

Translated from Arabic

Memorandum

Information and measures taken by the State of Qatar at the national level with regard to General Assembly resolution 69/120 (2014) on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Further to the letter dated 22 February 2016 from the Department of International Organizations and Conferences of the Ministry of Foreign Affairs (No. 5/0021624/2016) and annexes thereto, which contains a request for information deemed relevant by Governments with respect to resolution 69/120 (2014) on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts, the National Committee for International Humanitarian Law has studied the matter and hereby provides the following information requested and measures taken by the State of Qatar to promote and implement international humanitarian law at the national level:

I. Accession to international instruments on international humanitarian law

The State of Qatar is a party to following international instruments:

1. The 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare
2. The Geneva Conventions of 1949
3. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict
4. The 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction
5. The two 1977 protocols additional to the Geneva Conventions
6. The State of Qatar has accepted the jurisdiction of the International Fact-Finding Commission established under to the provisions of Protocol I of 8 June 1977 additional to the Geneva Conventions.
7. The 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to be Excessively Injurious or to have Indiscriminate Effects

8. The 1980 Protocol on Non-Detectable Fragments (Protocol I)
9. The 1980 Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III)
10. The 1979 Convention on the Rights of the Child
11. The 1992 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction
12. The 1995 Additional Protocol to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may Be deemed to Be Excessively Injurious or to have Indiscriminate Effects (Protocol IV, entitled Protocol on Blinding Laser Weapons)
13. The 1997 Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction
14. The 1999 Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict
15. The 2000 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
16. The 2003 Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (Protocol V)

II. National Legislation

Qatari legislation contains provisions related to the national implementation of international humanitarian law, including the following:

- A provision on judicial guarantees appears in more than one piece of legislation, most notably the Permanent Constitution of the State of Qatar (2004), Law No. 10 of 2003 on the judiciary, Law No. 10 of 2002 on the office of the public prosecutor, the Penal Code (Law No. 11 of 2004) and the Code of Criminal Procedure (Law No. 23 of 2004).
- Qatari legislation regulates the use of the Red Crescent emblem in Ministerial Decision No. 2 of 1981, which approves the Qatari Red Crescent's amended memorandum of association and statute.

- Law No. 9 of 2002 on trademarks, trade names, geographical indications and industrial designs protects the emblems of the Red Crescent and the Red Cross from reproduction by prohibiting their registration as trademarks and by prohibiting the registration of trademarks that contain symbols that are identical or similar to those of the Red Crescent or Red Cross. Such actions constitute a punishable offence.
- With respect to the prohibition on the participation in military operations by persons under the age of 18, Qatari Law No. 21 of 2006 on military service stipulates that persons under the age of 18 may not be appointed to a military rank. In addition, Law No. 5 of 2014 on national service prohibits persons under the age of 18 from being recruited into military service.
- In implementation of the 1992 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the State of Qatar enacted Law No. 16 of 2013 on chemical weapons, which lists prohibited acts and the sanctions imposed on those who commit them, which conform with and implement the Chemical Weapons Convention at the national level.
- The Secretariat of the Cabinet is currently considering a draft military justice law that provides for war crimes and associated penalties.
- The Secretariat of the Cabinet is considering a draft law on biological weapons (currently at the final stage of the legislative process). The draft provides for acts prohibited under the Biological Weapons Convention and the penalties imposed on perpetrators.

III. National committees as mechanisms for the national implementation of international humanitarian law

The National Committee for the Prohibition of Weapons

In order to implement the Chemical Weapons Convention, the State of Qatar established the National Committee for the Prohibition of Weapons pursuant to Cabinet Decision No. 26 (2004). The Committee was created under the Ministry of Defence and is composed of two representatives of the Ministry of Defence, who serve as the Committee's Chair and Vice-Chair, as well as one representative each from the ministries of Foreign Affairs, Interior, Energy and Industry, Municipal Affairs, and Agriculture; the National Health Authority; the Ministry of Municipal Affairs and Agriculture; the Supreme Council for the Environment and Nature Preserves; the Secretariat of the Cabinet; the Hamad Medical Corporation; and the General Custom Authority. Each agency chooses

its own representative to the Committee, and the names of the Chair, the Vice-Chair and the members are contained in a decision from the Chief of Staff of the Armed Forces, according to Article 1 of the Decision establishing the Committee.

Article 4 of the Decision establishing the Committee charges it with the following authorities:

1. It advises the competent government committees on issues related to the prohibition of weapons of all types, including nuclear, biological, toxin, chemical and conventional weapons.
2. It studies the drafts of international weapons-ban instruments and states its opinion on the advisability of acceding to such instruments.
3. It work toward the goals of international weapons-ban instruments which the State has joined or ratified.
4. It proposes legislation and procedures for implementing international weapons-ban instruments.
5. It reviews national legislation on illegal weapons trafficking and proposes improvements and amendments.

The Military Committee on International Humanitarian Law

In 2009, the State of Qatar, represented by the Qatari Armed Forces, established the Military Committee on International Humanitarian Law. The Committee disseminates information on the provisions of international humanitarian law among the armed forces, as they are one of the key bodies affected by such provisions.

The National Committee on International Humanitarian Law

The National Committee on International Humanitarian Law was established pursuant to Cabinet Decision No. 27 of 2012, thus becoming the national mechanism for the implementation of international humanitarian law.

The Committee is headquartered at the Ministry of Justice and is chaired by the Deputy Minister of Justice. Its members include representatives of agencies involved in implementing international humanitarian law, including the ministries of Defence, Interior, Foreign Affairs, Justice, Administrative Development, Labour and Social Affairs, Education and Higher Education, and Public Health, as well as the Shura Council, Qatar University, the Qatar Social Work Foundation and the Qatar Red Crescent Society.

IV. Awareness and dissemination of international humanitarian law

The Centre for Legal and Judicial Studies at the Ministry of Justice

International humanitarian law is taught to legal staff as a part of compulsory training courses organized by the Centre for Legal and Judicial Studies at the Ministry of Justice.

Qatar University

At the university level, international humanitarian law was offered as an optional subject in English at the College of Law at Qatar University between 2010 and 2015. Efforts are underway to reintroduce the subject.

The class focused on the concept of international humanitarian law and its role in protecting prisoners of war, civilians, aid workers, cultural property, women and children. The main instruments of international humanitarian law, such as the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977 and the Hague Conventions. The class also examined the application of international humanitarian law and explained the concepts of war crimes and serious violations.

Ahmed Bin Mohammed Military College

International humanitarian law was offered to students at the College of Law as part of the requirements for an optional specialization, with nine hours of classroom instruction.

Work of the Qatar Red Crescent Society with students

The Qatar Red Crescent Society has contributed to the inclusion of humanitarian concepts in elementary school curricula, with basic humanitarian concepts taught as part of the sixth- and eighth-grade social sciences curriculum. The subjects being taught include the type of volunteer and community work done by the Qatar Red Crescent Society and the humanitarian concepts contained in the instruction given by the Caliph Abu Bakr to Muslim soldiers prior to the conquest of Syria in the year A.H. 12.

The Qatar Red Crescent Society has conducted activities to raise awareness of international humanitarian law in elementary, preparatory and secondary schools. In 2015, for example, some 200 independent and private schools took part in a project known as "School Crescent", which consisted of six activities, including one on awareness of international humanitarian law. Through the beginning of February 2016, the Qatar Red Crescent Society had received 41 requests from government and private schools regarding the awareness-raising curriculum.

The Qatar Red Crescent Society has worked hard to promote international humanitarian law through joint publications with other parties:

- It publishes a “humanitarian culture” series that addresses various humanitarian issues.
- The magazine *Wasiyah*, or “Testament”, is published by the Qatar Red Cross in cooperation with the Islamic Forum on International Humanitarian Law, which is a specialized agency of the Islamic Committee of the International Crescent. The title is a reference to the instructions given by the Prophet Muhammad and his Caliph Abu Bakr to Muslim generals before sending them into battle. The editor-in-chief of the magazine is the head of the international relations and international humanitarian law division of the Qatar Red Crescent Society.
- Pursuant to a proposal submitted by the Chair of the Board of Directors of the Qatar Red Crescent Society and member of the Islamic Committee of the International Crescent, 9 May has been declared National International Humanitarian Law Day in the Islamic world. The proposal was approved by the Islamic Committee of the International Crescent during its thirtieth session. The Qatari proposal was for the member States of the Organization of Islamic Cooperation to observe a National International Humanitarian Law Day. The date was chosen to commemorate the instructions given by the Caliph Abu Bakr to the Muslim general Usama bin Zayd before the latter set out to wage war against Byzantium in A.D. 634. That was the first time in history that instructions were given to troops about humanitarian behaviour in time of war. Subsequently, the forty-second session of the Council of Ministers of Foreign Affairs of the member States the Organization of Islamic Cooperation, held in Kuwait in May 2015, adopted a resolution approving 9 May as International Day of International Humanitarian Law and the Islamic Sharia.

The Military Committee on International Humanitarian Law

I. Legal basis for the Committee

The Military Committee on International Humanitarian Law was established by decision of the Commander-in-Chief of the Qatari Armed Forces in order to keep up with the latest legal developments and in accordance with commitments contained in international conventions and protocols signed and ratified by the State of Qatar. The Committee is concerned with implementing aspects of international humanitarian law as they relate to the activities of the Qatari Armed Forces at times of armed conflict and in the course of taking part in international or regional peacekeeping forces in regional or international armed conflicts. The Committee was established before the State of Qatar had a National Committee for International Humanitarian Law.

II. Date of establishment

The Committee was established on 3 June 2009.

III. Structure of the Committee

The Committee consists of a chair and six members representing the branches of the Qatari Armed Forces.

IV. Authorities of the Committee

The Committee is charged with the following:

- A. It provides advice on international humanitarian legal issues to the commanders of the armed forces.
- B. It promotes and enforces the provisions of international humanitarian law within the armed forces.
- C. It formulates educational and training plans and programmes to disseminate and develop a culture of international humanitarian law within the armed forces.
- D. It coordinates with associations and organizations that specialize in international humanitarian law.

- E. It follows up any observations that arise with respect to international humanitarian law and takes action to resolve or respond to them.
- F. It trains instructors in international humanitarian law in coordination with the regional delegation of the International Committee of the Red Cross (ICRC) to the Cooperation Council for the Arab States of the Gulf.
- G. It represents the Qatari Armed Forces at meetings, conferences, seminars and workshops on international humanitarian law at home and abroad.

V. What the Committee has done to promote and enforce international human rights law within the Qatari Armed Forces.

- A. In coordination with ICRC, the following training courses were held in Qatar:
 - 1. A 2009 training course for instructors in international humanitarian law;
 - 2. A 2011 training course on the provisions of international humanitarian law;
 - 3. A 2014 regional symposium on international humanitarian law for senior military operations officers and legal officers in the armed forces of member States of the Cooperation Council for the Arab States of the Gulf.
- B. In 2012, the Committee signed a memorandum of understanding with the Qatar Red Crescent Society on cooperation in international humanitarian law.
- C. The Committee's publications include the following:

A pamphlet entitled "Overview of the Law of Armed Conflict", distributed by the Directorate of Legal Affairs of the Qatari Armed Forces to disseminate a culture of legal awareness among members of the armed forces.
- D. The Committee has attended the following international events:
 - 1. Annual round tables held by the Institute of International Humanitarian Law in San Remo, Italy;
 - 2. Courses held by the Institute of International Humanitarian Law in San Remo, Italy;

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3. Courses in international humanitarian law held by the League of Arab States in Cairo;
 4. The annual Arab training courses in international humanitarian law in Lebanon;
 5. Courses in international humanitarian law held in Turkey by the Peace Institute of the Turkish Armed Forces.
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