



**Convention on the
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COMMITTEE ON THE RIGHTS OF THE CHILD

Fifty-second session

SUMMARY RECORD OF THE 1447th MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 29 September 2009, at 3 p.m.

Chairperson: Mr. ZERMATTEN (Vice-Chairperson)

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In the absence of Ms. Lee, Mr. Zermatten, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second periodic report of Qatar (CRC/C/QAT/2 and CRC/C/QAT/Q/2 and Add.1)

1. At the invitation of the Chairperson, the members of the delegation of Qatar took places at the Committee table.
2. Ms. AIDOO welcomed the fact that adolescent health was monitored by specialized clinics, and that the main hospital planned to set up an adolescent health department. The report stated that no children in Qatar suffered from substance abuse. The delegation should explain what measures the Government took to provide information on preventive health to adolescents, including for the prevention of sexually transmitted infections and for other aspects of reproductive health. Could adolescents seek confidential health counselling from professionals without their parents' knowledge? Lastly, the Committee had received no information on marriages involving girls under the legal age of 16. Was the Government aware of any such cases?
3. Mr. POLLAR asked whether the cases of children who had been hired as camel jockeys in Qatar and had been returned to their countries had been monitored. Had those children subsequently been engaged in other forms of economic exploitation?
4. Ms. AL-ASMAR, noting that in Arab societies marriages between family relations were relatively common, asked whether any studies had been conducted to determine how to prevent the transmission of congenital diseases to the children of such couples.
5. The CHAIRPERSON asked whether access to health care was available for all children in Qatar or just to Qatari nationals. While commending the State party for responding to the concerns expressed in the 2001 concluding observations in respect of disabled children, he asked whether all disabled children had access to health care.
6. Ms. AL-OBEIDLI (Qatar) said that the hotline for the protection of women and children was staffed by specialists. There were many hotlines offering various kinds of assistance, and it was hoped that a single hotline would centralize all such outreach in the near future, offering attention of the highest quality. Some non-governmental organizations (NGOs) had hotlines of their own for specific problems, such as neglect or ill-treatment. The Qatari Foundation for the Protection of Women and Children visited homes and schools to follow up on such cases. The Foundation provided services to persons of all nationalities; it made use of interpreters and contacted foreign consulates when necessary.
7. A juvenile court and specialized prosecutors and police handled cases involving minors. The juvenile court currently had 97 cases on its docket, of which 44 were currently under investigation. The law governing the status of domestic workers did not distinguish between Qatari and non-Qatari nationals.

8. Ms. Mariam AL-MALKI (Qatar) said that since 2003 Qatar had implemented a national strategy to combat human trafficking, which had included the establishment of a shelter and the designation of a national coordinator to deal with such issues. The recruitment of child labour was prohibited under Act No. 22 of 2005, and a National Office to Combat Human Trafficking had been established and ensured coordination with prosecutors, judicial authorities, human rights bodies, the relevant ministries and the Qatari Foundation for the Protection of Women and Children. The Qatar Foundation to Combat Human Trafficking carried out case studies, provided legal advice, followed up on court cases and set up reintegration programmes, and worked closely with the various civil society organizations addressing the needs of children. The Foundation worked in cooperation with the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the regional office of the United Nations Office on Drugs and Crime, the International Red Cross and Red Crescent Movement and Johns Hopkins University, which helped to conduct awareness raising activities on the subject of trafficking. Since the adoption of Act No. 22, a committee had been set up to monitor actions taken to combat human trafficking, but no crimes related to human trafficking had been reported.

9. In the light of a number of studies, it had been ascertained that robots should replace children as jockeys for camel racing, and children who had previously been hired as camel jockeys had been sent home and reintegrated. Many of those children had come from Sudan. The children had received compensation, and various economic and social programmes had been conducted for the benefit both of the children and of their tribes. Over 200 children had benefited from such assistance. The Special Rapporteur on trafficking in persons, especially women and children, had found no instances in which Act No. 22 had been violated. The Qatar Foundation to Combat Human Trafficking had conducted a study of the situation of domestic workers, and had found that, while all migrant workers were in the country on a temporary basis, their children benefited from the same services as Qatari children, and had access to public and private education on an equal footing with Qataris. Refugee children, in particular Palestinian and Iraqi children, lived with their families and had rights equal to those of Qataris. The Government of Qatar provided a great deal of assistance to refugees living in other countries.

10. Mr. AL BUAINAIN (Qatar) said that there were no refugees in Qatar, although a large number of Palestinians and Iraqis lived in the country. They did not have refugee status, but worked and lived in the same conditions as Qataris.

11. Mr. FILALI (Country Rapporteur) expressed concern about the fact that, notwithstanding the absence of refugees in the country, Qatar did not have a legal framework for the granting of refugee status.

12. Mr. AL-THANI (Qatar) said that Qatar had recently acceded to a large number of international treaties, including human rights conventions, and that in that context, the Government faced a heavy burden for the adoption of appropriate laws and the preparation and review of reports. The delegation understood the Committee's concern regarding the lack of a legal framework for refugees and would mention it to the Government.

13. Mr. CITARELLA, noting that Qatar was not a State party to the Convention on Refugees and that the country had no legislation providing a framework for refugees, asked what status was reserved for Palestinian refugees.

14. Mr. AL BUAINAIN (Qatar) said that the Government provided assistance to the Office of the United Nations High Commissioner for Refugees and also to Palestinian refugees living in other countries. The Palestinians living in Qatar did not live there as refugees, as did Palestinians in Egypt, Lebanon or the Syrian Arab Republic, for example, but simply as foreigners residing in Qatar. The same was true for Iraqis living in Qatar.

15. Mr. AL-JANAHI (Qatar) said that there was no discrimination whatsoever between Qatari and non-Qatari children with regard to the provision of health services, and that all children received treatment free of charge. Health care was provided through insurance schemes, and also through clinics at their parents' places of employment. The Government health authorities attached a great deal of importance to the problem of obesity among children, and the Hamad Medical Corporation had set up specialized clinics for children with such problems and also for children with special psychological or behavioural disorders. On the other hand, anorexia was rare among children in Qatar.

16. A project was under way to create a ward for adolescents in the new hospital to be inaugurated in 2012, which would employ a number of paediatricians, medical assistants and psychologists. Efforts were currently being made to treat adolescents in Hamad Medical Corporation facilities separate from those of adults. Adolescents could also be treated for sexually transmitted diseases in the relevant department of the Hamad medical centres. Any adolescent could see a specialist without a family present. All the services mentioned would be grouped together in the children's hospital in a single adolescent health service.

17. The Hamad Medical Corporation had announced that all its hospitals had responded to the World Health Organization's recommendation that children should be breastfed for six months exclusively after birth by improving their breastfeeding-related services and activities. Furthermore, the Human Resources Act allowed breastfeeding mothers time to leave the workplace to feed their children. Statutory maternity leave was two months, but mothers could also be granted maternity leave for up to three years under the Act.

18. The CHAIRPERSON requested clarification of the criteria for being granted three years' maternity leave.

19. Mr. AL-JANAHI (Qatar) said that women were given two months' maternity leave on full pay and could request maternity leave for up to three years, the first six months of which would be on full pay, followed by a period on half pay, after which pay was suspended. Women were also allowed time to breastfeed their children during work hours for up to a year after returning to work.

20. Accidents could be divided into two categories: household accidents and road traffic accidents. The Government had introduced an awareness-raising campaign in 2004 and national conferences on the prevention of road accidents had been held in 2004 and 2007. The Government had also launched a comprehensive campaign to promote the use of child car seats. A decline in the number of road accidents in Qatar had been observed, in particular as a result of improved application of traffic legislation.

21. The Government was planning to address household accidents such as poisoning by introducing an emergency medical service dealing specifically with poisons. There had been a

reduction in the number of births to adolescent girls, while no problems of drug addiction in adolescents had been observed, which appeared to be a consequence of the strict social and family structure in Qatar.

22. Children with disabilities received specialist health care at all levels, including during the prenatal phase. Specialists from all branches of health care, including neurologists and chest specialists, were available to work with and rehabilitate such children. All children were thoroughly examined after birth and an early-detection programme had been in place in Qatar for some three years and operated in cooperation with the University of Heidelberg. Some disabilities could even be prevented by early intervention. All children born with disabilities were treated according to their needs and cared for by a group of doctors. The health-care sector and the Ministry of Education coordinated closely on the care of children with disabilities. Lastly, a national committee was in place to combat drug addiction.

23. Mr. FILALI (Country Rapporteur) requested statistics on the issues mentioned, including persons with disabilities, accidents and the prevalence of breastfeeding. He also asked whether Qatar had a centralized data collection bureau.

24. Mr. AL-JANAHI (Qatar) said that statistics on disabilities were obtainable through the National Disabilities Survey and the delegation would convey figures on breastfeeding to the Committee.

25. All births had to be registered within 15 days in the case of children born in Qatar and within 30 days if a child was born abroad. Children of unknown parentage also needed to be registered with the General Authority for Minors' Affairs and the Qatari Orphan Foundation. Such children had the right to obtain Qatari nationality, while in terms of health care, education and other services, they were placed on an equal footing with Qatari citizens. Following checks, the Hamad Medical Corporation had not found any instances where corporal punishment had been used against children in schools or medical facilities.

26. Ms. AL-SULAITI (Qatar) said that the "New stage education" development initiative was based on the principle of encouraging children to express their views and ideas at school freely. Children's views on their own schools were collected in surveys, for example, and the results were submitted to the school in question as a school performance report. The reports were systematically published on the Higher Council for Education website, where they could be consulted by the public. Other measures to garner student opinion included the establishment of elected students councils and student groups that discussed various educational issues. At the national level, there were a number of children's television channels showing programmes through which students' views could be expressed.

27. The Qatar Leadership Academy was not a military school, but instead prepared outstanding intellectuals to lead the country. The school had been established with the collaboration of the Qatari Armed Forces, but the school taught the international baccalaureate, plus other subjects such as the Arabic language and Islamic studies. Students graduating from the school could enrol in any university. The academy was open only to males under the age of 18, as in Qatari culture women were not permitted to board at a school. Other programmes to prepare leaders were carried out by the State and the Qatar Foundation, however.

28. Education of people with special needs had been given great impetus by the promulgation of a number of laws. The Government was pursuing a twofold policy of opening specialized schools for children with acute disabilities and integrating children with less severe disabilities and special needs into mainstream education. The Government endeavoured to prepare such children for mainstream education by, for example, setting up a dedicated committee and a comprehensive educational programme and adapting schools' infrastructure for disabled access. Guidelines on dealing with disabilities were also given to parents and teachers. Every school had a coordinator for children with special needs or a teacher qualified to deal with such children, while teachers in specialized schools received ongoing training.

29. The CHAIRPERSON asked whether the inclusive education that allowed children with disabilities to attend regular classes was available only in Doha.

30. Mr. CITARELLA asked how the students of the Leadership Academy were selected.

31. Ms. AL-SULAITI (Qatar) said that students sat an entrance examination for the Leadership Academy and were put through physical tests and an interview. There were no other entry criteria.

32. The Shafallah Centre for Children with Special Needs provided social, health and comprehensive rehabilitation services for those children. The Ministry of Education and the Qatar Foundation also cooperated on issues related to children with special needs. Many nurseries were operating across Qatar, all of which were subject to educational standards on such aspects as textbooks, premises and child safety. No nursery would be licensed if it did not meet the standards. Once licensed, nurseries were monitored by the Higher Council for Education.

33. No distinction was made between Qatari and non-Qatari children in education, in accordance with the Constitution and the Compulsory Education Act. The Government had helped to open a number of schools for the large numbers of non-Qataris attending school, so that they could be taught in their mother tongues. International schools had also been established in Qatar.

34. The State was developing human resources for human rights education, with the help of numerous foundations such as the National Human Rights Committee, the Ministry of Labour, training centres or the Higher Council for Family Affairs. A number of training and awareness-raising programmes on human rights had been conducted, while workshops and lectures on human rights were held at schools for both teachers and students.

35. In order to incorporate human rights into the education system, the Government had included aspects of human rights in curricula and textbooks and provided value-oriented education. A manual had been prepared for teachers that detailed how to apply ethics inside and outside the classroom. Student groups also worked to guide the conduct and behaviour of fellow students. A competition was held every year to discover best practice in schools on ethics, behaviour and conduct, which was then disseminated to all schools. The Government had also provided all schools with a framework on ethics that focused inter alia on respect, tolerance and citizenship.

36. Adolescent health was promoted through a number of measures such as immunization records in schools and programmes to combat smoking, obesity and drug use.

37. Ms. AIDOO said that the Government's proposal to issue a manual drawing on children's rights principles under the Convention could serve as a model for other countries. She wished to know whether those principles were reconciled with those of the Koran. If not, how was the State party dealing with those differences?

38. Mr. FILALI (Country Rapporteur) wished to know whether Qatar had schools for gifted children and whether teachers received training in human rights and the Convention. What was the role of parents' associations in the schools? Were the Koranic schools part of the madrasah system?

39. Ms. AL-SULAITI (Qatar) said that gifted children attended regular schools, in accordance with UNESCO guidelines. Teachers and school administration officials received training at a centre specializing in the needs of gifted children.

40. Human rights concepts were promoted partly through awareness-raising campaigns aimed at students, teachers, school officials and social workers, and partly through teacher training sessions and workshops held by the Government in cooperation with the National Human Rights Committee. Koranic schools began at the intermediate and secondary levels. A secretariat composed of parents and students played a similar role to that of parents' associations and could make proposals to the schools on issues of concern.

41. Ms. AL-MAHMOUD (Qatar) said that the twentieth anniversary in 2010 of the State party's accession to the Convention would provide a good opportunity to evaluate its progress in implementing the Convention. The Convention had been disseminated widely in schools and society and in an official government publication, the Gazette. Various children's rights initiatives had been launched, including a regional meeting of the Cooperation Council for the Arab States of the Gulf and Yemen, a children's rights dissemination programme conducted by the Ministry of Education in cooperation with UNICEF and a national plan, which included the publication of a manual for parents describing children's rights and how to implement them, as well as a corresponding teacher's manual. The Higher Council for Family Affairs, in cooperation with the military and UNICEF, had carried out a pioneering regional programme incorporating children's rights in military schools in accordance with the Committee's concluding observations on the State party's previous report.

The meeting was suspended at 4.36 p.m. and resumed at 4.54 p.m.

42. Ms. AL-SULAITI (Qatar) said that religious establishments, which were supervised by the Higher Council for Education and governed by the same regulations as State schools, offered the same educational programme as regular schools, in addition to courses on Islam. Graduates of Koranic schools were well prepared to pursue higher education.

43. Mr. FILALI (Country Rapporteur) suggested that teaching human rights principles in Koranic schools, such as peace, tolerance and acceptance of others, was very important, more so than the teaching of mathematics or computer science.

44. Ms. AL-SULAITI (Qatar) said that human rights were taught in all schools, regardless of orientation. Efforts were under way to further promote the inclusion of tolerance in the academic curricula.

45. Mr. AL-MOHANNADI (Qatar) said that the age for delinquency was derived from the Constitution, which recognized the Islamic sharia as the basic source of legislation. Therefore, the age of majority was set at 16 in accordance with the sharia. The law relating to juvenile delinquency spelled out the procedures for dealing with juvenile delinquents, the penalties incurred for acts of delinquency and the roles of welfare institutions and juvenile rehabilitation centres. Qatar had specialized juvenile courts, juvenile prosecution authorities, a department in the Supreme Council concerned with juvenile cases and juvenile police. The age of legal responsibility in the Children's Bill would reflect legal, social, religious and moral standards in Qatar.

46. The CHAIRPERSON wished to know what authority was in charge of dealing with juveniles.

47. Mr. KOTRANE asked whether there was a genuine intent to raise the age of legal responsibility as outlined in the Children's Bill. Would domestic law be amended and brought in line with the Convention even though some might consider its provisions to be incompatible with the Islamic sharia? The State party had made a commitment to fully implement the Convention upon its ratification. He asked for clarification regarding the Penal Code provisions relating to children in conflict with the law.

48. Mr. CITARELLA, referring to the age of criminal responsibility, wished to know what was meant by "over 16 years of age" and "below 18" and the possibility that juveniles might be tried as adults. He also wished to know the deciding authority on and criteria for classification as a person at risk of delinquency and its implications.

49. Ms. Noor Abdulla AL-MALKI (Qatar) said that article 1 of the Convention allowed for some leeway regarding the legal age of a child. Children above the age of 16 but below 18 were not sentenced to death or life imprisonment. Efforts were under way to raise those age limits, but that would depend on the adoption of the Children's Bill. Qatari children were allowed to work at age 16.

50. Mr. AL-MOHANNADI (Qatar) said that there were three stages involved in the administration of juvenile justice: the gathering of evidence, examination of the accused by the prosecution and trial. The Ministry of Labour and Social Affairs was the juvenile authority.

51. The distinction between delinquents and persons at risk of delinquency resided in the commission of an offence. Delinquents were persons who had already committed an act prohibited by the law, whereas persons at risk of delinquency were those who, for example, lived in a family environment that might make them particularly vulnerable to delinquency.

52. Ms. Noor Abdulla AL-MALKI (Qatar) said that there was no shortage in the budget allocated to issues related to families and children. Generous allocations were made to all social issues, including families in need, orphans and children with disabilities. Strategies were in place

to ensure that even in the case of a financial crisis, the population's social needs would be met, mostly through partnerships with private foundations. A percentage of all oil income was spent on education and health.

53. Sharia law did not provide for adoption, and her Government did not intend to make any changes to current legislation. However, under legislation on guardianship (kafala), guardians could bequeath up to one third of their estate to a child in their care.

54. Ms. AL-ASMAR asked whether a foster family could return a child to an institution.

55. Ms. Noor Abdulla AL-MALKI (Qatar) said that if the Qatari Orphans Foundation found that a child was at risk in a foster family, it would take all the necessary measures to protect the child, including removing it from the foster family.

56. Mr. FILALI (Country Rapporteur) asked whether a foster child could take the foster family's name. He also wished to know whether other legal heirs, such as biological children, could dispute the foster child's inheritance.

57. Ms. Noor Abdulla AL-MALKI (Qatar) said that under sharia, a child could only take its father's name. It was up to the judiciary to ensure that all wills were respected. Courts could not cancel any bequests.

58. Ms. ORTIZ asked whether the lack of data on children in alternative care indicated that such care was not a cause of concern in the State party. She asked what types of institutions provided alternative care, apart from children under the kafala system, and which body regulated such care. She also requested an update on the debate concerning the concept of orphans in the State party and the possible discrimination they might suffer.

59. Ms. Noor Abdulla AL-MALKI (Qatar) said that normally, extended families cared for children who lost their parents. The kafala system was implemented only when the extended family was unable to care for orphans. The system was one of foster families, which were selected to care for orphans under the authority of the Qatari Orphans Foundation. The Foundation carefully monitored the situation of each child placed with a foster family, and the State provided them with financial allowances for the care of those children.

60. Mr. CITARELLA requested additional information on the situation of children born out of wedlock.

61. Ms. VILLARÁN DE LA PUENTE asked whether repudiation and polygamy had any negative impacts on children's enjoyment of their rights.

62. Ms. Noor Abdulla AL-MALKI (Qatar) said that all children enjoyed the same rights in Qatar, regardless of their family situation. Polygamy presented no danger for children. In the case of repudiation, the custody (hadanah) system was used. Children born out of wedlock enjoyed all the rights enjoyed by other children; there was no discrimination against them. If the child's mother was known, it took her name. Children of unknown parents were placed with the Qatari Orphans Foundation and cared for by the State until a foster family could be found.

63. Ms. ORTIZ asked why there were children of unknown parents.
64. Ms. Noor Abdulla AL-MALKI (Qatar) said that the problem of abandoned children was a global issue, not one particular to Qatar.
65. Responding to questions that had been asked in the previous meeting, she said that the Family Act was applicable to Muslims, to non-Muslims who had requested that it apply to them, and to people of religions other than Islam.
66. Only 1.5 per cent of marriages were early marriages and the number was decreasing. Women were tending to marry later as they became more involved in education and the labour market. The fertility rate was also decreasing as more women were going out to work.
67. On the issue of data collection, the Higher Council for Family Affairs coordinated with many other bodies in order to ensure that accurate statistics were available on families and children. One source of data was the 2004 census, which would be updated in 2010. A project to establish electronic databases on families in order to facilitate information exchange between relevant bodies was midway through its development. Statistics on persons with disabilities had been collected by means of a survey conducted in March 2007, copies of which would be made available to the Committee.
68. The CHAIRPERSON asked what provision the State made to ensure that child victims of ill-treatment, negligence or sexual abuse could bring their case before a court.
69. Ms. AL-OBEIDLI (Qatar) said that child victims of violence were heard by the Qatari Foundation for the Protection of Women and Children. The staff of the Foundation studied the social and legal aspects of the matter and transferred it to legal advisors if court proceedings were required. If necessary, safe accommodation was provided, and children who had reported ill-treatment were monitored in order to ensure they were properly protected. Volunteer lawyers provided legal defence for the children if their case was brought to court.
70. Ms. VARMAH (Country Rapporteur) said that the Committee had appreciated the dialogue with the State party, and commended it for the progress it had made in implementing the Convention, while recognizing the challenges it continued to face. The concluding observations would focus on, inter alia, the reservations the State party had entered to the Convention, the implementation of domestic legislation relevant to the provisions of the Convention, coordination of the national plan of action for children, allocation of resources, the definition of the child, violence including corporal punishment, civil rights and freedoms, health services, refugee children, migrant workers, children with special needs and children deprived of the family environment.
71. Mr. AL BUAINAIN (Qatar) said that his Government had the political will to implement the Convention, and had taken significant steps to improve the situation of all children. The Government would conduct a thorough review of all domestic legislation to ensure that it contained no contradictions or disparities with the provisions of the Convention and the optional protocols. Plans were in place to hold training workshops in all sectors on the Convention and

the optional protocols, with technical assistance from the United Nations Human Rights Training and Documentation Centre for South West Asia and the Arab Region. The Government would ensure that the Committee's concluding observations were taken into account at policy level, and would disseminate them to all relevant bodies and sectors.

72. The CHAIRPERSON commended the State party for its timely submission of periodic reports. He recalled that it was the States parties' Convention, not the Committee's. It was they who had obligations under the Convention; the Committee merely monitored its implementation. He trusted that the Committee's concluding observations would benefit the State party's children.

The meeting rose at 5.55 p.m.