





6. After having set out its interpretation of the text of Article 42, the Panel addressed the complainant's claim under Article 42. The Panel examined whether the evidence and argumentation submitted by the complainant established that a "right holder" of particular "works" was prevented from obtaining legal counsel in the respondent's territory to enforce its IP rights through civil enforcement procedures before courts and tribunals in the respondent's territory.

7. First, the Panel concluded that a particular foreign television operator based in the territory of the complainant whose rights were at issue, was undoubtedly a "right holder" for purposes of Articles 41.1 and 42 of the TRIPS Agreement.

'precludes Qatari nationals from presenting evidence in civil judicial proceedings concerning the enforcement of intellectual property rights'. According to Qatar, this violates the specific requirement, in the fourth sentence of Article 42, that litigants 'shall be duly entitled to substantiate their claims and to present all relevant evidence'. As elaborated earlier, the Panel considers that whether or not the travel restrictions would operate to prevent beIN from accessing civil enforcement procedures, if beIN were able to secure legal representation to initiate civil