



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-first session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

Concluding observations: Saudi Arabia

1. The Committee considered the second periodic report of Saudi Arabia (CRC/C/136/Add.1) at its 1112th and 1114th meetings (see CRC/C/SR.1112 and 1114) held on 24 January 2006 and adopted at the 1120th meeting, held on 27 January 2006, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's second periodic report, as well as the written replies to its list of issues, CRC/C/Q/SAU/2, which allowed for a clearer understanding of the situation of children in the State party. It further notes with appreciation the constructive efforts made by the high-level delegation to provide additional information in the course of the dialogue.

B. Follow-up measures undertaken and progress achieved by the State party

3. The Committee welcomes:

(a) The State party's notable improvement in economic and social development, including continuous investments in the health-care infrastructure;

(b) The adoption of the National Plan of Action for Children 2005-2015 and the State party's recent efforts to promote the status and the rights of the most vulnerable population groups such as children with disabilities;

(c) A bill concerning the protection of children from abuse and neglect;

(d) The adoption, in 2002, of the Safety of Camel-Racing Regulation No. C/966 of 1/11 A.H. 1422, which prevents the use of children under the age of 18 as camel jockeys and strengthens the safety regulations of camel races; and

(e) The State party's efforts to promote open public debate on issues related to the rights of the child, including the establishment of the National Dialogue Centre in August 2003, which has held discussions on extremism, youth and women.

4. The Committee also welcomes the ratification of and accession to international instruments such as:

(a) The Additional Protocol to the Geneva Conventions of 12 August 1949 relating to the protection of victims of non-international armed conflicts (Protocol II) in November 2001; and

(b) 1999 ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in October 2001.

C. Principal subjects of concern and recommendations

1. General measures of implementation (arts. 4, 42 and 44, para. 6 of the Convention)

Committee's previous recommendations

5. The Committee notes with satisfaction the State party's efforts to address various concerns and recommendations (CRC/C/15/Add.148) made upon the consideration of the State party's initial report (CRC/C/61/Add.2) through legislative measures and policies. However, the Committee regrets that some of the concerns it expressed and recommendations it had made regarding, inter alia, the reservations and domestic legislation, the basic principles, civil rights and freedoms and special protection, have not been sufficiently addressed.

6. The Committee urges the State party to make every effort to address the recommendations issued in the concluding observations on the initial report that have not yet been implemented and to address the list of concerns contained in the present concluding observations on the second periodic report.

Reservation

7. The Committee notes the information that the reservation which consists of a general reference to religious law and national law without specifying its contents, is mainly a precautionary measure and does not hamper the State party's implementation of the Convention. But the Committee reiterates its concern that the general nature of the reservation allows courts, governmental and other officials to negate many of the Convention's provisions and this raises serious concerns as to its compatibility with the object and purpose of the Convention.

8. **The Committee reiterates, in light of article 51, paragraph 2, of the Convention, its previous recommendation that the State party review the general nature of its reservation with a view to withdrawing it, or narrowing it, in accordance with the Vienna Declaration and Plan of Action of the World Conference on Human Rights of 1993.**

Legislation

9. The Committee welcomes the project of the Saudi National Commission for Childhood to prepare a comprehensive manual of all domestic legal instruments related to children with a view to amending its laws to be fully compatible with the provisions of the Convention.

10. **The Committee recommends that the State party continue its efforts to undertake a comprehensive review of its domestic laws on children, including the Basic Law, with a view to introducing all necessary amendments to its laws in order to ensure that they conform fully to the principles and provisions of the Convention.**

Coordination

11. While taking note of the coordination activities of the Saudi National Commission for Childhood, the Committee is concerned that effective coordination has not been fully developed, including between central, regional and local authorities.

12. **The Committee recommends that the State party strengthen the existing coordination mechanism by developing coordination and evaluation at all levels of the administration, including multisectoral, vertical as well as interregional level coordination. The Committee also recommends that the State party provide all coordination mechanisms, including at the local level, with adequate human, financial and technical resources.**

Independent monitoring

13. The Committee welcomes the establishment of the National Human Rights Association in March 2004 and takes note of its mandate to receive complaints regarding alleged human rights violations. Notwithstanding this positive step, the Committee is concerned about the fact that the National Human Rights Association has not been able to attain a fully independent status.

14. **The Committee encourages the State party to take into account the general comment No. 2 on the role of independent national human rights institutions and to continue its efforts to ensure that the National Human Rights Association is an independent monitoring mechanism in accordance with the Paris Principles (General Assembly resolution 48/134, annex) for the promotion and monitoring of the implementation of the Convention as well as to receive, investigate and address complaints from individuals including children. The Committee recommends that the State party to ensure that this mechanism is provided with adequate human and financial resources and that it is easily accessible to children. The Committee also recommends that the State party continue to seek advice and assistance, among others, from the Office of the United Nations High Commissioner for Human Rights (OHCHR).**

Allocation of resources

15. The Committee notes with appreciation the significant investment in social and health services and education but is concerned that for other areas covered by the Convention, for example, regarding special protection, the budgetary allocations are limited.

16. **The Committee recommends that the State party continue to prioritize budgetary allocations for the realization of children's rights by allocating the maximum available resources to social and health services, education and culture and to allocate more resources for the implementation of special protection measures for vulnerable groups of children. The Committee also recommends that the State party establish a systematic assessment of the impact of budgetary allocations on the implementation of the rights of the child and identify the yearly budgetary amount and proportion spent on persons under 18 years of age.**

Data collection

17. While welcoming the State party's and the United Nations Children's Fund's (UNICEF's) joint project to establish a national database on children, it expresses its concern at the insufficient data in some areas covered by the Convention, including children of non-Saudi workers (migrant workers), children with disabilities, abused and neglected children, children begging on the streets, children within the justice system and children belonging to minorities.

18. **The Committee recommends that the State party strengthen its system for collecting data as a basis to assess progress achieved in the realization of children's rights and to help design policies to implement the Convention. The data should cover all children below the age of 18 years and be disaggregated by sex and by those groups of children in need of special protection. The Committee recommends that the State party allocate adequate human, financial and other resources to the Social Indicators Committee in order to develop indicators to monitor effectively the progress achieved in the implementation of the Convention.**

Dissemination of the Convention

19. With regard to article 42 of the Convention, the Committee notes with appreciation the State party's efforts to disseminate the Convention, inter alia, through several programmes and activities of the Saudi National Commission for Childhood. Nevertheless, the Committee is concerned that professionals working with and for children and in particular the general public, including children and their parents and other caregivers, are not provided with sufficient information and systematic training in international human rights standards, including the rights of the child.

20. **The Committee recommends that the State party:**

(a) Develop systematic and targeted human rights training programmes, including the principles and provisions of the Convention, for all professional groups working with and for children (such as judges, lawyers, law enforcement officials,

including religious police (known as *mutawwa*) and other religious clerics, personnel working in institutions and places of detention for children, as well as teachers, health personnel and social workers);

(b) Seek innovative ways and methods to disseminate the Convention, including through a tailored communication strategy which links the Convention with existing positive values and traditions in Saudi society, and raise awareness of the rights of the child, including vulnerable children, among children and their parents and civil society;

(c) Develop and adopt a communication strategy in order to involve the media in the dissemination of the principles and provisions of the Convention; and

(d) Seek technical assistance from the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNICEF, among others, in this regard.

Cooperation with civil society

21. While acknowledging the growing number of civil society associations for charitable purposes, the Committee is concerned about the limited number of non-governmental organizations working for human rights-based development as well as the State party's inadequate dialogue and cooperation with civil society, in particular with non-governmental organizations working for the implementation of the Convention.

22. **The Committee encourages the State party to facilitate a framework for the establishment of non-governmental organizations so that these organizations can support the State party in the promotion and implementation of the rights of the child. It recommends that the State party strengthen its efforts to promote interactive dialogue with civil society and to involve non-governmental organizations, particularly those dealing with child rights issues, in all stages of the implementation of the Convention.**

International cooperation

23. The Committee notes with satisfaction the State party's international cooperation and the support provided by Saudi civil society associations to children's welfare activities in some Muslim countries. It notes that the Saudi authorities have increased their vigilance and monitoring over this kind of cooperation in the light of reports that few charitable associations have supported religious schools (known as *madrassas*) abroad, which have spread hatred, extremism and terrorism.

24. **The Committee recommends that the State party continue its activities in the area of international cooperation and increase its official development assistance to 0.7 per cent of its GDP, as recommended by the United Nations, with special consideration of child rights focus in programmes and projects. The Committee encourages the State party to further facilitate Saudi civil society associations to work for children's rights and welfare abroad in the spirit of the Convention. It recommends that the State party continue to enhance its vigilance and monitoring in order to avoid supporting religious education abroad aiming to spread hatred, extremism and terrorism among children.**

2. Definition of the child (art. 1 of the Convention)

25. The Committee takes note of the information that the age of majority is 18 in the State party but is concerned about the information given during the dialogue that a judge has the discretionary power to decide that a child has reached majority at an earlier age.

26. The Committee recommends that the State party take the necessary legislative and other measures to unequivocally set the age of majority at 18 with no exception for specific cases, including within the juvenile justice system. The Committee further recommends that the State party clearly set by law the minimum age for marriage at the same internationally acceptable level for boys and girls.

3. General principles (arts. 2, 3, 6 and 12 of the Convention)

Non-discrimination

27. The Committee shares the concerns expressed by the Committee on the Elimination of Racial Discrimination in its concluding observations on Saudi Arabia adopted in March 2003 (CERD/C/62/CO/8) that the mere statement of the general principle of non-discrimination in domestic law is not a sufficient response to the requirements of the Convention. De jure and de facto discrimination against girls and de facto discrimination against children born out of wedlock are issues of particular concern to the Committee as well as disparities in the enjoyment of economic and social rights experienced by non-nationals' children and other vulnerable groups, such as children belonging to religious minorities.

28. The Committee recommends that the State party review relevant domestic laws and administrative regulations in order to ensure full respect for the equality between girls and boys in the enjoyment of all rights in the Convention, and in order to ensure that children born out of wedlock, children of non-Saudi nationals (migrants) and children begging on the streets are not discriminated against. The Committee encourages the State party to further strengthen its proactive and comprehensive efforts to eliminate de facto discrimination on any grounds and against all vulnerable groups of children, including through public education campaigns to prevent discrimination and combat negative attitudes in society. The State party should pursue such efforts in close cooperation with community and religious leaders with a view to promoting change in persisting patriarchal sociocultural traditions and attitudes, especially towards girls in particular.

29. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention undertaken by the State party to follow up on the Durban Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking into account the Committee's general comment No. 1 on article 29, paragraph 1, of the Convention (aims of education).

Best interests of the child

30. The Committee is concerned that the general principle of the best interests of the child contained in article 3 of the Convention is not systematically included in laws, regulations and practices concerning children, for example regarding the status of the child, the custody decisions and in the area of alternative care.

31. The Committee recommends that the State party fully incorporate article 3 of the Convention into all legislation and practice concerning children.

Right to life and capital punishment

32. The Committee takes note of the information that no child is sentenced to death and that capital punishment is not passed to persons who commit a crime before they reach the age of majority (in general 18 years). Nevertheless, it is deeply concerned that judges have the discretionary power which is often when presiding over criminal cases involving children, to decide that a child has reached the age of majority at an earlier age, and that as a consequence capital punishment is imposed for offences committed by persons before they have reached the age of 18. The Committee is deeply alarmed that this is a serious violation of the fundamental rights under article 37 of the Convention.

33. The Committee urges the State party to take the necessary steps to immediately suspend the execution of all death penalties imposed on persons for having committed a crime before the age of 18, to take the appropriate legal measures to convert them into penalties in conformity with the provisions of the Convention and to abolish as a matter of the highest priority the death penalty as a sentence imposed on persons for having committed crimes before the age of 18, as required by article 37 of the Convention.

34. The Committee expresses its grave concern at the reported tragic events of the 11 March 2002 fire at the girls' public Intermediate School No. 31 in Mecca that claimed the lives of at least 14 schoolgirls and information that the school building did not meet adequate safety standards for children.

35. While respecting the information provided by the State party delegation that the tragic events were due to the old school building and the inadequate training of the school staff on emergency measures, the Committee recommends that the State party take all necessary measures to ensure to the maximum extent possible the survival and development of the child at all times and ensure that all school buildings and other institutions are safe for children and that all staff are regularly trained on such emergency measures.

Respect for the views of the child

36. The Committee commends the State party for its efforts to respect the right of the child to have his/her views heard, inter alia, through establishing children's councils, recreational activities and, notably, in judicial proceedings. Nevertheless, it is concerned that traditional attitudes towards children in society, in particular towards girls, limit the right to express their views and to have them taken into account, especially within the family, schools and media.

37. **In light of article 12 of the Convention, the Committee recommends that the State party continue to promote the right of children to express their views fully in all matters affecting them, including within the family, at school, in the media, the courts and administrative bodies and society in general. In this regard, the Committee recommends that the State party undertake awareness-raising campaigns and educational programmes in order to inform children and others, including parents and legal professionals, of the rights of the child to express their views and of the mechanisms and other opportunities which exist for this purpose. The Committee recommends that the State party seek assistance from the United Nations Children's Fund (UNICEF), among others.**

4. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37 (a) of the Convention)

Name and nationality

38. As regards the child's right to acquire nationality, the Committee is concerned about the discrimination against children on account of their fathers' nationality. Children of Saudi fathers acquire Saudi nationality at birth, regardless of the child's birthplace, but Saudi women cannot transmit their Saudi nationality to their children born from a relationship with a non-Saudi man or from a non-marital relationship.

39. **The Committee recommends that the State party review its legislation on nationality in order to ensure that nationality can be transmitted to children through both the maternal and paternal line without distinction.**

Freedom of religion

40. The Committee is concerned that the right of the child to freedom of thought, conscience and religion is not fully respected and protected. The Committee is concerned about hate speech against religious minorities in schools and mosques.

41. **In light of article 14 of the Convention, the Committee recommends that the State party respect the right of the child to freedom of thought, conscience and religion by taking effective measures to prevent and eliminate all forms of discrimination on the grounds of religion or belief and by promoting religious tolerance and dialogue in society.**

Protection from torture, inhuman or degrading treatment or punishment

42. While noting articles 2 and 13 of the Code of Criminal Procedure promulgated in Royal Decree No. M/39 of 15 October 2001 which prohibit torture or degrading treatment and the State party's reassurance that corporal punishment is not imposed upon minors, the Committee is concerned about reports of extrajudicial and summary floggings of teenagers suspected of behaviour deemed immoral and acts of police brutality.

43. **The Committee urges the State party to take all necessary steps for the immediate abolition of extrajudicial and summary floggings of teenagers as well as other forms of cruel, inhuman or degrading punishments imposed on persons having committed a crime when under the age of 18 years, including acts of police brutality.**

Corporal punishment

44. While noting with appreciation the regular circulars issued by the Ministry of Education, which prohibit the beating or ill-treatment of children during all stages of general education and prescribe penalties designed to deter teachers from committing such acts, the Committee notes with concern that corporal punishment is lawful and widely used in the home and that it is a lawful penal sanction.

45. **The Committee recommends that the State party take legislative measures to prohibit all forms of corporal punishment in all settings, including the family. It further recommends that the State party carry out public education campaigns about the negative consequences of corporal punishment on children and promote positive, non-violent forms of discipline as an alternative to corporal punishment.**

5. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)

Parental responsibilities

46. The Committee welcomes the information provided by the State party that it has introduced programmes on the upbringing of children. However, it notes with concern that these programmes do not necessarily cover children born from “marriages of convenience” (known as *Mesyar*). In the light of article 18 of the Convention, the Committee recalls the importance of the family in the upbringing and development of the child.

47. **The Committee recommends that the State party continue to develop and implement programmes to raise awareness on the importance of shared parental responsibilities, including both parents’ obligations to support, assist and educate their children, and to provide parents and children with adequate skills and support services in this respect. It recommends that these programmes also pay attention to children born from “marriages of convenience” (known as *Mesyar*). It also recommends that the State party conduct a study to assess early childhood development and childcare practices at the household level.**

Institutional and alternative care

48. While acknowledging with appreciation the *kafalah* system, the Committee is concerned that its application does not ensure the full enjoyment of all rights provided by the Convention. It is also concerned that the placement of children in institutional care is not always used as a measure of last resort.

49. **The Committee recommends that the State party continue to develop and implement legislative and other measures, policies and procedures to ensure that children receive, when necessary, adequate alternative care, preferably in their own immediate families or extended families or in *kafalah*, which fully respects the provisions of the Convention, in particular articles 20 and 21. The Committee invites the State party to**

strengthen the application of *kafalah* by amending the relevant laws and by introducing awareness-raising campaigns along with capacity-building measures to ensure that children within the *kafalah* system fully enjoy their rights as set out in the Convention.

Violence, abuse and neglect, maltreatment

50. The Committee is encouraged by the State party's recent efforts to break the silence around child abuse issues and to prohibit and raise awareness of abuse, neglect and ill-treatment of children. It notes with appreciation a workshop on child abuse held in April 2004 with the support of the Arab Gulf Programme for United Nations Development Organizations (AGFUND), the United Nations Children's Fund (UNICEF) and the Arab Bureau of Education for Gulf States and the subsequent Royal Decision of the King Fahad Bin Abdul Aziz requesting the General Secretariat of the Saudi National Commission for Childhood to form a mechanism to end child abuse. It also notes with appreciation the information provided by the State party delegation on the national toll-free helpline for children. Nevertheless, the Committee is deeply concerned that there is insufficient information about and awareness of the abuse and ill-treatment of children within the family. The Committee notes with concern that reportedly domestic violence remains a serious problem in the State party.

51. **The Committee urges the State party to:**

(a) Conduct a study to assess the nature and extent of ill-treatment and abuse of children and design a comprehensive strategy based on the Royal Decision of the King Fahad Bin Abdul Aziz requesting the General Secretariat of the Saudi National Commission for Childhood to form a mechanism to address child abuse;

(b) Take legislative measures to prohibit all forms of physical and mental violence against children, including sexual abuse in the family;

(c) Carry out public education campaigns about the negative consequences of ill-treatment of children and domestic violence in general;

(d) Establish effective procedures and mechanisms to receive, monitor and investigate complaints, and intervene where necessary;

(e) Investigate and prosecute cases of ill-treatment, ensuring that the abused child is not victimized in legal proceedings and that his/her privacy is protected;

(f) Provide adequate care, recovery and reintegration for victims;

(g) Train professionals working with and for children, such as teachers, law enforcement officials, care workers, judges and health professionals, in the identification, reporting and management of ill-treatment cases; and

(h) Seek assistance from, among others, United Nations Children's Fund (UNICEF).

52. **In the context of the Secretary-General's in-depth study on the question of violence against children, the Committee acknowledges with appreciation the State party's participation in the Regional Consultation for the Middle East and North Africa held in Egypt from 27 to 29 June 2005. The Committee recommends that the State party use the outcome of this regional consultation in order to take action, in partnership with civil society, to ensure the protection of every child from all forms of physical or mental violence, and to generate momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse.**

6. Basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention

Children with disabilities

53. The Committee commends the State party for its efforts to ensure that children with disabilities have better opportunities in society by integrating them with their peers into schools, cultural and sporting events. Nevertheless, the Committee is concerned that children with disabilities face de facto discrimination in their every day life and that the national programmes and policies for children with disabilities lack the rights-based approach.

54. **The Committee recommends that the State party, taking into account the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee on its day of general discussion on the rights of children with disabilities (see CRC/C/69), mainstream the rights-based approach to all national policies and programmes for children with disabilities. It further recommends that the State party take necessary measures to prevent de facto discrimination against children with disabilities and integrate them into society, including education and cultural activities, taking into account their dignity and by promoting their independence.**

Health and health services

55. The Committee commends the State party for measures taken to improve the health situation of children, inter alia, by adopting the Health Act and its implementing regulation in June 2002 and by allocating notable budgetary resources for the health sector. It is encouraged by the progress achieved by the State party in the elimination and prevention of infectious diseases and breaking the silence around HIV/AIDS but it notes with concern that certain new lifestyle factors affect children's health causing, inter alia, obesity, while at the same time malnutrition rates are relatively high in comparison to the high GNI per capita levels.

56. **The Committee recommends that the State party improve the nutritional status of infants and children paying particular attention to children in rural areas and simultaneously continue and strengthen its special programmes to address the issue of child obesity and promote a healthy lifestyle among children and their parents. It recommends that the State party continue its cooperation with the United Nations Children's Fund (UNICEF) in this regard. The Committee recommends that, while taking**

into account the Committee's general comment No. 3 on HIV/AIDS and the rights of the child (CRC/GC/2003/3) and the International Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37), the State party continue its efforts to prevent HIV/AIDS. It also recommends that the State party seek technical assistance, inter alia, from UNAIDS.

Adolescent health

57. With regard to adolescent health, the Committee notes with appreciation the State party's efforts to ensure the development of boys and girls of school age up to late adolescence by providing them with school health services, nourishing meals and health education. Nevertheless, the Committee reiterates its previous concern and regrets the insufficient information provided by the State party in relation to adolescent health, including reproductive health and mental health.

58. **The Committee recommends that the State party take into account the Committee's general comment No. 4 on adolescent health and development in the context of the Convention on the Rights of the Child (CRC/GC/2003/4) and strengthen its efforts to promote adolescent health, including sex and reproductive health education in schools, and to provide adolescents with youth-sensitive and confidential counselling and health-care services.**

Standard of living

59. While acknowledging the information provided by the State party delegation on the national poverty reduction strategy being prepared, the Committee remains concerned about the situation of children living in poverty in the State party.

60. **The Committee recommends that the State party expedite the adoption of the national poverty reduction strategy and pay particular attention to children when implementing it.**

7. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

Education, including vocational training and guidance

61. The Committee commends the State party for its notable investments in education. It notes with appreciation the State party's efforts to treat all children equally with respect to educational services and it also notes with appreciation that primary education is compulsory for all children and free of all direct and indirect costs based on the seventh five-year development plan (2000-2005). Notwithstanding the positive fact that pre-school was made a basic stage of general education (Royal Approval No. 7/B/5388 of 15 May 2002), the Committee notes with concern the low enrolment rate in pre-primary education. In addition, the low participation in intermediate and secondary education gives cause for deep concern.

62. The Committee takes note of the State party's efforts to eradicate illiteracy but it also notes with concern that the female adult illiterate population has slightly increased while the general illiteracy rate has declined. With this respect the Committee regrets the lack of

information on non-formal education services for educationally deprived children outside the formal sector. It notes with appreciation the State party's efforts to address the special educational needs of Bedouin children. Finally, the Committee notes the State party's challenge to respond to its rapid growth in population and in the number of students which in turn necessitates a more urgent need for increased education services.

63. In the light of articles 28 and 29 of the Convention, the Committee recommends that the State party continue to allocate adequate financial, human and technical resources in order to:

(a) Ensure that all children have an equal access to quality education at all levels of the educational system;

(b) Continue to take measures to increase enrolment and retention rates in intermediate and secondary education;

(c) Provide access to early childhood education for every child and raise awareness and motivation of parents with respect to pre-schools and early-learning opportunities by taking into account the Committee's general comment No. 7 on implementing child rights in early childhood (CRC/C/GC/7);

(d) Take effective targeted measures to eradicate illiteracy, e.g. through literacy programmes and non-formal education, and pay particular attention to women and girls in this respect; and

(e) Seek cooperation, among others, with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and United Nations Children's Fund (UNICEF) to improve the education sector further.

64. The Committee requests that specific information be included in the next periodic report on measures to address the growth in the number of students and the consequent need for more teachers and schools.

Aims of education

65. The Committee notes with satisfaction the State party's efforts to respond to the needs of foreign expatriate communities by allowing an establishment of foreign schools which follow the set curricula and system of schooling used in the country of origin. As regards the principles, goals and objectives of education in Saudi Arabia, the Committee regrets the distinction between male and female roles in the curricula resulting in discrimination against girls.

66. The Committee recommends that the State party, taking into account the Committee's general comment No. 1 on the aims of education (CRC/GC/2001/1), expedite the inclusion of human rights education in the curriculum of all schools, including religious and foreign schools, and ensure that children's rights, particularly with respect to tolerance and equality of religious minorities, are a core element. As regards the situation

of girls in education, it recommends that the State party take measures to break down stereotypical attitudes about the roles and responsibilities of women and men and to critically review its school curricula with a view to abolishing all discriminatory practices in education, including girls' limited access to vocational education and training.

8. Special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)

Refugee children

67. The Committee regrets the lack of information on asylum-seeking and refugee children in the State party. It is also concerned about the inadequate legal framework governing the treatment of refugees and asylum-seekers.

68. **The Committee recommends that the State party, taking into account article 22 and other relevant provisions of the Convention, take all feasible measures to ensure full protection and care, as well as access to health and social services and to education, of asylum-seeking and refugee children in Saudi Arabia. It recommends that the State party accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. In addition, the Committee draws the attention of the State party to its general comment No. 6 (CRC/GC/2005/6) on treatment of unaccompanied and separated children outside their country of origin and recommends that the State party seek technical assistance from UNHCR.**

Children of non-Saudi (migrant) workers

69. Noting the very high number of non-Saudi (migrant) workers in the State party, and the status of female domestic workers on the margins of society, the Committee is concerned about the situation and vulnerability of non-Saudi (migrant) workers' children in the Saudi society. It notes with concern that non-Saudi (migrant) workers' children without legal residence status do not have access to health services or to education. The Committee is deeply concerned about the imprisonment of female non-Saudi (migrant) workers for their "illegal pregnancies" and the living conditions of non-Saudi (migrant) workers' children living in prison with their parents.

70. **In the light of article 2 of the Convention, the Committee recommends that the State party take all appropriate measures to ensure that each child living within its jurisdiction enjoys without discrimination the rights set forth in the Convention. It recommends that the State party develop and implement policies and practices to better protect and serve children of migrant workers. The Committee urges the State party to end as a matter of priority the arrest and imprisonment of unmarried non-Saudi (migrant) women who become pregnant, including victims of sexual violence. It further recommends that the State party develop and implement adequate alternative care for children who are removed from prison and allow them to maintain personal relations and direct contact with their mothers remaining in prison. In addition, the Committee encourages the State party to ratify the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.**

Sexual exploitation and trafficking

71. While noting that the domestic legislation prohibits the sale and trafficking of children and includes measures to protect children from all other forms of exploitation, abduction and abuse, the Committee is concerned about the growing phenomenon of trafficking in children in the region, including reports of child trafficking during pilgrimages, and children crossing the border from Yemen.

72. **In order to prevent and combat trafficking in children for sexual and other exploitative purposes, such as forced begging, the Committee recommends that the State party:**

(a) Review its domestic legislation in order to enact a comprehensive anti-trafficking law and strengthen its efforts to investigate sexual exploitation and trafficking cases and ensure that perpetrators are prosecuted and child victims of sexual abuse and trafficking are granted the legal status of victims;

(b) Conduct research and provide comprehensive statistical data on the extent, nature and changing patterns of sexual exploitation and trafficking in children in Saudi Arabia;

(c) Develop and adopt a comprehensive multidisciplinary national plan of action to prevent and combat sexual exploitation of and trafficking in children;

(d) Strengthen its bilateral and multilateral cooperation with countries of origin and transit in order to take more efficient measures against trafficking in children;

(e) Raise public awareness about the risks of child trafficking and train professionals working with and for children, as well as the general public, to counter trafficking in children;

(f) Strengthen its efforts to provide adequate assistance and social reintegration services for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

Administration of juvenile justice

73. The Committee is encouraged by the State party's efforts to reform its juvenile justice system, inter alia, through adoption of the new Code of Criminal Procedure and Practice for Lawyers in 2001. The Committee takes note of the State party's intention to raise the minimum age of criminal responsibility but is deeply concerned that it is still 7 years. It notes with appreciation that the State party has established special juvenile courts and that persons under 18 years of age are held in separate detention facilities and that they are entitled to be represented by a lawyer. As noted in paragraph 32, the Committee is deeply concerned about reports that persons are sentenced to death for crimes committed while under the age of 18, and at the fact that capital and corporal punishment can be imposed on persons having committed a crime when under 18 years of age at the discretion of the judge.

74. **The Committee urges the State party to ensure the full implementation of juvenile justice standards in particular articles 37, 40 and 39 of the Convention, and other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System, and take into account the recommendations adopted by the Committee on its day of general discussion on juvenile justice (CRC/C/46, paras. 203-238).**

75. **The Committee refers to its recommendations made in paragraphs 33 on right to life and capital punishment and on 43 on protection from torture, inhuman or degrading treatment or punishment and it urges the State party to:**

(a) Critically review its legislation with a view to abolishing the imposition of capital and corporal punishment on persons having committed crimes when under 18 years of age at the sole discretion of the judge;

(b) Implement alternative measures to deprivation of liberty, such as probation, community service or suspended sentences;

(c) Amend the Detention and Imprisonment Regulations (1977) and the Juvenile Justice and Social Surveillance Centre Regulations to prohibit flogging or any other form of corporal punishment for persons under 18 deprived of their liberty;

(d) Continue to strengthen the quality and availability of specialized juvenile courts and judges, lawyers, police officers and prosecutors, inter alia, through training professionals;

(e) Strengthen its efforts to ensure that persons under 18 years of age in conflict with the law have access to legal aid and independent and effective complaints mechanisms;

(f) Train professionals in the area of recovery and social reintegration of children in conflict with the law and in particular those who have been deprived of their liberty;

(g) Raise awareness of its provisions and the rights guaranteed in the new Code of Criminal Procedure among the public; and

(h) Seek technical assistance and other cooperation, inter alia, from the United Nations Office on Drugs and Crime (UNODC), the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Children's Fund (UNICEF).

9. Optional Protocols to the Convention on the Rights of the Child

76. **The Committee recommends that the State party expedite the process of ratification of the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

10. Follow-up and dissemination

Follow-up

77. **The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the members of the Council of Ministers and the Consultative Council or Majlis al-Shura, and to provincial councils, when applicable, for appropriate consideration and further action.**

Dissemination

78. **The Committee further recommends that the second periodic report and written replies submitted by the State party and related recommendations (concluding observations) it adopted be made widely available in the languages of the country, including (but not exclusively) through the Internet, to the public at large, civil society organizations, youth groups, professional groups, and children in order to generate debate and awareness of the Convention, its implementation and monitoring.**

11. Next report

79. **The Committee invites the State party to submit its next periodic report before the due date established under the Convention for the fourth periodic report, i.e. 24 February 2013. This report should combine the third and fourth periodic reports. However, owing to the large number of reports received by the Committee every year and the consequent significant delay between the date of submission of a State party's report and its consideration by the Committee, the Committee invites the State party to submit a consolidated third and fourth report 18 months before its due date, that is by 24 August 2011. This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Convention.**
