

QATAR V. UNITED ARAB EMIRATES RACIAL DISCRIMINATION DISPUTE

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ABSTRACT: Qatar and the United Arab Emirates are the two countries that have clashed in 2017 because Qatar and the United Arab Emirates are the two countries that have clashed in 2017 because of the blockade and expulsion issues carried out by the United Arab Emirates against Qatari citizens, this is what makes the United Arab Emirates violate racial discrimination. The beginning of this problem was because the United Arab Emirates thought that Qatar had violated the 2013 Riyadh Agreement. In international law, human rights have the status of Jus Cogens which is regulated in article 53 of the 1969 Vienna Convention. So that the United Arab Emirates was reported by Qatar to the ICJ for violating racial discrimination . The two countries resolved the dispute through mediation brokered by the ICJ. From these problems, ICJ issued the International Court of Justice Decision Number 172 of 2018. This research uses a qualitative and normative juridical approach, namely by conducting research on literature reading sources and analyzing them by law. The author gets the source by searching for secondary sources, namely scientific journals that have been written by other people as a reference source of this research. This study has limitations, namely analyzing the issue of racial discrimination which is a dispute between Qatar and the United Arab Emirates. This research has a great contribution to provide learning about international disputes and their resolution to the wider community which of course has the aim of providing knowledge and insight for readers.

Keywords: Racial discrimination, Jus cogens, Human Rights.

INTRODUCTION

In carrying out state life, of course, the state must have diplomatic relations with other countries. Because basically these countries need each other so that international relations are created between these countries. Efforts to foster good relations can be carried out in various forms such as establishing cooperation between two or more countries that have the same goal of creating international agreements to establish good relations and mutual need between these countries. After the process of establishing good relations where cooperation is established, an agreed form of agreement is created. Which when the international agreement is ratified by two or more countries, it will create a binding relationship between the countries. From the existence of this international agreement, there are rights and obligations that must be carried out between these countries as a legal consequence of the existence of an international agreement that has been ratified. Boer Mauna (2000, p. 82) cannot be denied that international agreements are the main practical means of international relations.

In cooperation in establishing international treaty relations, we can see in the diplomatic relations between the UAE and Qatar when they agree on an agreement that binds the two countries. However, there is a dispute which makes relations between the two countries not good. The UAE and Qatar are two countries that are located in the same geography. UAE and Qatar share the culture and characteristics of the same country. The UAE has a wider area than Qatar. Both countries are Arab countries and also Islamic countries. The area owned by Qatar is not large even the area does not reach 50% of the territory owned by the UAE. The relations between the two countries were well established until 2017. The two countries, which are geographically side by side, often experience conflicts that lead to political relations between the two. So it can be concluded that neighboring countries will often face problems if there is no commonality of mind between the two countries. This tension arises because of allegations that Qatar supports radical Islamic groups such as the Islamic State of Iraq and Syria (ISIS) and the al-Nusra Front, which is affiliated with al-Qaida. This is why the United Arab Emirates, Bahrain and Egypt cut off diplomatic relations with Qatar. The three countries said that the decision was taken to protect national security from the dangers of terrorism and extremism. The United Arab Emirates, which led the blockade, carried out various acts of racial discrimination against Qatari civilians, including:

- a) Qatari civilians who work and study in the United Arab Emirates are asked to leave the United Arab Emirates by the government of the United Arab Emirates, some of whom have family and property in the United Arab Emirates.
- b) Qatari-owned transportation of any kind is not allowed across the United Arab Emirates.
- c) Ban Qatari citizens from entering or passing through the United Arab Emirates.
- d) Ordered citizens of the United Arab Emirates to leave Qatar.

One year Qatar was blockaded, Qatar did not remain silent, the Qatari government took this issue to the International Court of Justice. Qatar sued the United Arab Emirates for racial discrimination and human rights violations and has violated the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 1969. Sefriani (2018, p. 19) said that in interacting with one another of course the state needs rules. The United Arab Emirates has violated its specific obligations under Articles 2, 4, 5, 6, 7 of the ICERD as well as the principle of international law of non-discrimination based on country of origin. Based on the background that has been described, the author wants to raise this issue as a theme in writing the thesis. This research is entitled *Dispute Resolution Between Qatar v. United Arab Emirates Concerning Acts of Racial Discrimination (Study on International Court of Justice Decision Number 172 of 2018)*.

1. LITERATURE REVIEW AND HYPOTHESIS/ES DEVELOPMENT

A. UAE v. QATAR Dispute

UAE and Qatar are two countries that are located in the same geography. UAE and Qatar have the same culture and characteristics of the country. The UAE has a wider area than Qatar. Both countries are Arab countries and also Islamic countries. Relations between the two countries were well established until 2017. Qatar's official media released a news report about the Muslim Brotherhood, which Saudi considers to be defending terrorist groups. Qatar has defended terrorist and militant groups such as the Muslim Brotherhood, ISIS, Al-Qaeda and Hamas and promoted a message about these groups in its official media. Countries that are geographically side by side often experience conflicts that lead to political relations between the two. With this, it can be concluded that a simple conclusion is that the two neighboring countries often experience different ideas and conflicts that result in political relations between the two.

The act is considered by the Qatari government as a violation of human rights against its country. The severing of ties with Qatar did not just happen as tensions had developed over the years. This tension arises because of allegations that Qatar supports radical Islamic groups such as the Islamic State of Iraq and Syria (ISIS) and the al-Nusra Front, which is affiliated with al-Qaida. This is why the United Arab Emirates, Bahrain and Egypt cut off diplomatic relations with Qatar. The three countries said that the decision was taken to protect national security from the dangers of terrorism and extremism. The United Arab Emirates, which led the blockade, carried out various acts of racial discrimination against Qatari civilians, including:

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- c. Ban Qatari citizens from entering or passing through the United Arab Emirates.
- d. Ordering citizens of the United Arab Emirates to leave Qatar.

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The international Convention on the Elimination of All Forms of Racial Discrimination is a human rights convention that makes regional legal provisions through its regional international organizations. Regional organizations that exist include: Council of Europe (CoE), African Unity

(AU), Organization of American States (OAS), League of Arab States, and Association of Southeast Asian Nations (ASEAN).

B. UAE VS QATAR Dispute Resolution Regarding Racial Discrimination Based on International Court Decision Number 172 of 2018

The end of the diplomatic relationship is marked by the level of quality of the relationship which is getting less and less and comes to a situation that is not good and ends with the termination of the relationship. There are also countries that unilaterally sever diplomatic relations, which can be caused by protests or disagreements over illegal actions from the sending country, this happens in this dispute where diplomatic severance is carried out unilaterally. In this dispute, the Qatari representative was given two weeks to leave the UAE, which is an act of *persona non grata*. As a result, Qatari citizens do not get protection for their interests, certain agreements that the two countries have agreed on are also canceled. Retort is a technical term for retaliation by a country for inappropriate or inappropriate actions from another country. The United Arab Emirates has withdrawn its diplomatic representation in Qatar and expelled Qatar's representative in the UAE with a grace period of two weeks. This is in response to the UAE for Qatar's actions as previously described. On 11 June 2018, Qatar filed this case with the International Court of Justice for a violation of ICERD on racial discrimination by requesting a Provisional Measure under Article 41 of the Statute of the International Court of Justice.

According to Sumaryo Suryokusumo, there are three powers or jurisdictions of the International Court of Justice, namely contentious cases, which result in binding decisions between parties who have previously agreed to submit to court decisions, and the second is to issue advisory opinions. (advisory opinions) which provide legal reasons or answers, according to questions asked in the scope of international law, but are not binding. The third jurisdiction is compulsory jurisdiction. This jurisdiction is applied if the disputing parties are bound by an agreement or convention where in the agreement they have agreed that if there is a dispute between the parties then they accept the mandatory jurisdiction of the International Court of Justice to decide the case (Kalalo, 2016) Disputes between the UAE and Qatar this falls under mandatory jurisdiction because the UAE is withdrawn by Qatar or without any special agreement with the UAE. In accordance with Article 36 paragraph (2) of the Statute of the International Court of Justice, the parties to the Statute of the International Court of Justice may at any time declare their acceptance of the jurisdiction of the International Court of Justice without any special agreement in relation to other countries accepting the same obligation. The International Court of Justice has the right to give this coercive jurisdiction to the UAE because the International Court of Justice considers that the circumstances require it under Article 41 of the Statute of the International Court of Justice. Qatar through its representatives (agents) submits applications to the Registry through a unilateral request from Qatar without a special agreement which is usually carried out if the two disputing countries agree to settle disputes through the International

Court of Justice. This dispute was resolved through the International Court of Justice by issuing a Provisional Measure based on Article 41 of the Statute of the International Court of Justice after previously being attempted through mediation. The interim decision issued by the International Court of Justice contains:

- 1) Qatari families separated by actions taken by
- 2) Qatari students affected by the actions taken by
- 3) United Arab Emirates are given the opportunity to complete their education in the United Arab Emirates or to get the United Arab Emirates on 5 June 2017, reunited. their educational records if they wish to continue their studies elsewhere.
- 4) Qatari citizens are allowed access to courts and other judicial organs in the United Arab Emirates.
- 5) Both Parties shall refrain from any action which may exacerbate or prolong the dispute in the Court.

2. METHODOLOGY

The method taken this time is Method Qualitative and juridical normative:

- Study qualitative is research used for research on conditions object natural, where researcher is instrument key. The difference with study quantitative is study this leave from data, take advantage of existing theory as ingredient explanatory and ending with a theory. Method qualitative is methods that focus on in depth observations. Destination study qualitative is for explain something phenomenon with deep with method in-depth data collection as well, which shows importance depth and detail of the data under study.
- Juridical normative juridical normative is study law library done with method researching materials References or secondary data sheer. With use method think deductive . Study juridical normative as above is study with To do analysis to problem in study through approach to principles law as well as refers to the norms existing law in regulation existing laws and regulations in Indonesia and use data type of ingredient the usual library is called secondary data.

3. RESULTS DAN DISCUSSION

A. Racial Discrimination Provisions Regulated in International Law

After World War II, the latest plans for the enforcement of human rights began to be planned and made by the UN General Assembly. On December 10, 1948, the United Nations General Assembly convened a session to specifically discuss human rights. The results of the trial conducted by the UN General Assembly that specifically discussed human rights were 48 countries agreed and

agreed to sign an agreement on human rights. The meeting was able to present a Universal Declaration of Human Rights (UDHR). Universal values and common standards of achievement for all peoples and nations are also established by the declaration.

The international community has realized the importance of regulating human rights so that the international community forms a universal legal arrangement related to national human rights, especially racial discrimination, including:

a) Universal Declaration of Human Rights (UDHR) 1948

Many of the international legal provisions contained in the Universal Declaration of Human Rights are incorporated into the international law of UN member states which are used as benchmarks to determine the extent to which a State exercises its human rights. The provisions contained in the Universal Declaration of Human Rights are considered to have value as customary international law. The Universal Declaration of Human Rights has thirty articles, one of which is article 2 which regulates racial discrimination.

b) International Covenant on Civil and Political Rights (ICCPR) 1976

Civil and political rights of a person are a covenant regulated by the international convention on civil and political rights or ICCPR. The Covenant on civil and political rights of a person came into force on March 23, 1976. These rights have been recognized when viewed based on the United Nations Charter and the Declaration of Human Rights. The rights of others must still be considered in their implementation and the circumstances allow them to do so. To ensure the fulfillment of one's civil and political rights is the purpose of this covenant, the rights in question are that everyone has the same and equal rights, and can enjoy them without pressure. This is regulated in the international convention on civil and political rights or ICCPR in article 26 on racial discrimination.

c) International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 1969

The human rights convention whose members are obliged to eliminate racial discrimination and promote understanding among all races is the international convention on the elimination of all forms of racial. Not only that, the obligation to prohibit the spread of hatred and the criminalization of participation in racist organizations is also required in this convention. Mechanisms in the event of a violation are also contained in this convention, so that a jurisprudence regarding the interpretation and application of the convention has developed.

The United Nations General Assembly on December 21, 1965 approved and opened the ICERD Convention and signed it. This Convention entered into force on January 4, 1969. In addition to the provisions of the universal provisions above. Regional legal provisions are also made by the international community through its regional international organizations. The participating regional organizations are: Council of Europe (CoE), African Union (AU), Organization of American States (OAS), League of Arab States, and Association of Southeast Asian Nations (ASEAN). The legal provisions that have been produced by these regional organizations include:

- *European Convention on Human Rights (ECHR) 1950*

Europe established the European Convention on Human Rights to build awareness of the protection of regional human rights which became the European Court of Human Rights. Fundamental civil and political rights are protected in the regional human rights treaty European Convention on Human Rights. Then the European Court of Human Rights as a mechanism for enforcing obligations and regional courts that carry out functions as legal institutions for the rights listed in the ECHR create actions that support the fight against the occurrence of human rights violations. Article 14 of the ECHR on racial discrimination.

- *American Convention on Human Rights (Pacta San Jose) 1978*

Many countries in the Americas have established a convention, namely the American Convention on Human Rights or also called the San Jose Pact. Entered into force on July 18, 1978. Article 1 and article 27 are the two articles that regulate racial discrimination in this convention.

- *Arab Charter on Human Rights (ACHR) 2004*

The principles embodied in the United Nations Charter, Universal Declaration of Human Rights, International Human Rights Covenants, and the Cairo Declaration on Human Rights in Islam have been reaffirmed in the 2004 Arab Charter on Human Rights (ACHR) adopted by the Arab Charter on Human Rights. Council of the Arab League on May 22, 2004. It is regulated in article 2, paragraph 2 on acts of racial discrimination.

- *African Charter on Human and Peoples Rights (Piagam Banjul) 1982*

Created under the auspices of the Organization of African Unity 1979 the African Charter on Human Rights and Population Rights is a regional human rights instrument whose purpose is to protect and promote human rights and fundamental freedoms on the African continent. In this article, which regulates the obligation to respect and respect every individual and prohibit acts of discrimination, it is contained in article 2 of this charter.

- *ASEAN Human Rights Declaration (AHRD) 2012*

When the 21st Association of Southeast Asian Nations Summit was held in Phnom Penh, Cambodia, a declaration was made, namely the ASEAN Human Rights Declaration or AHRD. acts of racial discrimination and everyone has the same position without any differences based on religion, nationality, race, culture and so on are regulated in articles 2 and 7 of this declaration.

All of the above international and regional provisions actually have the same purpose and objective, namely to provide guarantees of protection, equal legal standing and the prohibition of acts of racial discrimination.

B. Solution Dispute Follow Discrimination Racial between Qatar and the United Arab Emirates based on Decision Court International Number 172 of 2018

On 23 May 2017, the Qatar News Agency (QNA) information portal was hacked with publish the facts false about the supportive Emir of Qatar Islamic Republic of Iran and criticize President of the United States . Qatar immediately and personally public confirm that the QNA website has hacked and stories the no right . On the fifth of June 2017, the UAE Ministry of Foreign Affairs issued statement and announce that the UAE stipulates whole connection diplomatic and consular with Qatar and enforce series action wide discrimination against Qatar, among others: expelling whole Qatari people , prohibit Qatar from entering or passed through the UAE, and ordered UAE people make leaving Qatar, closing area UAE air and port nautical to Qatar and ban whole transportation between countries make Qatar not can accessed through air , land & sea , disturbing rights Qatari people who have property on UAE, speech whatever counts Becomes Support against Qatar threatened penalty prison until fifteen year , and close the place work local Al Jazeera Media Network and block Al Jazeera transmissions and stations as well as other Qatar websites . On 23 June 2017, the UAE issued threat for maintain action discrimination without limit time if Qatar doesn't approve list three mercy demands politics . Claims the Among other :

- a) Close Al Jazeera in person permanent , all station affiliates , and all other Qatar funded news outlets.
 - b) subdue policy outside country and abilities for chase connection diplomatic and strategic with the will of the UAE. c. Deliver individuals " desired " by the UAE.
 - c) Allow intrusion extensive , including monthly audits , and in taking Qatar's internal decisions .
- On 5 July 2017, the UAE issued an additional list six the principle that must Qatar complies with Discrimination Actions revoked . on the moon December 2017, The Office of The



United Nations High Commissioner For Human Rights (OHCHR) published report explaining about impact negative from action discrimination to right basic Qatari man. According to Article 9 Vienna Convention 1961 under case position and chronology outlined, the UAE took steps in complete the dispute against Qatar with violence that is with To do blockade and retort or withdrawal ambassador large UAE in Qatar as well as otherwise. end connection diplomatic the be marked with level quality relationship that is getting longer decreases and comes to a circumstances that are not good and end with disconnection relationship. There are also countries that decide connection diplomatic by unilaterally, which can caused because existence protest or disapproval on illegal acts from the sending country, p this occurs in dispute this is where the disconnection is connection diplomatic conducted by one-sided. In dispute this, Qatar representative given time two week for leaving the UAE, p the including the act of persona non-grata. As a result, Qatari citizens do not get protection on interests, agreements certain already these two countries agreed to cancel.

Qatar's Emir Tamim bin Hamad Al Thani attends the Arab-American Islam Summit in Riyadh, Saudi Arabia, May 21, 2017.

Source: BBC News Indonesia

Dispute between the UAE and Qatar this including in jurisdiction Required because UAE pulled by Qatar or without there is agreement special with the UAE. In accordance with Article 36 paragraph (2) of the Statute Court International, parties from Statute Court International the could every moment state accept jurisdiction Court International without existence agreement special in relationship with other countries that accept the same obligation. Court International entitled give jurisdiction compel this is in UAE because Court International consider that state require thereby based on Article 41 Statute Court International. Related mechanism or procedure in solution dispute between Qatar and the UAE can outlined as following:

- *Submission Application Interpretation (Application)*

Submission Application Interpretation (Application) a case in court International contained in Article 22 ICERD. Article 22 of ICERD states that there is two prerequisites that must be fulfilled before bring dispute the to Court. Dispute could referred to Court on request one disputing parties only if the parties not yet agree method solution other. Precondition first, that is negotiations. Qatar has repeatedly submit question about violation right basic man certain generated from action unlawful discrimination law by the UAE against Qatar, since June 2017. Qatari Foreign Minister conferred with the UN Human Rights Council through letter April 25 2018 says to UAE for stage

negotiation for complete violation this and its effects . regarding with precondition both covered in Article 22 of ICERD, namely use procedures which firmly regulated in Convention . On March 8 2018, Qatar communicated with ICERD Committee based on procedures set out in Article 11 of the Convention . Qatar thinks that solution procedure that no is precondition for implementation jurisdiction Court in case this . It also shows that no need depend on communication this for destination give prima facie jurisdiction . That prima facie jurisdiction alone given based on existence strong evidence with proper basis and must also there is risk loss of interest a country. one requirements for Qatar to obtain action protection temporary from Court International that is with the existence of prima facie court decide that precondition procedural based on Article 11(1) of ICERD, the UAE 's actions against Qatar may Becomes attention ICERD Committee . Court take notes that Qatar has communicate with ICERD Committee on March 8, 2018 based on Article 11 ICERD. Court decide that procedural prerequisites based on Article 22 ICERD at the stage this , has fulfilled . Court Judge International chosen by independent by the Security Council and the Assembly The United Nations General Assembly consists of fifteen judges.

- *Interim Decision (Provisional Measure)*

Article 41 Status Court International set protection the rights of the parties and there two mutual factors relate . Factor first is possibility that Court have jurisdiction on thing , second is score urgency and risk loss that is not could replaced if order protection no issued . Court confirm return that command on action temporary based on Article 41 Statute Court International have effect bind. Temporary decision (*provisional measure*) different with decision final (judgment), decision temporary is action protection while related _ with protection the rights of the parties , while the judge on dispute this still take place . This thing done by the Court for prevent one or second split party disturb situation or try for make party other *Fait Accompli*. The opinion of the judges in decision temporary this consist from two opinion namely dissenting opinion and separate opinion. Dissenting opinion is something the opinion of the judge who did not agree or oppose with one or a number of Thing from decision Court that . Separate opinion is opinion stating Support to decision Court. Temporary decision this at least has return rights Qatari citizens . According to John Austin in his view about theory positivism or utilitarian mention that ownership right from each individual could enjoy if given by official by the State (Awaludin , 2012) Qatar prioritizes well-being majority citizens with return the rights that have been violated by UAE through Court International.

4. CONCLUSION

In the discussion discussed, it can be concluded that the expulsion of Qatari citizens in the United Arab Emirates who have property in the United Arab Emirates and some who continue their studies in the United Arab Emirates cannot be justified and can be classified as Racial Discrimination as

regulated in the International Convention on the Elimination of all Forms of Racial Discrimination (CERD). Although there is a 2013 Riyadh Agreement which has a clause that the treaty member states can take appropriate action to maintain its security and stability.

That the International Rules of Human Rights including Racial Discrimination as regulated in CERD in this case constitute Jus Cogens which is the basic norm of international law which is non-derogable and cannot be violated under any circumstances as regulated in the provisions of Article 53 of the Vienna Convention on the Law of Treaties. 1967. Barcelona Traction Judgment 1970, and the opinion of experts who stated that racial discrimination was included in Jus Cogens, so the UAE should have obeyed Jus Cogens from the start of the blockade.

The provisions of international law, both regional and universal, regulate acts of racial discrimination. The following are provisions of universal international law: Universal Declaration of Human Rights (UDHR) 1948, International Covenant on Civil and Political Rights (ICCPR) 1976, International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 1969. Not only provisions of universal international law only, the following are provisions of regional international law provisions: European Convention on Human Rights (ECHR) 1950 Article 14, American Convention on Human Rights (Pacta San Jose) 1978 Article Arab Charter on Human Rights (ACHR) 2008 Article 2, African Charter on Human and People Rights (Banjul Charter) 1979 Article 2, ASEAN Human Rights Declaration (AHRD) 2012 Articles 2 and 7. Both regional international law provisions and universal international law provisions basically have the same aims and objectives, namely provide guarantees of protection, equal legal standing and prohibition of acts of discrimination racial.

Due to the absence of a specific agreement between the UAE and Qatar dated June 11, 2018 with registration number 172, the International Court of Justice resolved the dispute between the UAE and Qatar by implementing mandatory jurisdiction. The International Court of Justice has been urged by Qatar to grant prima facie jurisdiction over its claims of: To declare that the UAE has breached its obligations under Articles 2, 4, 5, 6 and 7 of ICERD. Ordering the UAE to take all necessary steps to comply with its obligations under ICERD. Court's judgment in Qatar v. The UAE is to issue a Provisional Measure based on Article 41 of the Statute of the International Court of Justice.

LIMITATION/S AND STUDY FORWARD

This research has been tried and carried out in accordance with scientific procedures but still have limitations, namely:

- 1) This study has a limited scope which only discusses the discussion according to the title of the study, namely racial discrimination which is a dispute between Qatar v. The UAE, where this

problem ultimately led to bad relations between the two countries, where the problem was brought to the international court, until the decision of the international court number 172 of 2018.

- 2) However, this research certainly cannot be separated from the shortcomings in the discussion which does not discuss extensively the initial problems that triggered the Qatar v. dispute. UAE. Where the 2013 Riyadh agreement became the initial trigger in the case of the two countries. For this reason, the researcher hopes to describe the discussion about the beginning of the 2013 Riyadh agreement which became the binder of the two countries which turned out to be the trigger for the occurrence of Qatar v. UAE until mediated by an international court.

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REFERENSI

Journal:

Almutawa, Ahmed. 2021. The Arab Court of Human Rights and the Enforcement of the Arab Charter on Human Rights. *Human Rights Law Review*, Vol. 21 (Issue 3). 506-532.

Kalalo, J.J.J. 2016. Penyelesaian Sengketa Terhadap Kasus Imunitas Negara Melalui ICJ (International Court Of Justice) / Mahkamah Internasional. *Jurisprudentie*, Vol. 3 (No. 2). 98-109.

Sari, Puspo Sulastri, Noer Indriati, Wismaningsih. 2020. Penyelesaian Sengketa Antara Qatar v. Uni Emirat Arab Mengenai Tindakan Diskriminasi Rasial (Studi Tentang Putusan Mahkamah Internasional Nomor 172 Tahun 2018. Vol. 2 (No. 1). 147-159.

International Law Making. 2006. *Jurnal Hukum Internasional: Deklarasi Universal Hak Asasi Manusia*, Vol. 4 (No. 1). 419-442.

Martina, Defira Martina Adrian, Fence M. Wantu, Abdul Hamid Tome. 2020. Diskriminasi Rasial Dan Etnis Dalam Perspektif Hukum Internasional. *Jurnal Legalitas*, Vol. 14 (No. 1). 1-17.

Nanda, Saraswati. 2017. Kriteria Untuk Menentukan Hak Asasi Manusia Sebagai “Jus Cogens” Dalam Hukum Internasional. *Arena Hukum*, Vol. 10 (No. 2). 163-184.

Hanifan, Hasya. 2021. Blokade Qatar oleh Empat Negara Semenanjung Arab Dilihat dari Paradigma Konstruktivis. *Jurnal Al Azhar Indonesia*, Vol. 2 (No. 1). 36-44.

Book:

Istanto, F. S. 2010. *Hukum Internasional*. Yogyakarta: Universitas Atma Jaya.

Lopulalan, Dicky. 2001. *Konvensi Internasional Tentang Penghapusan Segala Bentuk Diskriminasi Rasial*. Jakarta: Lembaga Studi Pers dan Pembangunan.

Legislation:

Vienna Convention on the Law of Treaties Done at Vienna on 23 May 1969. Article 53 (Treaties conflicting with a peremptory norm of general international law (jus cogens)).

The Arab Court of Human Rights: A Flawed Statute for an Ineffective Court.

Arab Charter on Human Rights (ACHR) 2004.

Universal Declaration of Human Rights (UDHR) 1948.

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 1969.

Other sources:

Dewangga, Arta Putri. 2020. Analisis Yuridis Tindakan Dan Pengusiran Warga Negara Qatar Oleh UEA Ditinjau Menurut Riyadh Agreement 2013. https://digilib.ubaya.ac.id/index.php?page=view/daftarpustaka_detail&key=259898.