

**THE 2013 RIYADH AGREEMENT AND THE COMPREHENSIVE
AGREEMENT OF 2014 ,THE BLOCKADE AGAINST QATAR AND ITS
RELATION WITH INTERVENTION.**

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List of Abbreviations

- (1) **GCC - Gulf Cooperation Council**
- (2) **GDD- Global Development Delay.**
- (3) **UAE - United Arab Emirates**
- (4) **Eg - Example**
- (5) **Art - Article**
- (6) **Vs - Verses.**
- (7) **Mr. -Mister**
- (8) **U.K - United Kingdom**
- (9) **U.N - United Nations**
- (10) **U.S.S.R - Union of Soviet Socialist Republic.**
- (11) **U.S - United States**

List of cases -

- Nicaragua Vs United States of America
- Corfu Channel Case
- Caroline cases

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Abstract

This article highlights the concept of Intervention under International Law ,and its various grounds. Along with this ,in the article ,various provisions of Riyadh Agreement 2013 are mentioned which is signed by GCC and Qatars and the comprehensive Agreement 2014 which is in supplemental agreements for Riyadh Agreement and the reason of the blockade against Qatar as jointed stated by Saudi,UAE ,Bahraini and Egypts.

Introduction

The word 'Intervention' has been defined as doctorial interference by a state in the affairs of another state for the purpose of maintaining or altering the actual condition of thing .The prohibition of intervention "is the corollary of every States right to sovereignty, territorial integrity and political independence". But as pointed out by Hans Kelsen, International law does not prohibit intervention in all circumstances, there are certain circumstances when the intervention is allowed.(1)According to Kelsen, Intervention is permitted in those situations ,where a state violates the right of another state by wrongfully intervening in the affairs of the another state, International law permits intervention against that state as a reaction against such violation of their right.

The principle of non - intervention propounded under the Charter under Ar 2(7) is applicable to the United Nations and not to the States. In fact ,the principle of non intervention by States has been propounded in Art 2(4) of the United Nations Charter. (2)

In one of leading case **Corfu Channel case (1949)** (3) the U.K had contended that it had used armed force for the purpose of receiving international justice but this was rejected by the World Court.

So long as the words "armed attack " are retained in Article 51,this seems to be the correct interpretation of the Charter. This interpretation also finds support from the verdict of the International Court of Justice indicating interim measures in case concerning Military and Paramilitary Activities in and Against **Nicaragua Vs United States of America (4)**the world court held by a majority of fourteen votes to one, the right to sovereignty and to political interdependence possessed by the republic of Nicaragua ,like any other State of the region or the

world, should be fully respected and should not in any way be jeopardized by any military and Paramilitary Activities which are prohibited by the principles of International law, in particular the principle that states should refrain in their international relations from the threat or use of force against the territorial integrity or the political independence of any states, and the principle concerning the duty not to intervene in matters within the domestic jurisdiction of a state, principles embodied in the United Nations Charter and the Charter of the Organization of American States.

Grounds of Intervention

Following are the grounds of Intervention -

- (1) Self defense
 - (2) On humanitarian grounds
 - (3) To enforce treaty rights
 - (4) Intervention to prevent illegal intervention
 - (5) Balance of power.
 - (6) Intervention to maintain international law
 - (7) For protection of persons and their property
 - (8) Intervention in civil wars.
 - (9) Collective intervention
- Self defence - Self Defence has been a valid ground of intervention for long time. On the ground of self defence a State may intervene in the affairs of another States. In this connection Mr. Webster, the Secretary of United States of America propounded a very important principle in the famous case, **The Caroline (1841)**. In this case Mr. Webster declared that the necessity of self defence should be instant, overwhelming and leaving no choice of means and no moment for deliberation. This principle was affirmed by Nuremberg Tribunal in 1946. (5)

The fact of the Case is - In Canada, which was then the colony of Britain, some revolutionaries were trying to overthrow the government. The ship named Caroline was carrying arms and men from across the river Niagara (within the territorial of American Government but with no effect. Consequently the British soldiers crossed the river, seized the ship in the American Territory and left it floating. The American Government protested and asked the British Government to justify

its action on the ground of self defence and self preservation. The American Secretary of State. Mr Webster propounded the above mentioned test. England failed to justify its action on the basis of the rest and had to express regrets.

The facts of the Corfu Channel case (1949) are -

North Corfu Channel is between Albania and Greece .A part of it is within the maritime belt of Albania .Before May 1946,the British ships and removed the mines from the channel and had ensured that it was safe for the passage of ships. That very month some British ships were fired at from the territory of Albania resulting in damage to the ship's. In addition to this, after some time the British ships suffered loss and damages due to mines which were laid in the territorial waters of Albania.This also resulted in the loss of lives of some persons. Consequently ,the British ships removed mines and explosive substance from the said portion without seeking permission of the Albanian Government in this connection. Albania protested against this and contended that it was a clear violation of Albanias sovereignty. On the other hand ,due to the loss and damage to the British ships by Mines laid down by Albania, Britain raised this matter in the security Council. The Security Council advised Albania and Britain to refer this matter to the International Court of Justice.In the beginning ,Albania raised the objection in regard to

International Court of Justice. Aim the beginning ,Albania raised the objection in regard to the jurisdiction of International Court of Justice in the matter.The International Court of Justice rejected the objection of Albania. Ultimately Britain and Albania agreed to refer the matter to the International Court of Justice for adjudication. Albania and Britain entered into a special agreement and through this agreement referred the following two explosions in its maritime belt and if answer is yet whether,Albania is liable to pay damages for the same? (2) Whether Britain violated the Sovereignty of Albania by removing the explosive substance ones, etc from the territorial.waters of Albania?

The International Court of Justice decided that Albania was responsible for explosions in its territorial waters. The Court answered the second question in favour of Albania. That is to say, Britain violated the Sovereignty of Albania by removing the explosive substances from the territorial waters of Albania without its permission. The Court observed that Albania was under an obligation to inform Britain about the danger that may occur as the mines and explosive

substances in the North Corfu Channel. Albert did not give any such warning to the warships of Britain. In addition to this, no such endeavour was made by Albania as might prevent the harm caused to the warships of Britain. The Court therefore ruled that Albania was liable for the loss and damage caused to the Britain warships on account of explosives and was also liable to pay compensation to Britain.

The Court observed -

"It is generally recognized and in accordance with international customs that States in time of peace have a right to send their warships through straits used for international navigation between two parts of the high seas without the previous authorisation of a coastal State, provided that passage is innocent. Unless otherwise prescribed in an international convention, there is no right for a coastal State to prohibit such passage through straits in the time of peace".

But by removing mines etc from territorial waters of Albania without its permission, Britain was guilty of the violation of Albania sovereignty. However, in view of the gravity of Albanian act of firing on British ships the World Court did not award any compensation on this account.(6)

- To enforce treaty rights - Intervention was also permitted in past under International law to enforce treaty rights. The Charter of the U.N does not permit intervention on this ground.
- Intervention to prevent illegal intervention - In past there have been several cases of Intervention by States in order to prevent illegal intervention by other States. But now Intervention by one State in the affairs of another State on this ground is not permissible.
- Balance of Power - In past there have been many cases of Intervention in order to maintain balance of power. Under the United Nations Charter this is not at all a valid ground. Thus no State can intervene in the internal or external affairs of another State in order to maintain the balance of power into a system of collective security. The system of balance of power has been replaced by a system of collective security.

Though intervention by a State or U.N in the domestic affairs of a State on the ground of balance of power is no more permissible, political reference of this ground is still not uncommon. A major nuclear confrontation between the two super powers - the U.S and U.S.S.R has so far been avoided on the basis of balance of power in respect of nuclear weapons. It would not be wrong to

say that in all talks of disarmament between the two super powers ,balance of power forms the basis directly or indirectly .Besides ,whenever India protests against U.S supply of dangerous weapons of Pakistan ,reference of the disturbance of balance of power in the sub continent is made.(6)

- For protection of persons and property -In earlier days, Intervention by a state for the protection of property and the persons of individual were allowed but now ,it is not permitted on the ground.
- Collective intervention of collective measures - Under the U.N Charter 'Collective intervention' can be made to check an aggressive on the breach of International peace and security. Under Chapter VII,Security CPU has been empowered to take collective action if there exists a threat or a breach of International peace and security or an aggressive has taken place. In this first stage ,the Security Council takes such collective measures as do not involve the use of force .But if such an action does not prove to be adequate ,the Security Council is empowered to employ armed action does not prove to be adequate ,the Security Council is empowered to employ armed forces. The United Nations took such action in Korea(1950) and in Congo (1961) .The recent example of such action in Gulf war (1991) for the vacation of Iraqi aggression and occupation of Kuwait.(7)
- Intervention to maintain International law - Prior to the establishment of League of Nations and United Nations, intervention for maintenance of International Law was allowed under International law but, Intervention on this ground is no more permissible.
- Intervention in Civil. Wars - In view of the continuous growth of International community, nations of the world have established close relations with each other. If anything happens in a state ,it is quite natural that it makes its effect on other States as well. If there is a Civil war in a State, it is quite natural that it makes its effect on other States .In past there is a civil war in a State, it is quite natural that it makes its effect on others States .In past there have been intervention by States in affairs of other States on this ground .eg, in 1934- 38 Germany and Italy intervened in the war of Spain. In 1968 ,Russia intervened in the Civil War of Czechoslovakia. Similarly ,Russia intervened in the affairs of Hungary. The question arises how far such type of Intervention is justified in view of the fact that United Nation's Charter has propounded the principle of non intervention by States in the affairs of other States. Jurists are of the view that Russian

interventions in Czechoslovakia and Hungary were not justified. But Russia claimed that it intervened in affairs of Czechoslovakia and Hungary on the request of their respective governments. It has been suggested that in civil war the United Nations should have the right to intervene. The United Nations should take a successful example of Intervention by United Nations in the case of Congo in 1961. In Congo United Nations succeeded in ending the civil war and in establishment of law and order. It may be noted here that the U.N can intervene in civil war only if the Security Council first determines under Article 39 of the Charter that it poses a threat to the peace, breach of the peace, or amounts to an act of aggression. If the Security Council makes this determination, provisions of Charter VII of the Charter become applicable.(8)

RIYADH AGREEMENT 2013

Qataris made several agreements with Gulf countries which were consented and signed by the members of the countries in the year 2013 called 2013 Riyadh Agreement and another agreement in 2014, under which are many conditions to be accepted mutually by the countries.(8)

On Saturday, November 2013, the custodian of the holy Mosques King Abdullah Bin Abdel Aziz- Al- Saud, the King of Saudi Arabia and his brother and his highness Sheikh Tamim Bin Hamd Bin So Khalifa Prince of Kuwaiti, and his brother and his highness Sheikh Tamim bin Hamid bin Khalifa - Al - Khani, the prince of Qatar met at Riyadh. They tried to find out what are the taints or something that is corrupting the relations between the Gulf Cooperation Council and apart from that the challenges facing its stability and security of the nations and means to find ways to remove the muddies in between the states.(9)

Due to the importance of laying of foundation for new phase of collective work between the council state in order to guarantee its movement within the unified political framework used based on the principles included in the main system of the cooperation council following has been agreed upon .

- Not to give asylum or nationalism to the people of the Gulf Cooperation states that has an activity opposes his country's regime, except with the approval of the country concerned
- No support to the deviant group that oppose their states and no support for antagonistic media.

- No support to Muslim Brotherhood or any of the organization, groups or individuals that threatens the security and stability of the Council States through direct security work or through political influence.
- Not to support anyone from Yemen that could impose a threat to its neighbouring countries.

The 2014 Agreement

Based on the invitation by the custodian of holy Mosques King Abdullah Bin Abdel Aziz- Al-Saud, the King of Saudi Arabia and the following have met in Riyadh in 16/11/2014 .His highness Sheikh Sabah - Al - Ahmed Al - Jabar Al- Sabbah, the Prince of Kuwait ,His Majesty king Hamad bin Eissa Al - Khalifa, King of Bahrain, His highest Sheikh Tamim Bin Hamd Bin So Khalifa Prince of Qatar, the Vice President and Prime Minister of UAE and the governor of Dubai, Crown Prince of Abu Dhabi and the Deputy Commander of Armed Forces of UAE. This was the cement to the spirit of sincere cooperation and to emphasize joint fate and the aspirations of the sons of GCC for strong cooperative bond. Based on the discussion of the commitment under Riyadh Agreement 2013 and its executive measures, as well as observing and reviewing the report of the committee regarding execution and results of the joint follow up operation room and reviewing the conclusion of the report , following has been reached.(10)

- (1) More emphasis is made on committing to the articles of the Riyadh Agreement 2013 and execution of the measure, the non commitment of any of the articles of the Agreement will lead to violation of the entirety of the Agreement.
- (2) Not to give refugee , employ or support whether directly or indirectly, domestically or abroad to any persons or media apparatus that harbours inclination harmful to any Gulf Cooperation Council discourse to support the Arab Republic of Egypt in all media platforms either directly or indirectly , including all offences broadcasted on Al-jazeera , Al-jazeera Muhasib Masr, and to work to stop all offences in Egyptian Media.

Accordingly it has been decided that the Riyadh Agreement 2013, its supplemental agreements as well as the execution , requires the full commitment to its implementation. Moreover the leaders have asked the Chief Intelligence to follow up the implementation of the results of the supplementary agreements and to report the leaders regularly with the purpose to take necessary measures to protect the security of the nation.(11)

2014 supplemental agreements

- Sets annual meeting for the foreign ministers for review.
- GCC heads of state takes the necessary measures against other non abiding states .

Effective Measures required to be taken -

Concerning domestic affairs of GCC

- Member states committed not give citizenship to those who are involved in opposing the Governmental activities and will mention the name of the person from the state he belongs and report the name of the person involved in the opposition activities to the country's they reside with the purpose to take necessary steps to prevent it.
- To take all necessary precautions and measures for supporting non interference in the internal affairs of a state, such as - No financial and media support by officials or societal institutions, individuals and activists. No refugee or support or making the country a platform for opposition. Preventing the external group ,targets and organizations that targets GCC from finding a place inside GDD. Prohibition of financial assistance or other support to the external organizations hostile to the GCC.

Concerning foreign policy

Committing to the collection discourse of the GCC and not to support the entities that pose a threat or risk to GCC including -

- 1.No support to the Muslim brotherhood ,whether financially or media .
- 2.Agreeing to expelling the non citizens Muslims Brotherhood members within the framed and coordinating the list if the people
- 3.No support to an outside groups those which are involved in threatening the security of GCC whether in Yemen,Syria or any other sites of sedition.
- 4.Shutting and stopping all the centres that involves in training or rehabilitating the citizens to work or to do activities against the Government.
- 5.Not to support the groups that making plans or doing activities in opposition to the Governmental actions.(13)

Gulf Cooperation Councils crisis after 2014

On May 23, 2017, Qatar woke up to news of a hack attributing false statements to the emir of Qatar.

The fake remarks were spreader on several UAE and Saudi-owned networks in the Gulf, which ultimately led to diplomatic breakdown between the states.

The incident came just two days after US President Donald Trump met Arab and Muslim leaders in Riyadh. On May 24, authorities in Saudi Arabia and the UAE also blocked Al Jazeera's website and then, On June 5 early morning, the Ministry of Foreign Affairs in Bahrain, Saudi Arabia, the UAE and Egypt issued statements announcing the severing and boycotting of diplomatic relations with Qatar in later days .

Saudi Arabia then shut its land borders with Qatar, and together with three other countries imposed a land, sea and air embargo on Qatar.

On June 7, Jordan also announced that it would scale back its diplomatic ties with Qatar and shut down the Al Jazeera bureau in Amman.

Why did these countries cut ties with Qatar?

The four countries have claimed that Qatar worked to support "terrorism", maintained too-close relations with Iran and meddled in the internal affairs of their countries.

What has Qatar's response been?

The Ministry of Foreign Affairs of Qatar responded to the initial announcements by saying that there was "no legitimate justification" for the actions taken by the four countries to sever diplomatic relations. It added that the decision was a "violation of its sovereignty" and that it would work to ensure that it would not affect the citizens and residents of Qatar.

Qatar has repeatedly rejected the accusations levelled against it as "baseless".

Both the emir of Qatar and the country's foreign minister have reiterated that Qatar is willing to negotiate with the boycotting countries, and have welcomed calls from international leaders for dialogue.

"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," Qatari Emir Sheikh Tamim bin Hamad Al Thani said in a speech to the UN General Assembly in September. "We have refused to yield to dictations by pressure and siege."

Qatar-Gulf crisis: The 13 demands presented by the blockading countries

Qatar rejected the accusations and list of demands by Saudi Arabia, the United Arab Emirates, Bahrain and Egypt. The demands included:

1. Downgrade diplomatic relations with Iran, expel Iranian military representatives from Qatar, and limit economic cooperation.
2. Shut down the Turkish military base under construction in Qatar and cease all military cooperation with Turkey.
3. Sever ties to all "terrorist, sectarian and ideological" groups and add them to current and future "terror lists".
4. Stop all funding of individuals, groups and organisations designated "terrorists" by the blockading countries, the US and others.
5. Hand over all listed "terrorists" and criminals wanted by the four countries and the US and to share all information about them.
6. Shut down Al Jazeera and all affiliated stations.

7. Stop meddling in other nations' affairs and naturalising citizens of the four blockading countries. Sever relations with elements opposed to blockading governments and hand over all intelligence gathered on them.
8. Financially compensate the four countries for loss of life, property and income caused by Qatar's policies over the years.
9. Seek harmony with surrounding countries - militarily, politically, economically, etc - to ensure Gulf security and the application of the 2013/2014 Riyadh Agreement.
10. Hand over all information it holds on opposition elements it supported, with clarifications of the forms of support it gave them.
11. Shut down all news outlets funded directly and indirectly by Qatar, including: Arabi21, Rassd, Al Araby Al Jadeed, Mekameleen and Middle East Eye.
12. All demands must be agreed to within 10 days or they will become null and void.
13. An agreement with Qatar on these points was to include clear goals and a schedule for reporting on progress (monthly for a year, quarterly for the second year, and annually for 10 years after that).(14)

Terror list - 59 individuals and 12 Qataris affiliated entities as listed in Saudi,UAE,Bahraini ,Egyptian statesment

Saudi,UAE ,Bahraini and Egypt's made a statement regarding terror lists that includes 59 individuals and 12 Qatari affiliated entities which they referred as terrorists supported.They stated they were bound to make the statement as Qatar's are supporting and harbouring the organization's which involves in threatening the National Security of other States in violation and contravention of its commitment under Riyadh Agreement 2013. Doha is continuously ignoring the requirements of fulfilling the obligation under the Riyadh Agreement 2013 and its executive mechanisms as well as the additional Comprehensive agreement of 2014.In fact majority of the listed entities are linked to Qatar and are manifestations of the Qatari Governments policy of duplicity .(15)

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