



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

Forty-second session

SUMMARY RECORD OF THE 1130th MEETING (Chamber B)

Held at the Palais Wilson, Geneva,
on Wednesday, 17 May 2006, at 3 p.m.

Chairperson: Ms. KHATTAB

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The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Qatar under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSA/QAT/1; CRC/C/OPSC/QAT/Q/1 and Add.1)

1. At the invitation of the Chairperson, Mr. Al-Attiya, Mr. Al-Duhaimi, Mr. Al-Hatmi, Mr. Al-Kawari, Mr. Al-Khalifa, Ms. Al-Mahmoud, Ms. Al-Maliki, Mr. Al-Muhanadi, Mr. Al-Naama, Mr. Al-Nuaimi, Ms. Al-Oubeidili, Mr. Al-Shafi, Mr. Al-Tayeb and Sheikh Al-Thani (Qatar) took places at the Committee table.
2. Mr. AL-KHALIFA (Qatar) said that children's rights were a priority for planners and decision makers in Qatar, and the Government was currently drafting a special law on children. The Government had taken a number of steps to protect children and women against violence and abuse at home, at work and in the community. For example, the National Committee to Combat Trafficking had drafted Act No. 22 of 2005, which prohibited the recruitment, employment and training of children as camel jockeys. In addition, the same committee had established the Qatari House for Sheltering and Human Care, which provided accommodation, protection and rehabilitation to victims of trafficking.
3. The Supreme Council for Family Affairs had issued decrees concerning the establishment, inter alia, of the Qatari Foundation for the Protection of Children and Women, an independent institution which ran a hotline to receive complaints from women and children who were victims of abuse, violence and exploitation, and provided the necessary assistance and medical treatment. The Supreme Council, in collaboration with the Office of the United Nations High Commissioner for Human Rights, had organized a series of training workshops to raise awareness among the groups working with children, including paediatricians, judges, juvenile care-givers and labour inspectors, of the content of the Convention on the Rights of the Child and its optional protocols. It had also hosted a regional workshop on the implementation of the concluding observations of the Committee on the Rights of the Child in the Gulf Cooperation Council States and Yemen. The Supreme Council had also worked in cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) to promote a culture of children's rights in schools. To that end, it had produced educational materials which linked the principles of the Convention on the Rights of the Child to the principles of Islamic law.
4. Mr. FILALI (Country Rapporteur) commended Qatar on being one of the first States to ratify the Optional Protocol on the sale of children, child prostitution and child pornography and on its regional leadership in that field. He welcomed the adoption of the new Constitution and the revision of the Criminal Code, the Code of Criminal Procedure and the Labour Code, as well as the adoption of legislation prohibiting the recruitment of children for camel racing.

5. He expressed concern, however, at the delay in ratifying the United Nations Convention against Transnational Organized Crime and its protocols. He wished to know whether there had been any developments with regard to the proposed withdrawal of the State party's general reservation to the Optional Protocol on the sale of children, child prostitution and child pornography.

6. He requested additional information on the composition and nature of the Supreme Council for Family Affairs. He wished to know what role non-governmental organizations (NGOs) played in the committee established to define the tasks of the relevant government agencies under the Optional Protocol; how the Optional Protocol had been implemented at the municipal level and how it had been disseminated nationally in the light of the sensitivity of the subject matter in the region; and to what extent children participated in activities to implement the Optional Protocol and whether their opinions were taken into account.

7. He would welcome additional statistics on children who had been victims of child pornography and prostitution, and on the number of foreign children living in Qatar. Noting that the statute of limitation for the sale of children and child prostitution was 10 years, but that the statute of limitation for child pornography was only 3 years, he asked whether the latter offence was considered less serious than the first two.

8. He would be interested to hear the delegation's comments on the fact that a Qatari national who committed an offence abroad could only be prosecuted in Qatar if the offence was punishable under the law of the country where it had been committed. He would also welcome information on legislation regulating the Internet and cyber crime and on the procedure for submitting complaints to the Qatari Foundation for the Protection of Children and Women.

9. Mr. PARFITT asked whether the Optional Protocol had been published in the Official Gazette, in accordance with the procedure for making international treaties applicable in domestic courts. He asked whether, once gazetted, the Optional Protocol could be invoked by counsel for a child in litigation proceedings.

10. He wished to know whether the recently established National Human Rights Committee would be making any special arrangements for dealing with children's rights.

11. He expressed concern that the definition of pornography in the Criminal Code was perhaps overly broad. Was virtual imagery included in the definition as something that offended public morals and decency? He was also concerned at the lack of provisions regulating the Internet and wondered what measures were envisaged in that area. He noted that the Criminal Code provided for punishment for the sexual exploitation of children under 16 only for females, and wondered why no provision was made for penalizing the sexual exploitation of boys. He also wondered whether a child who was engaged in sexual activities with another child might be charged under the Criminal Code.

12. Mr. LIWSKI requested information on how children who were victims of offences covered by the Optional Protocol gained access to the assistance provided by the Child's Friend Office and the Qatari Foundation for the Protection of Children and Women. He wished to know

what kind of psychological and social assistance they provided and whether the family and community were involved in the rehabilitation of the child. He asked whether there were any statistics on the number of children assisted by the two bodies, and whether the results of the assistance provided had been evaluated. He wondered whether the system of providing compensation to child victims led to the revictimization of the child and whether there were any training programmes for health-care professionals who worked with child victims.

13. Ms. VUCKOVIC-SAHOVIC requested information on cases of children who had been trafficked for purposes other than camel racing.

14. Mr. ZERMATTEN enquired about the protection of victims during criminal trials. There was some ambiguity in paragraphs 99 to 104 of the report, which stated that the security forces and the judicial authorities afforded protection, but also that the Supreme Council for Family Affairs was the body that received complaints. Was the protection ensured through the judiciary or through the administrative services? Had the State party, in drawing up its standards for such protection, taken into consideration the new Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, which had been adopted by the Economic and Social Council in 2005? The prevention of exploitation was a sensitive issue in many countries, and it was often difficult to engage in a frank discussion of prostitution, trafficking or sexual abuse. In concrete terms, how did the State party prevent such phenomena? What use was made of awareness campaigns in the media and on the Internet, and did such campaigns target groups at risk, in particular migrant children? Did such groups take part in drawing up awareness programmes?

15. The CHAIRPERSON said that despite the impressive mechanisms established by the State party to ensure the best possible circumstances for children in Qatar, judging from the information made available by NGOs, relatively little had so far been done to ensure follow-up to the Optional Protocol. The problem was not unique to Qatar, but quite widespread in the Arab world because of the reserved nature of Arab culture. While it was well known that child prostitution existed, if the problem was not addressed by an enlightened government policy to combat it by raising awareness among children and families, children would continue to be exploited. The report referred to a provision of the Criminal Code that stipulated that Qatari perpetrators of offences in other countries were prosecuted upon their return to Qatar, provided the act in question was punishable in the country where it was committed. What were the modalities of such procedures? Did the Government of Qatar passively await extradition, or did it play a role in requesting action in the other State? The Guidelines to which Mr. Zermatten had referred were intended for the use of all national authorities, including those of Qatar, and the Committee intended to issue recommendations referring to them.

16. Qatar was a prosperous country with plentiful resources, and according to the report, funding for the implementation of the Optional Protocol was quite generous. However, the report offered no detailed breakdown of the funding. In Muslim countries generally, the provision of care for orphans was usually relatively well-funded, thanks in part to the traditions of Islam. On the other hand, the victims of pornography, trafficking and prostitution, homeless children and victims of violence and neglect were more likely to be overlooked, despite the fact that they could be in far worse situations. It would therefore be useful for the delegation to provide details on the breakdown of funding for the various groups.

17. Mr. FILALI, noting that the offences covered by the Optional Protocol were particularly dangerous in nature, asked how, in such circumstances, Qatar's extradition policy could be based on the principle of reciprocity, as stated in the report.

The meeting was suspended at 3.55 p.m. and resumed at 4.25 p.m.

18. Mr. AL-KHALIFA (Qatar) said that the Supreme Council for Family Affairs was a national body chaired by the First Lady of Qatar, Her Royal Highness Sheikha Mouza, and received its instructions directly from the Emir. It was a governmental body which carried out programmes and activities to help marginalized groups such as women, children and the elderly. The Council had a number of committees and programmes, including the Childhood Committee, which was chaired by a member of the Committee on the Rights of the Child, Ms. Al-Thani. NGOs and members of civil society were always involved in coordinating the projects and programmes, training seminars and workshops implemented by the Supreme Council.

19. National consultations were scheduled for the end of May 2006 with a view to drawing up a national plan for children in Qatar. The consultations would include representatives of all government ministries and civil society, and the plan would be elaborated with the full cooperation and assistance of the United Nations Children's Fund (UNICEF).

20. Ms. AL-OUBEIDILI (Qatar) said that the Qatari Foundation for the Protection of Children and Women, of which she was the director, had been established in 2003 and inaugurated in 2004. The Child's Friend Office had been established by the Supreme Council for Family Affairs in 2001 to protect children from any forms of vice and to address any problems that children encountered as a result of criminal behaviour. In addition, the legal framework afforded protection to children both in the family and in society, in accordance with the provisions of international conventions, including with regard to any legal proceedings. The Foundation undertook research into child protection with the help of Qatari and international organizations.

21. The Foundation was an independent body, with departments responsible inter alia for receiving complaints, gathering information and data, implementing programmes and carrying out administrative and financial tasks. Its budget had grown from 5 million to 7 million riyals. The overall aim of the Foundation was to provide high-quality services for children and their mothers, thus ensuring a suitable environment for women and children, without discrimination based on the nationality of the mother or the child. The Foundation disseminated information on the Convention on the Rights of the Child and dealt with the issues of social protection, violence of all kinds, forced marriage, maternity protection, alimony, education and the avoidance of gender discrimination against children. The Foundation also worked to ensure that children had the right to express their own opinions, that information on children was protected, and that the image of women was respected in the media. For any cases involving children under the age of 16, the Foundation insisted on respect for the confidentiality of the minor.

22. Mr. FILALI noting that the Foundation was competent to receive complaints, asked whether it was also responsible for investigating them, or whether that was the responsibility of the police and prosecutors. How were decisions made as to the legal treatment of specific cases?

23. Ms. AL-OUBEIDILI (Qatar) explained that the Foundation did not work in isolation, but in liaison with other bodies, including government agencies, NGOs and civil society organizations. It had over 43 staffers, and 19 lawyers worked with it as well.

24. The CHAIRPERSON asked if the delegation could provide examples of a complaint that had been lodged and of an investigation.

25. Ms. AL-OUBEIDILI (Qatar) said that when a complaint was received, the Foundation first gathered all the related elements and then presented them, if appropriate, to the police or the prosecution service. In any event, it attempted to ensure that any legal proceedings would take place as quickly as possible. In a recent case involving a foreign mother and a Qatari father, the case had been handled in just one day. The Foundation acted as a crucial central link between complainants and government services, including the police, prosecutors, the social services and health professionals, who regularly met in order to expedite the handling of such cases. It also conveyed information to the media and, when necessary, to the embassies of foreign nationals. In 2005, it had handled some 2,000 cases, and had undertaken activities to make the population aware of the services that it provided.

26. Working with the national telecommunications company, Qtel, and the Supreme Council for Family Affairs, the Foundation had conducted a number of activities, including workshops for parents, children and teachers, to raise awareness of issues related to children's rights. It had conducted Internet awareness campaigns and provided information on the dangers of web surfing and the need to protect oneself against such dangers.

27. Mr. PARFITT noting that the Foundation had much in common with an ombudsman's office, asked whether any consideration had been given to formalizing the Foundation by transforming it into an ombudsman's office capable of reporting to the legislature, the Government or the public at large.

28. Ms. AL-OUBEIDILI (Qatar) said that the National Human Rights Committee received complains and the Government acted on the basis of its findings. Assistance was provided through a special fund, with no discrimination between Qatari nationals and foreigners.

29. Ms. AL-MALIKI (Qatar) said that in 2003, the Government had set up a committee to combat trafficking in persons, and a foundation had also been established to provide care to victims. It was also taking measures to disseminate information about trafficking, with a view to prevention. Many government bodies were participating in the campaign against trafficking, including the human rights office at the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Health and the child protection authorities. Non-governmental organizations also played a role. It was essential to raise public awareness of trafficking in persons, which was a new phenomenon in Qatar. To that end, a programme had been organized in schools to invite students to submit drawings for use in the campaign against such trafficking.

30. The Qatari House for Sheltering and HumanCare had been set up in 2005 and had thus far handled four cases of ill-treatment involving women or children under the age of 16. The House provided counselling, support and legal advice to victims. The Ministry of the Interior

and the Ministry of Foreign Affairs were responsible for monitoring the work of the House. The Family Counselling Centre provided advisory services and, where necessary, referred cases to the appropriate authorities.

31. Mr. FILALI asked whether there were branches of the House throughout the country.
32. Ms. AL-MALIKI (Qatar) said that there was currently only one such institution, but the Government was planning to establish a second one.
33. Mr. AL-MUHANADI (Qatar) said that training programmes had been set up to combat trafficking in children; such programmes involved the participation of members of the judiciary and the police.
34. The problem of camel jockeys was handled by the National Office to Combat Human Trafficking. The Government was of course trying to prevent the use of children as camel jockeys, and was assisting foreign children used for such purposes in returning to their homes. The National Office was attempting to establish programmes to raise awareness among women and children of various forms of exploitation and was planning to sign an agreement with Qtel to publish a list of victim hotlines. Qatar was, of course, a Muslim country, and the National Office had struck an agreement with the Administration of Mosques to develop a religious-based victim-care programme for mothers and children.
35. Mr. AL-KHALIFA (Qatar) said that welfare organizations and charities were actively involved in rehabilitating children who had been used as camel jockeys.
36. Mr. AL-HATMI (Qatar) said that Qatari law was quite explicit regarding the jurisdiction of the courts to prosecute offences committed by Qatari residents against children, both at home and abroad. The Criminal Code regulated all cases involving the commission of crimes related to drugs and piracy; the provisions of the law applied to all residents of Qatar, as well as visitors. Legislators had broadened Qatari jurisdiction to cover all offences committed by Qatari residents abroad, whatever their nature. All the offences referred to in the Optional Protocol were therefore covered. Qatari law provided for the extradition of criminals solely in cases involving serious crimes.
37. The Optional Protocol had been published in the Official Gazette in 2003. The Constitution stipulated that international instruments had the power of law in Qatar, and they therefore had the same status as domestic legislation.
38. Ms. SMITH asked whether Qatar had jurisdiction over the offences covered by the Optional Protocol in cases where neither the victim nor the offender had a link with that country.
39. Mr. AL-TAYEB (Qatar) said that the Criminal Code regulated trafficking in persons and drugs regardless of the nationality of the perpetrator or the victim, taking into consideration the nature of the crime and its impact on the victims. It did not extradite persons who had committed such offences and lived abroad but did prosecute those who returned to Qatar.

40. Mr. AL-KHALIFA (Qatar) said that his Government had set up a committee to examine its reservations to the Optional Protocol, and was considering the withdrawal of reservations where possible. The committee had drawn attention to a number of issues of great importance, which the Cabinet was currently examining. The authorities that dealt with family affairs were also participating in the discussions.

41. The CHAIRPERSON asked whether, in the view of the delegation, the sanctions set out for child-traffickers were adequate. She would also like to know whether the Criminal Code addressed the matter of indecent acts and how it dealt with pornography.

42. Mr. FILALI noted that certain offences covered by the Optional Protocol were subject to 10-year sentences, while pornography, for instance, was subject to a 3-year sentence. He would like to understand the logic behind the hierarchy of crimes, in particular why one offence was considered more serious than another. Was child-trafficking considered more serious than pornography?

43. Mr. AL-MUHANADI (Qatar) said that under the Qatari justice system, a distinction was made between serious offences, which were subject to a 10-year sentence, and misdemeanours, which were subject to a 3-year sentence; the punishment was related to the severity of the crime.

44. Mr. AL-TAYEB (Qatar) said that, now that the Optional Protocol had been ratified, policies would be designed to guide the work of judges and lawyers.

45. The CHAIRPERSON asked whether sanctions could be applied to the authors and publishers of cartoons of a pornographic nature. Although information had been provided on the protection of girls who were victims of sexual exploitation, the delegation should also explain what measures were taken to protect boys. She wished to know how the issue of sexual abuse committed by minors was addressed.

46. Mr. AL-MUHANADI (Qatar) said that acts of rape or adultery against women and homosexual acts were punishable by life imprisonment. Sexual relations between unmarried couples were subject to 15 years' deprivation of liberty. Adolescent boys aged 16 and above who engaged in homosexual relations with their fathers were punished by seven years' deprivation of liberty. Adolescents who engaged in sexual relations outside of marriage were also subject to punishment, but sentences were decided on a case-by-case basis. The Criminal Code provided for sanctions for all indecent acts, including the publication of pornographic cartoons, and for the dissemination of pornography on the Internet.

47. Mr. ZERMATTEN asked what the role of child victims was in legal proceedings; who regulated children's participation in such proceedings; who protected child victims; and what measures were taken to ensure compliance with international norms in that regard.

48. Mr. AL-MUHANADI (Qatar) said that different types of protection were afforded to child victims and child perpetrators of offences. Children who had committed crimes came under the joint protection of the police and reception centres. Specialist legal authorities dealt with crimes committed by adolescents. Reception centres provided protection for child victims.

49. Mr. ZERMATTEN asked how the protection of child victims who participated in judicial proceedings was regulated, and whether the role of child victims in such proceedings was set out in the Code of Criminal Procedure, or if it was established by other mechanisms.
50. Mr. AL-MUHANADI (Qatar) said that the Procurator-General ensured protection for child victims who participated in legal proceedings. In the event that a minor was involved in legal proceedings as the perpetrator of an offence, a judicial decision would be taken to establish whether he or she would remain in their family environment or be cared for in a reception centre during the legal proceedings.
51. Ms. AL-OUBEIDILI (Qatar) said that awareness-raising measures would be taken to inform child victims and perpetrators of offences of their rights. Simplified texts on children's rights had been prepared and were disseminated among children involved in legal proceedings.
52. Mr. AL-KHALIFA (Qatar) said that the Qatari national committee for children's rights examined all legal cases relating to children.
53. Ms. VUCKOVIC-SAHOVIC said that although measures had been taken to tackle the exploitation of child camel jockeys, it was not clear whether other types of exploitation were being addressed. She would welcome information on reported cases of such exploitation.
54. Ms. SMITH asked whether the offences covered by the Optional Protocol were common in Qatar.
55. Sheikh AL-THANI (Qatar) said that there had not been any cases reported of children having been exploited for financial gain in Qatar, since exploitation was considered unacceptable under traditional customs, religion and laws.
56. Mr. LIWSKI asked whether reception centres provided care and support for child victims of exploitation on an individual basis, or whether their families and communities were also included in the process. He wished to know what training was given to the psychiatrists, psychologists and medical staff who provided that care and support.
57. Ms. AL-MALIKI (Qatar) said that the families of child victims were included in the process of providing assistance to child victims. Special counselling was provided to families who had been separated and to children whose parents were divorced.
58. Ms. AL-OUBEIDILI (Qatar) said that moral, social and psychological support was provided by reception centres for children who had been victims of trafficking or sexual exploitation. Child labour did not exist in Qatar.
59. Mr. LIWSKI said that one particular problem in connection with the provision of psychological support for child victims was the social stigma that they could face. He asked what preventive measures were taken in that regard.
60. Ms. VUCKOVIC-SAHOVIC asked what efforts were made to provide assistance to non-Qatari victims of trafficking and exploitation who were resident in Qatar.

61. Ms. AL-MALIKI (Qatar) said that social and psychological counselling was provided to reintegrate child victims into society, and public awareness-raising measures were taken to rectify the problem of social stigma.

62. Ms. AL-OUBEIDILI (Qatar) said that non-Qatar children who had been victims of offences were given support if they so required. Teachers played a particularly important role in detecting whether children required support or counselling.

63. Mr. FILALI (Country Rapporteur) thanked the delegation of Qatar and said he hoped that the Government would continue its efforts to implement the Optional Protocol on the sale of children, child prostitution and child pornography.

The meeting rose at 5.50 p.m.