



**Convention on the  
Rights of the Child**

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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 12 (1) OF THE OPTIONAL PROTOCOL TO THE  
CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF  
CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY**

**Initial reports of States parties due in 2004**

**QATAR\***

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\* Annexes to the report may be consulted in the secretariat's files.

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## I. INTRODUCTION

1. International concern for the protection and promotion of the rights of the child was articulated in the United Nations General Assembly resolution of November 1989 by which the Convention on the Rights of the Child was adopted. When Qatar acceded to the Convention in 1995, that instrument became part of the State's domestic law. The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was adopted by the United Nations in 2000 and entered into force on 18 January 2001.

2. When the State of Qatar deposited its instrument of accession to the Optional Protocol on 10 November 2001, it made a general reservation to any provisions that were incompatible with the Islamic sharia. His Royal Highness Sheikh Hamad bin Khalifa Al Thani, the Amir of Qatar, subsequently issued Decree No. 15 of 2003, ratifying Qatar's accession to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

3. In accordance with article 12 of the Optional Protocol, which requires all States parties to submit a report to the Committee on the Rights of the Child within two years following the entry into force of the Protocol for the State party concerned, the Qatari Cabinet, at its fortieth ordinary meeting held on 3 December 2003, decided to set up a national committee, to be chaired by the Supreme Council for Family Affairs and including representatives of the Amir's Office, the Cabinet Office, the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of the Civil Service and Housing and the Ministry of Justice, to draft a report containing comprehensive information on the measures taken by the State to implement the Optional Protocol.

### 1. Information about:

#### (a) The legal status of the Optional Protocol in domestic law and its applicability in domestic jurisdictions;

4. As stipulated in article 68 of the Constitution of the State of Qatar, any international agreement which the State concludes and accedes to acquires binding legal force following its ratification and publication in the Official Gazette, making it applicable in domestic jurisdictions. Article 68 of the Constitution reads as follows: "The Amir shall conclude treaties and conventions by decree and shall refer them, accompanied by appropriate explanatory notes, to the Advisory Council. Treaties or conventions shall acquire the force of law following ratification and publication in the Official Gazette. However, peace treaties and treaties concerning State territory, sovereign rights, the public or private rights of citizens or amendments to State laws shall only acquire legal force if adopted through a legal enactment. Under no circumstances may a treaty entail secret conditions which contradict the conditions spelled out therein."

5. Since Qatar acceded to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography pursuant to the above-mentioned instrument of accession, and since His Royal Highness Sheikh Hamad bin Khalifa Al Thani, the Amir of Qatar, then issued Decree No. 15 of 2003, ratifying Qatar's

accession to the Protocol, the Protocol acquired the force of domestic law, in accordance with article 24 of the amended Provisional Basic Law which was in force when the report was prepared, and with article 68 of the Constitution of the State of Qatar, which is due to enter into force on 9 June 2005. The Protocol can therefore be invoked before the domestic courts.

**(b) The intention of the State party to withdraw existing reservations made to the Optional Protocol;**

6. When it acceded to the Optional Protocol in 2001, Qatar made a general reservation to any provisions that were incompatible with the Islamic sharia. As a matter of fact, the State intends to review the general reservation which it made upon accession. To that end, the Supreme Council for Family Affairs, the agency responsible for child-related issues in Qatar, set up a national committee of experts from all the agencies concerned to study this international instrument with a view to determining whether the general reservation could be withdrawn. The final report has been transmitted to the authorities, which will examine the Committee's comments and views.

**(c) The governmental departments or bodies competent for the implementation of the Optional Protocol and their coordination with regional and local authorities as well as the civil society, the business sector, the media, etc.;**

7. The State of Qatar establishes governmental bodies and departments to protect children and to implement international conventions, in coordination with regional and local authorities, as well as civil society, the business sector and the media.

8. In this regard, Amiral Decree No. 53 of 1998 provided for the establishment of the Supreme Council for Family Affairs, which is presided over by Her Royal Highness Sheikha Muza bint Nasir al-Musnid, the wife of His Royal Highness Sheikh Kamd bin Khalifa Al Thani, the Amir of Qatar.

9. The Supreme Council for Family Affairs is the highest coordinating authority with responsibility for the preservation, protection and advancement of the family and its members.

10. The Supreme Council was restructured pursuant to Amiral Decree No. 23 of 2002, concerning the Supreme Council for Family Affairs, article 2 of which stipulates that the Supreme Council has legal personality and a budget which comes out of the State's general budget and that it reports directly to the Amir.

11. Article 4 of the aforementioned Amiral Decree states that, in pursuance of its objectives, the Supreme Council shall: formulate, within the framework of the State's general plan, a national plan for the protection and welfare of the family in all domains, particularly in the social, health, cultural, educational, economic, environmental and media domains; recommend general policies to strengthen the family's role in society; propose legislation relating to the family; collect data and statistics about the family; raise public awareness of the importance of family issues and the means for addressing them; hold conferences, seminars and debates; give

its opinion on draft conventions concluded in the domain of family protection and follow up on their implementation; cooperate with international and regional bodies and organizations which have responsibility for family matters; and represent the State at conferences and seminars where such matters are discussed.

12. It follows from the foregoing that the Supreme Council for Family Affairs is tasked with following up on the implementation of international conventions concerning children, particularly the Convention on the Rights of the Child and the Optional Protocol, in coordination and consultation with ministries, government agencies, public bodies and institutions and non-governmental organizations devoted to children.

13. In pursuing its goals and discharging its responsibilities for the welfare of children, the Supreme Council cooperates with the Childhood Committee, an advisory body made up of distinguished experts and specialists, as well as male and female professionals from the government and private sectors who work on child-related issues.

14. The Committee assists the Supreme Council by recommending appropriate child welfare policies, plans and programmes, proposing legislative instruments concerning childhood and urging the competent bodies to implement the relevant international conventions.

15. The Supreme Council has an executive department, the Childhood Department, which works with the agencies concerned to follow up on the implementation of the international conventions on children which the State of Qatar has ratified. The Department executes the initiatives suggested by the Childhood Committee by turning them into realizable programmes.

16. At the same time, the Supreme Council has endeavoured to strengthen its cooperation with non-governmental organizations which work for and on behalf of children, through a coordinating committee which brings together associations and private institutions in Qatar with a view to improving coordination and cooperation among them, avoiding overlaps and conflicts as regards the kinds of charitable work and assistance which they offer to society and defining a general framework for their respective annual plans of action and activities based on their different areas of competence.

**(d) The dissemination to the public at large, including children and parents, of information, through all appropriate means, education and training, about the provisions of the Optional Protocol;**

17. The Supreme Council for Family Affairs attaches considerable importance to disseminating information through the local media about the Convention on the Rights of the Child and the Optional Protocol on the sale of children, child prostitution and child pornography. It has produced educational material containing a simplified version of the Convention and has contributed to several televised discussions held with experts on, and specialists in, child-related issues.

18. The Supreme Council is currently overseeing the implementation of a vitally important programme, which is being run in cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Ministry of Education to disseminate a culture of children's rights in Qatari schools. The objective of the programme is to produce teaching

materials for primary schools in order to inform the three partners in the educational process, namely students, teachers and the family, about the contents of international conventions that are concerned with children.

19. The programme was launched in a group of schools in April 2004 and the Supreme Council ran a foundation course on the culture of children's rights for teaching staff at schools identified for inclusion in the first phase of the programme. Teachers at participating schools were given training on how to use the teaching materials to disseminate a children's rights culture in schools and were informed of the contents, provisions and principles of the Convention.

20. In addition, the Minister of Education issued decision 4 of 2003, providing for the establishment of a high-level committee to oversee the dissemination of a culture of children's rights in State schools, thus providing further confirmation of the State's determination to disseminate information about children's rights to the public at large.

**(e) The dissemination of the Optional Protocol and the appropriate training offered to all professional groups working with and for children and all other relevant groups;**

21. The Supreme Council for Family Affairs, in cooperation with the Office of the High Commissioner for Human Rights, runs a training programme for staff of government agencies on the issues dealt with in international conventions relating to children. The aim of the programme is to boost the role of these agencies in fulfilling the obligations of the State in its capacity as a party to the conventions concerned, namely the Convention on the Rights of the Child and its Optional Protocol and International Labour Organization Convention No. 182, concerning the worst forms of child labour.

22. The persons at the Supreme Council for Family Affairs who run this programme held a specialized training course in April 2004 to inform paediatricians (trainee doctors and doctors who deal with child emergencies at the Hamad Medical Institute), judges and assistant judges about the contents of relevant international conventions. They will continue with this programme and offer specialized training courses to professionals whose work involves dealing with young persons (juvenile police, social workers, juvenile welfare officers, juvenile prosecutors, juvenile court judges and labour inspectors).

23. The training programme will carry on in the years to come. Courses will be offered to other groups and further training will be given to groups that have already been trained.

**(f) The mechanisms and procedures used for the periodic evaluation of the implementation of the Optional Protocol and the main challenges encountered so far.**

24. In April 2003, the Supreme Council for Family Affairs set up a committee comprising representatives of government agencies concerned with children in order to define the tasks required of those agencies under the Optional Protocol and to recommend appropriate measures to ensure the Protocol's implementation.

25. The representatives of the agencies concerned defined the tasks required of them under the Optional Protocol in detail and the committee determined that each agency would discharge its responsibilities in accordance with its respective functions and through appropriate appraisal and evaluation mechanisms.

**2. How the implementation of the Optional Protocol is in line with the general principles of the Convention on the Rights of the Child, namely non-discrimination, best interests of the child, right to life, survival and development, and respect for the views of the child.**

**3. How and to what extent the implementation of the Optional Protocol contributes to the implementation of the provisions of the Convention on the Rights of the Child, in particular articles 1, definition of the child, 11, illicit transfer of children abroad, 21, adoption, 32, protection from economic exploitation, 33, protection of children from the illicit use of narcotic drugs, 34, protection from sexual exploitation, 35, prevention of abduction, and 36, protection against all other forms of exploitation prejudicial to the child's welfare.**

26. Before and since acceding to the Convention on the Rights of the Child in 1995, the State of Qatar has strived to implement the provisions and principles enshrined in the Convention by promoting the principles of non-discrimination, the best interests of the child, the child's right to life, survival and development and respect for the views of children in all areas of life. Account is taken of the relevant articles of the Convention in the domains of health, education, social welfare, etc., as the contents of the country's legislation will confirm.

27. The fact that the State has acceded to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography has helped to strengthen its commitment to the above-mentioned general provisions and principles and to their implementation.

28. The implementation of the Optional Protocol, the provisions of which supplement the provisions and principles set forth in the Convention on the Rights of the Child, has helped to enhance the implementation of these same provisions and principles of the Convention, especially as regards the definition of the child, the illicit transfer of children abroad, protection of children from economic exploitation, the illicit use of narcotic drugs and sexual exploitation, the prevention of child abduction, and the protection of children from other forms of exploitation that are prejudicial to their welfare, since the State is committed to coordinating efforts to protect children and assure their development.

29. On the subject of adoption, the State follows the Islamic system of *kifala*, an alternative to adoption based on a system of alternative families which the State helps to fund, in view of its importance as a vehicle for the expression of social solidarity. The system is managed by the social affairs department of the Ministry of the Civil Service and Housing, pursuant to Cabinet decision 15 of 2003, concerning the reorganization of some of the Ministry's administrative units. The department has responsibility, inter alia, for managing the process by which alternative families are found for children of unknown parentage, for establishing the conditions which host families are required to fulfil and for enforcing compliance with those conditions.

30. As regards domestic legislation, the Constitution of the State of Qatar which will enter into force on 9 June 2005 clearly shows just how committed the State is to applying the principles and provisions of the Convention on the Rights of the Child and the Optional Protocol. Article 6 of the Constitution provides: “The State shall respect international conventions and treaties and shall strive to implement all the international conventions and treaties to which it is a party.”

31. Article 18 of the Constitution stipulates: “Qatari society is founded on the values of justice, benevolence, freedom, equality and moral rectitude.”

32. Article 19 states: “The State shall preserve the foundations of society and shall guarantee security, stability and equal opportunities for citizens.”

33. Article 21 provides: “The family is the foundation of society. Its mainstays are religion, morality and patriotism. The law regulates the means for protecting the family, supporting the family unit, strengthening family bonds, and protecting mothers, children and older persons.” These provisions are intended to enhance protection for children and to safeguard them against any harm or injury.

34. Article 22 furthermore provides: “The State shall care for young persons and protect them from corruption, exploitation and the evils of physical, mental and spiritual neglect, creating conditions conducive to the realization of their potential in all domains, on the basis of a sound education.”

35. Article 23 stipulates: “The State shall safeguard public health and shall provide the means to prevent and treat disease and epidemics.”

36. According to the Qatari Constitution, therefore, the State has a duty to protect the family, to care for mothers and children and to make sure that Islamic principles are deeply entrenched in society. The State is also required to: care for young persons, safeguard them against sources of corruption and protect them from exploitation and physical and spiritual neglect; protect children from unlawful economic exploitation, the use of narcotic drugs and sexual and all other forms of illegal exploitation; and provide all young persons with comprehensive health care.

37. Qatari law defines violence, abuse and sexual exploitation as criminal offences, for which the penalties are increased where the victim is or was a child. This subject is discussed in greater detail below.

#### **4. Process of preparation of the report, including the involvement of governmental and non-governmental organizations/bodies in its drafting and dissemination.**

38. Pursuant to article 12 of the Optional Protocol, by which States parties are required, within two years following the entry into force of the Protocol for the State party concerned, to submit a report to the Committee on the Rights of the Child, the Qatari Cabinet decided to set up a national committee, to be chaired by the Supreme Council for Family Affairs and with



members representing the Amir's Office, the Cabinet Office, the Ministry of Foreign Affairs, the Ministry of Internal Affairs, the Ministry of the Civil Service and Housing and the Ministry of Justice, to draft a report containing comprehensive information on the measures taken by the State to implement the Optional Protocol.

39. At its first meeting held at the headquarters of the Supreme Council for Family Affairs on 21 January 2004, the committee agreed to meet regularly until its work had been completed. It also agreed to draft the report in accordance with the guidelines produced by the Committee on the Rights of the Child and to adopt a method of work that would allow it to solicit input from non-governmental organizations.

40. During the drafting of the report, the committee sought assistance from a number of government ministries and agencies in order to obtain information from the correct sources. Representatives of non-governmental organizations were also contacted, while a representative of the National Human Rights Committee took part in the committee's work.

41. The committee submitted the report to the Coordinating Committee of the Supreme Council for Family Affairs, a body which liaises with private associations and institutions, including all non-governmental organizations in the State of Qatar.

42. In preparing the report, the committee took account of all the comments submitted by the above-mentioned bodies.

**5. Information on:**

**(a) The progress made in the enjoyment of the rights set forth in the Optional Protocol;**

43. Qatari legislation guarantees children protection against the offences enumerated in the Optional Protocol in order to ensure their enjoyment of the rights set forth therein. The State thoroughly revised several laws in order to bring them into line with the provisions of the Convention on the Rights of the Child and the Optional Protocol. Of these laws, the most important were the Criminal Code promulgated by Act No. 11 of 2004, the Code of Criminal Procedures promulgated by Act No. 23 of 2004 and the Labour Code promulgated by Act No. 14 of 2004. In drafting the codes, account was taken of the provisions and principles embodied in the Convention on the Rights of the Child and the Optional Protocol.

44. The present report will describe the State's achievements with respect to the implementation of the provisions and principles enshrined in the Optional Protocol.

**(b) Factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the Optional Protocol;**

45. There are no specific difficulties affecting the degree of fulfilment of the obligations under the Optional Protocol; there are, however, different levels of requirements which take some time to fulfil, such as the tabling and enactment of laws and the establishment of special mechanisms. These measures need to be carried out via the proper channels and it takes time to complete processes such as lawmaking and preparation and training of specialized personnel who can attend to the details involved in fulfilling the State's obligations under the Protocol.

**(c) Budget allocated to the various activities of the State party related to the Optional Protocol;**

46. There is no centralized budget allocated to the activities of the State related to the Protocol. However, ministries and competent State bodies do spend a proportion of their budgets on such activities in accordance with their respective responsibilities in this domain and the scale of the activities which they undertake.

**(d) Detailed disaggregated data;<sup>1</sup>**

47. According to the Ministry of Foreign Affairs, the State has not received any requests from any other States for extradition or the confiscation or seizure of any goods or proceeds derived from the commission of any of the offences referred to in the Optional Protocol, nor has the State made any such request from the date on which it acceded to the Optional Protocol until the present time (2001-2004).

**(e) Relevant judicial decisions and research.**

48. The records of the criminal courts and the juvenile court show that, during the period 2001 to 2004, no trials of any of the offences enumerated in the Optional Protocol were held. The sharia courts also report that they tried no cases of this kind during the same period.

49. In April 2003, the University of Qatar held a round-table discussion on the subject of violence against children. Working papers were presented and various themes were discussed, including: different forms of violence and the circumstances in which they are manifested; evaluating domestic laws on the protection of children from violence; monitoring and analysing violence against children in the State of Qatar; evaluating sources of data on violence against children in Qatar; evaluating the role which programmes for child victims of violence play in assisting and protecting children from harm; and violence against children in the family.

50. The Centre for Legal and Judicial Studies at the Ministry of Justice has carried out a number of research projects on the rights of the child under public international law, juvenile protection under Qatari law and human rights protection under Qatari law.

**II. PROHIBITION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY**

**6. Criminal or penal laws and regulations covering and defining the acts and activities enumerated in article 3, paragraph 1, of the Optional Protocol.**

51. The Qatari legislator has made every effort to adopt appropriate measures in order to implement the Optional Protocol, both through the criminalization of the acts enumerated in article 3, paragraph 1, of the Optional Protocol and through the provisions of the Criminal Code promulgated by Act No. 11 of 2004 and the Code of Criminal Procedures promulgated by Act No. 23 of 2004.

**(a) The age limit used for defining a child in the definition of each of these offences;**

52. The Qatari legislator deals with the offences enumerated in the Protocol through the Criminal Code, which prescribes higher penalties for these offences if they were committed against a person under the age of 16. The legislator does not allow the consent of victims under this age to be used as a mitigating circumstance.

53. Article 297 of the Criminal Code stipulates the age limit used for defining a child with respect to these offences as follows: "Anyone who, by means of coercion, threats or deception, commits any of the sexual offences referred to in article 296 against a person under the age of 16 shall be liable to a penalty of up to 15 years' imprisonment." Article 318 provides: "Anyone who abducts, seizes, detains or illegally deprives a person of his liberty by any other means shall be liable to a penalty of up to 10 years' imprisonment. The penalty shall be raised to 15 years' imprisonment in the following circumstances ... If the victim was a girl or boy, an insane or a disabled person or a person who was not in full possession of his or her mental faculties."

54. The Juveniles Act No. 1 of 1994 defines the legal age of children for the purposes of the offences enumerated in article 1 of the Act as follows: "A juvenile is any boy or girl who was over 7 and under 16 when the offence was committed or when the situation that placed him or her at risk of delinquency obtained."

55. As the above-mentioned articles clearly show, the legislator regards everyone under the age of 16 as a child.

**(b) The penalties which apply to each of these offences and the aggravating or attenuating circumstances applicable to them;**

56. The penalties which the Qatari legislator imposes for the offences enumerated in article 3, paragraph 1, of the Optional Protocol are described here below.

**1. The sale of children**

57. The legislator, in articles 321 and 322 of the Criminal Code, prescribes a penalty of up to seven years' imprisonment for the offence of unlawfully depriving another person of his or her liberty by means of enslavement or buying, selling, offering for sale or making a gift of that person. The legislator also punishes anyone who coerces another to engage in forced labour, whether paid or not, by up to six months in prison and/or a fine of up to 3,000 rials. The penalty is raised to up to three years' imprisonment and/or a fine of up to 10,000 rials, if the victim was under 16.

**2. Child prostitution**

58. Articles 296 and 297 of the Criminal Code increase the penalty to be imposed on anyone who sexually exploits a child in exchange for payment or any other consideration.

59. In articles 296 and 297 of the Criminal Code, the legislator determines that a penalty of from one to five years' imprisonment will be imposed on anyone who induces a female to engage in prostitution or who incites or entices a female into frequenting places of prostitution or

on anyone who induces or incites a male to engage in debauchery or who procures, offers, delivers or takes delivery of a male or female for the purposes of his or her sexual exploitation. Where any of the offences enumerated in article 296 of the Criminal Code was committed by means of coercion or deception against a victim under the age of 16, then those circumstances will be taken as aggravating factors which warrant raising the penalty to up to 15 years' imprisonment.

60. The legislature has created an irrebuttable presumption of law whereby the perpetrator of such an offence is assumed to have been aware of the victim's age.

61. Undoubtedly, these higher penalties are imposed in order to combat and prevent these offences in accordance with the provisions of the Optional Protocol.

### **3. Child pornography**

62. Article 292 of the Criminal Code stipulates: "A term of up to one year's imprisonment and/or a fine of up to 5,000 rials shall be imposed on anyone who produces, imports, distributes, possesses, acquires or transports for the purposes of exploitation, distribution or offer, a book, publication or any other written material or pictures, photographs, films, symbols and the like, which offend against public morals and decency.

63. "The same penalty shall be imposed on anyone who advertises or offers such an item to the public or who sells, leases or offers it for sale or lease, even in private, and anyone who distributes or supplies such an item for distribution by any method."

64. The penalty is increased to up to two years in prison and/or a fine of up to 10,000 rials, if a child under the age of 16 is exploited in the commission of this offence.

65. In addition to the foregoing, the Qatari legislator, in article 25 of the Juveniles Act promulgated by Act No. 1 of 1994, prescribes a penalty of deprivation of liberty (up to one year in prison and/or a fine of up to 1,000 rials) to be imposed on anyone who places a young person at risk of delinquency by preparing him or her to commit acts associated with sexual offences and offences against public morals and decency. The same penalty is imposed on anyone who aids and abets or in any way facilitates a young person's delinquency, even if the delinquent behaviour does not actually materialize.

66. The legislator increases this penalty to up to three years' imprisonment and/or a fine of up to 3,000 rials where the perpetrator uses coercion or threats against the juvenile or is his or her ascendant, tutor or carer.

#### **(c) Statute of limitation for each of these offences;**

67. The criminal legislator regulates the statute of limitations on offences through the provisions of the Code of Criminal Procedures. The statute of limitations varies from one offence to another, depending on the gravity of the offence, i.e. whether it is a serious or a lesser offence. Further details are provided below.

68. Article 13 of the Code of Criminal Procedures stipulates that: "Criminal proceedings are abated by the death of the accused, the lapse of time or the rendering of a final judgement."

69. Article 14 of the Code states: “Unless otherwise provided herein, the statute of limitations on criminal proceedings shall be 10 years for serious offences, 3 years for lesser offences and 1 year for infractions. This period commences on the day on which the offence was committed.”

70. Article 22 of the Criminal Code provides: “Serious offences are offences that are punishable by death, life imprisonment or more than three years’ imprisonment.”

71. Article 23 provides: “Unless otherwise provided herein, lesser offences are offences which are punishable by up to three years’ imprisonment and/or a fine of up to 1,000 rials.”

72. It follows from the above that the statute of limitations on each of the offences mentioned in the Code is defined as follows:

(i) *Sale of children*

Since the offence of selling a person into slavery is defined as a serious offence in article 321 of the Criminal Code, the statute of limitations on it is 10 years;

(ii) *Child prostitution*

Since this offence is defined as a serious offence in article 296 of the Criminal Code, the statute of limitations on it is 10 years;

(iii) *Child pornography*

Since this offence is defined as a lesser offence in article 292 of the Criminal Code, the statute of limitations on it is three years.

**(d) Any other acts or activities which are criminalized under the penal or criminal laws of the State party and which are not covered by article 3, paragraph 1, of the Optional Protocol;**

73. With a view to protecting the welfare of children, the Qatari legislator has criminalized a number of other acts which are prejudicial to children and which violate their rights under the Optional Protocol, even if they are not explicitly mentioned in article 3, paragraph 1, of the Protocol. The articles in question include:

1. Article 271, which states: “A term of up to three years’ imprisonment and/or a fine of up to 10,000 rials shall be imposed on anyone who offers to or induces a person under 16 to consume wine or any other intoxicating beverage”;

2. Article 279, which provides: “A penalty of death or life imprisonment shall be imposed on anyone who has intercourse with a female against her will or by means of coercion, threats or deception.”

The penalty for this offence is a death sentence, if the perpetrator is the victim’s ascendant, tutor or carer, a person with authority over him or her or a servant employed in the victim’s home or the home of any of the aforementioned persons;

3. Article 280, which provides: “A sentence of life imprisonment shall be imposed on anyone who, without using coercion, threats or deception, knowingly has intercourse with a female who is insane or disabled or less than 16 years of age.”

“The penalty for this offence shall be death, if the perpetrator is any of the persons referred to in paragraph 2 of the preceding article.”

**(e) The liability of legal persons for the acts and activities enumerated in article 3, paragraph 1, of the Optional Protocol, indicating the definition of a legal person in the State party;**

74. A legal person is anyone who enjoys legal personality as defined by the lawmakers. Legal personality is defined as the capacity to acquire rights and assume obligations; thus, a legal person is anyone who is empowered to acquire rights and assume obligations.

75. Every human being is a legal person to the extent that he or she has rights and obligations. Natural persons, i.e. human beings, enjoy legal personality by virtue of being born alive. This form of legal personality ends with death. However, legal personality is vested not only in individuals, but also in groups of persons or entities such as associations, institutions and enterprises which have the status of bodies corporate, a concept that does not attach to the individual but rather to the idea or object of any undertaking. Bodies corporate acquire and forfeit legal personality in accordance with the law.

76. Any body corporate endowed with legal personality has the legal capacity to perform transactions, even if the scope of this capacity is circumscribed by the nature and object of the undertaking concerned. Bodies corporate have representatives who express their wishes and they enjoy financial autonomy, the right to bring proceedings and the right to a name, nationality and domicile.

77. Legal persons bear criminal and civil liability for the activities mentioned in the Optional Protocol.

78. Legal persons incur criminal liability for acts that constitute offences under the Optional Protocol, where it is established that the acts in question were in fact committed by natural or legal persons. Consequently, the criminal penalties that can be inflicted on bodies corporate include closure of the undertaking, confiscation of property and the imposition of fines in accordance with the above-mentioned Code of Criminal Procedures.

79. Moreover, any legal person who commits any of the above-mentioned offences incurs civil liability for them under article 199 of the Criminal Code promulgated by Act No. 22 of 2004, which states: “Anyone who commits a wrong that harms another person must make restitution for the harm done.”

80. It follows that child victims are entitled to bring an action against any legal person who is responsible for the commission of any of the above-mentioned offences. They may demand appropriate material compensation for physical and mental harm suffered as the result of sexual exploitation or their use in prostitution or pornography. When the elements of liability

necessitating compensation are present, i.e. a wrong, damage and a causal link between them, the court will order the person responsible, be they a natural person or a body corporate, to compensate the child victim for the harm done.

**(f) The status, under the criminal or penal law of the State party, of attempts to commit and complicity or participation in any of the offences referred to previously.**

81. The legislator deals, in articles 28 and 29 of the Criminal Code, with attempts to commit offences. Article 28 defines an attempt to commit an offence as the initiation of an act with intent to commit an offence but which was interrupted or aborted for reasons beyond the control of the person doing the act.

82. It is clear from the foregoing that the Qatari legislator criminalizes attempts to commit serious or lesser offences. Since the offences mentioned in the Optional Protocol are defined as serious or lesser offences, as explained above, the initiation of any act with the intent of committing any of these offences is a punishable offence. This confirms the vital importance accorded to efforts to counter even attempts to commit any offences that are prejudicial to the rights and dignity of children, because of the inherent danger that they pose to society.

83. At the same time, the criminal legislator deals with the issue of participation in offences in order to ensure that no one who takes part in such offences eludes punishment, regardless of whether participation took the form of incitement, aiding and abetting or complicity. The legislator has laid down the general principle that anyone who participates in an offence is liable to the penalty for committing that offence.

84. Articles 38 to 46 of the Penal Code<sup>2</sup> deal with the subject of complicity and participation in offences.

85. It follows from the foregoing that the State has adopted measures and procedures to deal with the activities enumerated in the Optional Protocol, both by formulating general principles and enacting special provisions on the sale of children, child prostitution and child pornography, with a view to implementing the Protocol and guaranteeing the protection of children's rights to health and to physical, mental, spiritual and moral growth.

**7. With regard to adoption (art. 3, para. 1 (a) (ii)), please indicate the bilateral and multilateral agreements which are applicable to the State party and how the State party ensures that all persons involved in the adoption of the child act in conformity with these international agreements.**

86. Since the State of Qatar does not recognize adoption, because it is incompatible with the noble Islamic sharia which advocates a system of social solidarity, the State has not concluded any bilateral or multilateral agreements on adoption. The State uses a system of alternative families, which has been designed in such a way as to ensure that all participating families treat the children concerned in a manner that does not breach the provisions of international conventions on children's rights.

### III. PENAL/CRIMINAL PROCEDURE

#### Jurisdiction

**8. Please indicate the measures adopted, including of a legislative, judicial and administrative nature, to establish the State party's jurisdiction over the offences referred to in article 3, paragraph 1, of the Optional Protocol when:**

**(a) These offences are committed in its territory or on board a ship or aircraft registered in the State party;**

**(b) The alleged offender is a national of the State party or a person who has his/her habitual residence in its territory;**

87. The State has adopted legislative and judicial measures to establish its jurisdiction over the offences referred to in article 3, paragraph 1, of the Optional Protocol, in order to ensure that anyone who commits any of these offences is subject to the jurisdiction of the domestic courts. The legislator affirms, in the Criminal Code, that the provisions of the Code apply to anyone who commits, in the territory of the State or on board a ship or aircraft registered therein, any of the offences mentioned in the Code. Article 13 of the Code stipulates: "The Criminal Code applies to anyone who commits in Qatar any of the offences enumerated in the Code. An offence shall be deemed to have been committed in Qatar, if the act constituting the offence was committed in Qatar or if the result of the act was realized or intended to be realized in Qatar." Article 14 of the Code stipulates: "The provisions of the present Code apply to offences committed on board ships and aircraft owned by, carrying the flag of, or operated by, the State, wherever they may be."

88. The legislator also ensures that the Criminal Code applies to the offences mentioned in the Optional Protocol, where the accused person committed an act in Qatar or abroad that makes him or her the author of, or an accessory to, an offence committed wholly or in part in Qatar or abroad (see article 16 of the Code).

**(c) The victim is a national of the State party;**

89. The legislator establishes national jurisdiction over such offences, if committed against a Qatari national. According to article 15 of the Criminal Code: "Without prejudice to the conventions and treaties to which the State is a party, the provisions of this Code shall only apply to offences committed on board foreign ships and aircraft present in, or passing through, the territory of the State, where the offences in question jeopardized State security or were committed against a Qatari national or where the captain of the ship or aircraft requested the assistance of the authorities."

**(d) The alleged offender is present in its territory and it does not extradite her/him to another State party on the ground that the offence has been committed by one of its nationals. In that case, please indicate if an extradition request is required prior to the State party establishing its jurisdiction.**



90. Article 17 of the Criminal Code states: “The provisions of this Code shall apply to anyone present in the State after committing abroad, in the capacity of author or accessory, any offence involving trafficking of narcotic drugs or human beings or piracy or international terrorism.”

91. It is worth pointing out that the Qatari legislator has established a general rule, in article 18 of the Criminal Code, which provides that any Qatari who commits a serious or lesser offence abroad will be punished upon his or her return to Qatar, provided that the act is punishable under the law of the country in which it was committed. The purpose of this provision is to establish criminal jurisdiction over any citizen who, while abroad, commits any of the offences referred to in the Optional Protocol.

92. The legislator requires domestic judicial bodies to cooperate with their foreign and international counterparts on criminal matters in accordance with article 407 of the Code of Criminal Procedures, which provides: “Without prejudice to the international conventions applicable in the State of Qatar, and subject to the condition of reciprocity, the Qatari judiciary shall cooperate with foreign and international judicial bodies on criminal matters in accordance with this Code.”

## **Extradition**

**10. Extradition policy related to the offences referred to in article 3, paragraph 1, of the Optional Protocol (with specific attention to the various situations enumerated in article 5 of the Optional Protocol). Data on the number of extradition requests received from or sent to the States concerned, and on offenders and victims (age, sex, nationality, etc.). Information on the length of the procedure, and on cases of extradition requests which have been sent or received and which did not succeed.**

93. As a general principle, the State’s extradition policy is formulated through bilateral or multilateral agreements concluded with other States on the basis of reciprocity. Articles 407 to 426 of title 5 of the Code of Criminal Procedures<sup>3</sup> regulate extradition and the surrender of objects, with a view to strengthening international cooperation in combating offences in general and the offences mentioned in article 3, paragraph 1, of the Optional Protocol in particular.

94. As explained above, the State of Qatar has received no extradition requests from any other State in relation to the offences mentioned in the Optional Protocol, nor has it filed any such requests. Should this happen in the future, the procedure is not expected to take any longer than is required for the completion of the necessary formalities.

## **Seizure and confiscation of goods and proceeds, and closure of premises**

**11. Measures adopted, including of a legislative, judicial and administrative nature, related to:**

**(a) The seizure and confiscation of goods and proceeds referred to in article 7 (a) of the Optional Protocol;**

**(b) The closing, on a temporary or definitive basis, of premises used to commit offences as provided for in article 3, paragraph 1, of the Optional Protocol.**

95. The criminal legislator establishes confiscation as an additional penalty which applies to materials, goods and equipment used in the commission of the general offences mentioned in the Criminal Code and the particular offences of the sale of children, child prostitution and child pornography referred to in the Optional Protocol, as well as to the proceeds which offenders derive from such offences.

96. In addition, in order to combat and prevent such offences and to strike hard at those who commit them, the legislator prescribes the penalty of the closure of any premises used for the commission of those offences. Thus, article 76 of the Criminal Code provides: “When handing down a conviction for a serious or lesser offence, the court, without prejudice to the rights of third parties, may order the confiscation of specific items obtained from the offence or used or likely to have been used in its commission. If the aforementioned items were manufactured, used, acquired or traded for the purpose of committing the offence concerned, they shall be confiscated under all circumstances, even if they do not belong to the accused.”

97. This means that the Qatari legislator allows the courts, when handing down convictions, to order the confiscation of specific items derived from an offence or used or likely to have been used in its commission. This enables the judiciary to take appropriate judicial measures to combat these kinds of offences, while the legal measure which allows the court to order the closure of premises or places used for prostitution supplements the penalties for such offences. Thus, article 299 of the Criminal Code provides: “With regard to the offence of prostitution, the premises or place used for the commission of offence shall be closed down and may only be reopened for legitimate purposes and subject to the approval of the Department of Public Prosecutions.”

#### **IV. PROTECTION OF THE RIGHTS OF CHILD VICTIMS**

**12. In light of articles 8 and 9, paragraphs 3 and 4, of the Optional Protocol, please provide information on the measures, including of a legislative, judicial and administrative nature, that have been adopted to protect the rights and interests of child victims of offences prohibited under the Optional Protocol at all stages of the criminal justice process while ensuring the rights of the accused to a fair and impartial trial. Please indicate the measures adopted:**

**(a) To ensure that the best interests of the child is a primary consideration in the relevant domestic legislation and regulations governing the treatment of child victims by the criminal justice system;**

**(b) To ensure that criminal investigations are initiated even in cases where the actual age of the victim cannot be established and indicate the means used for this determination;**

**(c) To adapt the procedures so they are child sensitive, with special regard to the dignity and worth of the child and her/his cultural background, including the procedures used for investigation, interrogation, trial and cross-examination of child victims and witnesses; the right of a parent or guardian to be present; the right to be represented by a legal adviser or to apply for free legal aid. In that respect, please indicate what the legal consequences are for a child who has committed an offence under the law applicable to her/him as a direct result of the practices prohibited under the Optional Protocol;**

**(d) To inform the child during the whole of the legal process and indicate the persons responsible for this task;**

**(e) To allow the child to express her/his views, needs and concerns;**

**(f) To provide appropriate support services to child victims, including psychosocial, psychological and linguistic support at every step of legal proceedings;**

**(g) To protect, as appropriate, the privacy and identity of child victims;**

**(h) To provide, in appropriate cases, for the safety of child victims, as well as of their families, witnesses on their behalf, and individuals/organizations dealing with the prevention and/or protection and rehabilitation of child victims from intimidation and retaliation;**

**(i) To ensure that all child victims have access to adequate procedures to seek, without discrimination, compensation for damages from those legally responsible and to avoid unnecessary delay in the disposition of cases and the execution of orders or decrees granting compensation; and**

**(j) To ensure that child victims receive all appropriate assistance, including for their full social reintegration and full physical and psychological recovery.**

98. The laws of the State of Qatar contain a vast array of procedural and criminal measures which are intended to protect the rights and interests of child victims. Victims (including child victims) are the central focus of criminal proceedings, particularly during the investigation and trial stages, and the criminal and penal systems take account of their best interests. Victims are the main protagonists in investigations and trials, since their consent is required for the initiation and termination of proceedings relating to many offences. Victims also play an important role in determining the penalty for offences for which the penalty is the payment of blood money (*diyah* offences) and for offences relating to inheritance, where payment of compensation may be accepted as punishment.

99. Article 65 of the Code of Criminal Procedures deals with the victim's rights during the initiation of investigations, while article 73 was written to protect victims from reprisals and intimidation during investigations, by imposing confidentiality on all investigations and their findings.

100. The parents, testamentary executors and legal guardians of child victims are allowed to be present during all stages of investigations, while courts take account of the special circumstances of child victims, whose identity must not be disclosed to the public.

101. The security forces and the judiciary in general go to great lengths to protect child victims and their families, as well as witnesses who testify on their behalf, such protection being regarded as part of their core responsibilities.

102. With regard to assistance for child victims of violence, abuse and neglect, the Child's Friend Office established by the Supreme Council for Family Affairs in 2001 offers children whatever assistance they may need. It receives complaints and requests for information from children on its direct hotline and endeavours to resolve children's problems and to find them appropriate physical and psychological treatment.

103. The Supreme Council for Family Affairs takes account of international standards of treatment for victims of crime. Government, security, and social institutions are urged to implement these standards by proposing rules on, and creating mechanisms for, the treatment of child victims of violence and abuse.

104. In this connection, the Qatari Foundation for the Protection of Children and Women was established to protect and defend the rights of women and children. It is a private institution, which enjoys financial autonomy and full capacity to pursue its object.

105. Child victims have ample opportunity to seek compensation, without discrimination, for any physical and mental harm that they suffer as the result of such offences, whether by bringing criminal proceedings or applying to the civil courts, and offenders are obliged to pay them appropriate compensation. Articles 19-26 of the Code of Criminal Procedures<sup>4</sup> describe how anyone who has suffered direct harm as the result of an offence can bring proceedings before the criminal courts.

106. It should be added that, according to a principle of the Islamic sharia, the onus is on the State to compensate victims in cases where compensation cannot be obtained from the offender or where the offender's identity is not known.

107. As for the legal penalties for any of the offences mentioned in the Optional Protocol, the Qatari legislator guarantees the right of juvenile defendants to a fair and impartial trial. Specific provisions were written into the Juveniles Act in order to protect juveniles' interests and rights. The Act provides for the establishment of special investigation mechanisms and procedures, for the creation of a special court, known as the juvenile court, to hear juvenile cases, and for separate reformatories for convicted juvenile offenders, together with a comprehensive system of social welfare designed to correct and reform juveniles and to reintegrate them into society.

108. Some of the most important provisions of the Juveniles Act which are intended to protect the rights of young persons are found in its article 20, which stipulates: "Convictions handed down against minors in accordance with this Act shall not be registered on their criminal status documents, nor shall the provisions relating to repeat offences as contained in the Penal Code or any other laws apply to minors."

109. Article 21 of the same Code stipulates: "A prison term handed down against a minor shall be served in a reformatory."

110. Articles 28 to 44 of title 3 of the Code<sup>5</sup> deal with the regulation of the juvenile court, while numerous other provisions cater for the rights of child defendants, including:

- Article 8, concerning the measures to be taken against a minor under the age of 14 who commits a serious or a lesser offence;
- Article 19, prohibiting the infliction of sentences of death or life imprisonment on a minor who is over 14 and under 16;
- Articles 45-47, concerning conditional release.

#### **V. PREVENTION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY**

**13. In light of article 9, paragraphs 1, 2, 5 and 10, and paragraph 1 of the Optional Protocol, please provide information on:**

**(a) The measures, including of a legislative, judicial and administrative nature, and the policies and programmes adopted to prevent the offences referred to in the Optional Protocol. Reports should also give information on children concerned by these preventive measures and on the measures used to particularly target children who are especially vulnerable to such practices.**

111. In order to prevent the offences referred to in the Optional Protocol, His Royal Highness the Amir of the State of Qatar issued Decree Law No. 38 of 2002, establishing the National Human Rights Committee. The Committee includes five representatives of civil society and its mission is to protect human rights and freedoms in the State of Qatar. To that end, it carries out a number of functions, of which the most important entail efforts to realize the objectives set forth in the international human rights conventions and treaties which the State has ratified, to investigate human rights violations and to propose appropriate means of dealing with, and preventing, such violations. The Committee is in the process of formulating a comprehensive strategy to allow it to discharge its responsibilities in an effective manner.

112. Ministries and government bodies have their own liaison units that deal with human rights questions. These units include the legal studies and human rights section of the Department of Legal Affairs at the Ministry of the Interior, which was established pursuant to Minister for Internal Affairs decision 1 of 2004, concerning the administrative structure of the Ministry of the Interior, the human rights office at the Ministry of Foreign Affairs and the office of the human rights coordinator at the Prime Minister's Office. These units work on human rights questions, including the protection of children's rights.

113. The State of Qatar has taken several steps to protect children from violence and abuse in the home, the workplace and society at large. The Supreme Council for Family Affairs set up the Child's Friend Office in 2001 with, as indicated above, the objective of assisting child victims of violence, abuse and neglect who make complaints over the hotline, and of addressing such complaints in consultation with the competent bodies.

114. In 2002, Her Royal Highness Sheikha Muza bint Nasir al-Musnid, the wife of His Royal Highness Sheikh Kamd bin Khalifa Al Thani, the Amir of the State of Qatar, issued a number of documents relating to the establishment of several private institutions, namely the Qatari Foundation for the Protection of Children and Women, the Qatari Foundation for the Welfare of Orphans, the Cultural Centre for Motherhood and Childhood, and the Family Counselling Centre.

115. The Qatari Foundation for the Protection of Children and Women plays a vital role in protecting children and mothers from deviant behaviour in the home, the community and the workplace, in guaranteeing the legal framework for the enjoyment of children's and women's rights and their protection within the community and the family, and in guaranteeing the implementation of the relevant provisions of international conventions.

116. It is worth mentioning that the Child's Friend Office was attached to the Foundation in order to turn the Office, established under the auspices of the Supreme Council for Family Affairs, into an effective tool for addressing the problems and complaints referred to it by children and women.

117. The Qatari Foundation for the Welfare of Orphans was established to care for orphans and offer them services capable of affording them a decent life. It provides shelter for orphans who have difficulty living with a family and keeps track of orphans hosted by alternative families. It also provides an alternative environment for children from families which break up as a result of death, divorce, disability, imprisonment or illness.

118. The object of the Cultural Centre for Motherhood and Childhood is to raise mothers' awareness of, and to help to resolve, children's behavioural problems, such as smoking, drug-taking, drug addiction and street violence.

119. The object of the Family Counselling Centre is to protect the family from break-up and disintegration, to offer individual counselling to help resolve family and personal problems, and to assist children adversely affected by divorce.

120. The Department of Juvenile Welfare was established pursuant to Cabinet Decision No. 15 of 2004 in order to: provide shelter and care for young persons; supervise social welfare homes established to house, look after, reform and rehabilitate young persons; implement measures concerning juvenile probation and other obligations imposed on young persons; supply services to young persons residing in social welfare homes and cater for their health, educational, psychological and social needs; and endeavour to reintegrate juvenile delinquents, shape their personality in accordance with sound principles, and re-establish their ties with their family and community.

121. The Department's other tasks include: equipping young persons with theoretical and vocational knowledge and expertise; conducting studies and research on the causes of juvenile delinquency and producing recommendations on how to prevent it; conducting awareness-raising activities aimed at protecting children from deviancy and juvenile delinquency; exploring prevention and treatment methods through attendance at lectures, seminars and conferences;

devising psychosocial counselling programmes for children at risk of delinquency; and running awareness programmes for boys and girls on the dangers of drug-taking and abuse of illegal substances.

122. At its sixteenth ordinary meeting of 2003, held on 23 April 2003, the Cabinet decided to form a committee to study guidelines on a strategy for combating human trafficking. The committee, which was chaired by the Ministry of Foreign Affairs and included members from relevant government departments, submitted its recommendations to the Cabinet on a series of different awareness and prevention measures.

123. At its twenty-sixth ordinary meeting of 2003, held on 2 July 2003, the Cabinet decided to approve the recommendations with a view to their implementation. At its second meeting of 2004, held on 14 January 2004, the Cabinet then decided to set up a committee, chaired by the Supreme Council for Family Affairs and with members from a number of relevant government bodies, to implement the recommendations issued by the committee formed to produce guidelines on a strategy for combating human trafficking.

**(b) The means used to raise awareness within the population at large about the offences prohibited under the Optional Protocol. Please provide disaggregated information, including on:**

- (i) The various types of awareness, educational and training activities;**
- (ii) The public concerned;**
- (iii) The involvement of governmental bodies and non-governmental organizations, the business sector, media professionals, etc.;**
- (iv) The participation of children/child victims and/or communities;**
- (v) The scope of these activities (local, regional, national and/or international).**

124. The State of Qatar is fully convinced of the importance of raising awareness among citizens and residents in the State about the offences prohibited under the Optional Protocol. One of the most important means that it uses for this purpose is the series of training courses on dealing with abused children which is run under the auspices of the Child's Friend Office for teachers at State schools. The courses are offered on an ongoing basis with a view to covering all schools.

125. The Supreme Council for Family Affairs has held several training courses for groups that work with children, in order to educate them about the contents of international conventions and treaties which deal with children. Further details are found in the introduction to the present report.

126. The Supreme Council for Family Affairs furthermore organized a public seminar on strengthening human rights awareness and education, and the committee is planning other seminars, as well as a training workshop for law enforcement officers.

**(c) Measures adopted, including of a legislative, judicial and administrative nature, to effectively prohibit the production and dissemination of material advertising the offences described in the Optional Protocol, as well as the mechanisms established to monitor the situation.**

127. The State of Qatar makes sure to adopt legislative, judicial and administrative measures to prevent the production and dissemination of material advertising the offences described in the Optional Protocol. The Publications and Publishing Act promulgated by Act No. 8 of 1979 regulates the production and dissemination of informational and press material. Article 47 of the Act stipulates: “It is not permissible to publish any material that offends against morals or public decency, that is prejudicial to human dignity or personal freedom, that is likely to incite others to commit crimes, or that stirs up unrest or discord in society.”

128. Article 81 of the Code provides: “A term of up to six months’ imprisonment and/or a fine of up to 3,000 rials shall be imposed on anyone who commits either of the aforementioned offences, to which reference was made in article 47.”

129. The publications department of the Public Radio and Television Corporation follows up on the implementation of the Publications and Publishing Act. Its tasks include: censoring local and foreign publications and literary works in accordance with the law; authorizing the issuance and distribution of printed matter and publications produced by diplomatic missions and agencies present in the State; issuing the requisite licences for press publications, journalists, print works, publishing houses, bookshops, agencies which import, distribute and export publications, advertising and publicity agencies, public relations companies, artistic production, vendors and distributors of works of art, and travelling salesmen, in accordance with the law.

130. The censorship functions which the publications department performs are geared towards preventing the production and dissemination of pornography or material advertising the activities prohibited in the Optional Protocol. In this task, the department liaises with the customs department through its offices located in the General Post Office at the port of Doha and other border crossing points.

131. In addition, the General Communications Corporation has a censorship system to monitor and screen Internet sites which display pornographic material. It employs a variety of techniques to prevent Internet subscribers from accessing such sites.

## **VI. INTERNATIONAL ASSISTANCE AND COOPERATION**

### **Prevention**

**14. In light of article 10, paragraph 3, of the Optional Protocol, please provide information on the activities of the State party to promote international cooperation to address the root causes, particularly poverty and underdevelopment, which contribute to the vulnerability of children to the sale of children, child prostitution, child pornography, and child sex tourism.**

132. The State of Qatar actively participates in the major United Nations conferences on poverty and underdevelopment. It sent high-level delegations to the World Summit for Social Development, held in Copenhagen in 1995, and the twenty-fourth special session of the General Assembly, held in Geneva in 2000.



133. The State of Qatar has also been keen to host regional conferences on poverty and underdevelopment, including the twenty-seventh regional conference for the Near East which was held at Doha in March 2004 under the auspices of the United Nations Food and Agriculture Organization (FAO). The conference discussed a number of important topics, including the technical support provided by the FAO regional office to 32 countries in the Near East and follow-up on the implementation of the objectives of the World Food Summit and the Global Alliance against Hunger and Poverty.

#### **Protection of victims**

**15. In light of article 10, paragraph 2, of the Optional Protocol, please provide information on international cooperation to assist child victims in their physical and psychological recovery, social reintegration and repatriation.**

134. The State of Qatar has not received any requests from any other States for assistance for child victims of the offences mentioned in the Optional Protocol, nor has it received any reports in the past five years about cases of this kind.

135. The State of Qatar is willing to do its part to assist child victims in their physical and psychological recovery, social reintegration and repatriation, within the framework of international cooperation aimed at ensuring the implementation of the Optional Protocol.

#### **Law enforcement**

**16. In light of articles 6 and 10 of the Optional Protocol, please provide information on the assistance and cooperation provided by the State party at all steps/parts of the penal or criminal procedure with regard to the offences as provided in article 3, paragraph 1, of the Optional Protocol (detection, investigation, prosecution, punishment and extradition proceedings). In light of article 7 (b) of the Optional Protocol, please provide information on requests received from another State party for seizure or confiscation of goods or proceeds referred to in article 7 (a) of the Optional Protocol.**

136. The international agreements which the State of Qatar has concluded with many other States, and to which reference is made in paragraph 17 of the present report, make provision for numerous forms of assistance and cooperation during all phases of criminal proceedings, particularly as regards the sharing of information, documentation and criminal evidence, requests for judicial assistance, the enforcement of arrest warrants, and the pursuit of criminals and accused persons attempting to evade justice in the territory of the State.

137. With regard to requests for the seizure of goods and proceeds derived from the offences enumerated in the Optional Protocol, as indicated above, the State of Qatar has received no requests of this kind.

**17. Please indicate the relevant bilateral, regional and/or multilateral agreements, treaties or other arrangements which the State party concerned is party to,**

**and/or any relevant domestic legislation in that respect. Finally, please indicate what cooperation/coordination has been set up between the State party's authorities, national and international non-governmental organizations, and international organizations.**

138. The State of Qatar has signed several bilateral agreements and memorandums of understanding with other States on such matters as judicial cooperation and security cooperation, including mechanisms designed to ensure full cooperation during the investigation and trial of many different kinds of offences, including those referred to in the Protocol. Such agreements cover the sharing of information and evidence, requests for judicial assistance in certain proceedings, and the enforcement of judgements. Some agreements deal with the subject of extradition, a topic which, as mentioned above, is also regulated by the Code of Criminal Procedures.

139. Many such agreements have been concluded with, respectively, the Kingdom of Saudi Arabia, the United Arab Emirates, Yemen, the Hashemite Kingdom of Jordan, Tunisia, Iran, Turkey and France.

### **Financial and other assistance**

**18. With reference to international cooperation, mentioned above (paras. 14-17), please provide information on the financial, technical or other assistance provided and/or received through existing multilateral, bilateral or other programmes that have been undertaken to that end.**

140. The State of Qatar has been an indefatigable provider of development assistance to all States throughout the world, helping them to implement their development projects, to build up their economic capacities and to raise the living standards of their people. Qatar also provides emergency humanitarian assistance to States affected by natural disasters or wars.

141. The total value of assistance which the State of Qatar provided to developing countries rose from around \$23 million in 1995 to \$49 million in 1999. Development assistance accounted for approximately 0.30 per cent of the country's Gross Domestic Product between 1995 and 1998 and rose to 0.40 per cent in 1999.

142. Development assistance can be broken down into government assistance provided by ministries and government bodies, which rose from a total of \$11.2 million in 1995 to \$34.5 million in 1999, and non-governmental assistance from private, voluntary and charitable institutions, which increased from a total of \$11.6 million in 1995 to \$14.3 million in 1999.

143. The State of Qatar offers four different types of development aid and assistance. Cash aid is given directly to Governments to support their efforts to tackle natural disasters. This form of aid accounted for 52.3 per cent of all aid disbursed during the period 1995-1999. Assistance is also provided for educational, health and construction projects, home-building and support for rural communities. This accounted for 34.3 per cent of all government assistance dispensed over the same period. Assistance given to organizations includes sums of money and assistance in kind for charities and educational establishments. This accounted for 8.2 per cent of all government assistance disbursed during the same period.<sup>6</sup>

## VII. OTHER LEGAL PROVISIONS

**19. Please indicate any relevant provisions of domestic legislation and international law in force in the State concerned which are more conducive to the realization of the rights of the child. Reports should also provide information on the status of ratification by the State concerned of the main international instruments concerning sale of children, child prostitution, child pornography and child sex tourism and on other commitments undertaken by that State concerning this issue, and on their implementation and challenges encountered.**

144. The State of Qatar has ratified the Convention on the Rights of the Child and its two Optional Protocols, as well as International Labour Organization Convention No. 182, concerning the worst forms of child labour. As the present report shows, the State spares no effort to pursue the realization of the aims set forth in international instruments and to meet all its obligations under those same instruments.

### Notes

<sup>1</sup> This paragraph responds to questions 10 and 17 of the guidelines.

<sup>2</sup> See annex 1.

<sup>3</sup> See annex 2.

<sup>4</sup> See annex 3.

<sup>5</sup> See annex 4.

<sup>6</sup> *Source: Development aid and assistance provided by the State of Qatar, 1970-1999, Planning Council, 2001.*

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