priorities of the Kingdom of Bahrain which has always stood with the Palestinian people in their legitimate aspirations to enjoy all their legitimate rights, including an independent state, with East Jerusalem as its capital and within the borders of 4 June 1967, in conformity with the relevant international resolutions, the Arab Peace Initiative and the two states solution.

In welcoming the positive steps lately taken by Palestinian factions to end their divisions in favor of the vital Palestinian interests through political work and non-violence, we commend the pivotal role played by His Excellency President Abdel Fattah Al Sisi of the Arab Republic of Egypt in this respect. This confirms the central role of Egypt in the support of causes related to the Arab nation of which it constitutes the strategic depth and the main pillar of peace and security.

The Palestinian question is not a religious issue. Palestine is the cradle of religions on which all lived in perfect harmony. Rather, it is a political issue *par excellence*, an issue of territorial occupation that must end, and the return of a people to their homeland. Rights confiscated must be returned to their owners and this precisely is what Israel, notwithstanding all its security concerns, should understand, for it will achieve peace for its people, and for itself, only when it abandons all forms of violence against Palestinians, and refrains from confiscating rights and property. It should halt its settlement activities and stop violating the sanctity of religious sites, especially what is happening in the blessed Al Aqsa mosque in the form of repeated aggressions and provocative acts that enrage Muslims all over the world and impede the resumption of the peace process and all supporting regional and international initiatives.

We wish to express at this juncture our sincere appreciation for the commendable work of UNRWA and the substantial assistance it provides the Palestinians inside the territory and in the neighboring countries.

Mr. President,

The Kingdom of Bahrain stresses the need to achieve the universality of adherence to the Comprehensive Nuclear-Test-Ban Treaty, taking into account the right of all peoples to use nuclear power for peaceful purposes. Israel should implement the resolution issued by the Review Conference of the Parties to the Comprehensive Nuclear-Test-Ban Treaty of 1995 pertaining to the Nuclear-free Middle East. Equally, we stress the need for Iran to implement Security Council Resolution 2231(2015) pertaining to the nuclear deal including those parts



concerning ballistic and related weapons or else face severe sanctions should it violate in any manner its commitments by virtue of this resolution and the international safeguards system under the auspices of the International Atomic Energy Agency. We welcome in this respect Security Council Resolution 2375 pertaining to new sanctions on DPRK in view of its continued nuclear and ballistic tests that threaten its neighbors and international peace and security.

Mr. President,

Since its inception as an Arab and Islamic entity in 1783, the Kingdom of Bahrain firmly believes in the importance of collective action in the pursuit of security, development and prosperity. It orients all means towards the service of its people, its region and the world at large, since time immemorial. Allah has blessed it with wise leadership that has inherited an acute sense of responsibility for the achievement of the ultimate objectives of ideal relationships with its neighbors. It perseveres in following this path and will never go astray. It shall remain an effective member of the international community, a trusted partner in its Arab and Islamic setting and shall hold tight to this approach as the solid foundation of our foreign relations. We will remain open to all cultures and peoples in the spirit of tolerance and moderation and shall pursue the path to progress and development with determination and perseverance to safeguard our achievements, development and prosperity.

I thank you Mr. President.



## **Annex 59**

UN General Assembly, 72<sup>nd</sup> Session, General Debate, *H.E. Mr. Adel Ahmed Al-Jubeir, Minister of Foreign Affairs of Saudi Arabia, Summary of Statement* (23 Sept. 2017)



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# Saudi Arabia

## H.E. Mr. Adel Ahmed Al-Jubeir, Minister for Foreign Affairs

23 September 2017 (72th Session)



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**Statement Summary:**

ADEL AHMED AL-JUBEIR, Minister for Foreign Affairs of Saudi Arabia, said the Israeli-Palestinian conflict was the most protracted in the region's history and had led to a great deal of human suffering. Nothing could justify the continuation of that conflict, particularly when there was wide-spread agreement over the two-State solution. International determination was needed to make that solution a reality.

On Yemen, he said his country was attempting to save the Yemeni people so they could recover their State. That undertaking had only come following sustained political efforts to preserve the safety and stability of Yemen, as well as its territorial integrity and independence. Saudi Arabia fully supported the political process in Yemen, he said, and would stand by the United Nations and its Special Envoy to arrive at a political solution, in line with resolution 2216 (2015). Saudi Arabia was aware of the scope of the humanitarian suffering in Yemen and had spared no effort to help Yemenis, having contributed \$8 billion in humanitarian and medical assistance.

Strongly condemning the policy of repression and forced displacement that Myanmar was carrying out against the Rohingya, he said that tragedy required an urgent response to bring it to an immediate end. Saudi Arabia continued to provide humanitarian assistance to the Rohingya minorities, he said, adding that his country also hosted more than half a million of those refugees. Furthermore, the King had personally intervened with neighbouring States and worked with Bangladesh to help ensure safe passage and decent living conditions for those refugees.

The threat of terrorism was among the most serious challenges facing the international community, he said. Saudi Arabia would continue to work to counter terrorism and extremism in all forms and manifestations. The crisis in Qatar had jeopardized his country's policy of cutting off funding to terrorists and extremists. Doha's financial support of terrorism, dissemination of violent hate speech, was unacceptable, as was its policy of providing safe haven to those who violated the law. The position taken by the four States was meant to demand that Qatar follow the principles of international law in fighting terrorism.

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Source

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**Right of Reply** (23 September 2017)

Speaking in exercise of the right of reply, the representative of Qatar responded to Saudi Arabia.

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**Right of Reply** (25 September 2017)

Speaking in exercise of the right of reply, the representative of Iran responded to Saudi Arabia.