



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

Forty-sixth session

SUMMARY RECORD (PARTIAL)* OF THE 1263rd MEETING

Held at the Palais Wilson, Geneva,
on Thursday 20 September 2007, at 3 p.m.

Chairperson: Ms LEE

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* No summary record was prepared for the rest of the meeting.

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

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Qatar under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/QAT/1, CRC/C/OPAC/QAT/Q/1 and Add.1)

1. At the invitation of the Chairperson, the members of the delegation of Qatar took places at the Committee table.
2. Mr. AL-HAMADI (Qatar), introducing his country's initial report (CRC/C/OPAC/QAT/1), said that the promotion and protection of human rights, including the rights of the child, were the cornerstone of Qatar's comprehensive reform policy being pursued under the leadership of His Highness Sheikh Hamad bin Khalifa Al-Thani. Qatar's concerns for human rights were reflected in the establishment of several institutions. At governmental level, there was the Human Rights Bureau at the Ministry of Foreign Affairs, the Human Rights Department at the Ministry of the Interior, the Supreme Council for Family Affairs and the National Coordinating Bureau for Combating Human Trafficking. At non-governmental level, the National Human Rights Committee, created in 2002, had a mandate to strive to achieve the goals enshrined in the Convention on the Rights of the Child and international agreements on human rights. It examined human rights violations and proposed measures to address those violations and prevent their recurrence, in particular by raising awareness of human rights and freedoms.
3. Qatar sought to implement the provisions of the Convention and the Optional Protocols, and its Constitution incorporated several provisions relating to the family, motherhood and childhood. Furthermore, under article 68 of the Constitution, the Convention had the force of law. Qatar had ratified not only the Convention and its Optional Protocols but also International Labour Organization (ILO) Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999, and the United Nations Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 1999.
4. Qatar was keen to contribute to international efforts to promote a culture of peace and its foreign policy was guided by the principles of maintaining peace and security through renouncing violence and the use of force, encouraging the peaceful settlement of international disputes and cooperating with peace-loving nations. As a non-permanent member of the United Nations Security Council, it supported the non-involvement of children in armed conflicts and had reviewed its military laws, under which conscription was not allowed; the minimum age for the recruitment of officers was 20 and for other ranks 18; and the minimum age for entry into the military service was 18, with no exceptions, even in the event of war and general mobilization.
5. Qatar was determined to translate legislative protection of children from all forms of violence, abuse, exploitation and involvement in armed conflicts into a concrete reality. In that regard, the Supreme Council for Family Affairs was developing a national action plan for the protection and care of the family. Moreover, the Council had envisaged a range of

comprehensive strategies, policies and programmes to strengthen the role of the family. One of the Ministry of Education's programmes was devoted to promoting a culture of safeguarding children's rights at all stages of education, in collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO). It held regular training courses for teaching staff in order to raise their awareness of the provisions of the Convention and the Optional Protocol.

6. Despite those reforms, Qatar still faced temporary challenges and difficulties in implementing the provisions of the Optional Protocol effectively, since its relatively new legislation, institutions, monitoring mechanisms and technical capabilities were still under development. However, Qatar expected to benefit from hosting the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region, under the supervision of the Office of the High Commissioner for Human Rights (OHCHR) in Geneva, which would help overcome those challenges and difficulties.

7. Ms. KHATTAB, Country Rapporteur, commended Qatar for the progress it had made in economic and social areas and in achieving most of the Millennium Development Goals, with the prospect of achieving all of them by 2015. Qatar played an important role in ensuring the collective security of the members of the Cooperation Council for the Arab States of the Gulf and neither Qatar nor any Qatari children were involved in armed conflicts. She asked whether Qatar would consider withdrawing its general reservation to the Convention concerning provisions incompatible with Islamic sharia and the tenets of Islam, and its reservation to articles 21 and 22 regarding child adoption.

8. It was commendable that recruitment into the armed forces was strictly voluntary and restricted to those over 18, and that Qatari law forbade the involvement of children in armed conflict and the lowering of the age of compulsory recruitment into the armed forces in states of emergency. She requested clarification, however, concerning reports that the minimum age for volunteering for the armed forces was 14 years. She requested additional information on the provision under Qatari law for criminalizing forced recruitment into the armed forces or involvement of children in hostilities and on whether Qatar assumed extraterritorial jurisdiction for acts criminalized by the Optional Protocol. She expressed surprise that Qatar saw no need to provide human rights education to armed forces personnel to be deployed to international peacekeeping operations. There was a need for all persons, including adults in the armed forces, to receive education on human rights, particularly children's rights. She requested clarification of the conditions under which a non-Qatari could join the armed forces.

9. She asked for confirmation that the Qatari Supreme Council for Family Affairs was the body responsible for the coordination and implementation of the Optional Protocol. As Qatar had just reviewed its military laws, she asked whether it was considering amending the statutes of the National Human Rights Committee, to bring it into conformity with the Paris Principles. She commended Qatar on its national childhood strategy, which was being supervised by the United Nations Special Rapporteur on trafficking in persons, but regretted that it did not include a plan or earmark resources to implement the provisions of the Optional Protocol.

10. She requested additional information on what measures Qatar was taking to assist and protect the increasing numbers of refugee and migrant children entering the country, many of whom were victims of armed conflict. She urged Qatar to compile a database and implement a

policy to help those children. She asked whether the seven-digit, payable child hotline could be made free of charge and reduced to three or four digits, in order to facilitate its use by children. She asked what measures had been taken to implement the content of Qatar's excellent statement of 24 July 2006 to the United Nations Security Council on resolution 1612 (2005) regarding the protection of children in armed conflict. The Security Council should have a greater role in that field, and Qatar, as a Security Council member, could make a significant contribution to coordination between the Council and the Committee on the Rights of the Child.

11. She asked whether children under the age of 18 who were enrolled in military academy schemes were trained to use weapons. She requested clarification of the exceptions regarding the joint instructions for recruitment in the armed forces in Qatar. She asked whether the fact that the Commander-in-Chief must authorize the recruitment of a person if there were any reservations of a medical, security or age-related nature meant that Qatar provided for an exception regarding the minimum age. She asked how many hours per day training involved and whether those hours included training in the use of weapons. As the 30-day per year holiday entitlement had to be approved by the director of the training unit, she asked whether he/she had the discretionary power to deprive students of holidays as a form of punishment. She also asked whether the academies had military or civilian status and what role the Ministry of Education played in their activities. She wished to know why there was a discrepancy between the monthly stipend of 3,000 Qatari Riyals given to children participating in the training scheme for students removed from day and private schools and that of 3,700 Qatari Riyals received by those enrolled in the annual schoolchildren's summer training programme.

12. Ms. AIDOO, Alternate Country Rapporteur, commended Qatar on its involvement in a number of initiatives at national, regional and international levels. She wished to know the outcome of proposals submitted by Qatar to the United Nations Security Council, in particular to increase the number of child protection advisers in peacekeeping operations, to call on the Council to formulate a comprehensive strategy to protect children affected by armed conflict and to encourage the Council to promote education and investment in education for the protection of children in armed conflict and peacebuilding situations. She asked whether the Optional Protocol had been widely disseminated to the general public and what kind of publicity it had received. She wished to know whether families and children had been made aware of it.

13. Qatar's initial report under the Optional Protocol appeared to have been prepared by the Government. She wished to know whether other parties, such as civil society, non-governmental organizations (NGOs) and the National Human Rights Committee, had been involved in its preparation or whether they had seen the draft before release. She asked for clarification regarding the scheme for students removed from day and private schools. Had those students, aged between 14 and 18, dropped out of school? Was enrolment voluntary? How many young people were involved in that programme? What was the nature of the enrolment form that parents had to sign? Was the monthly stipend an incentive aimed at encouraging dropouts to join the armed forces? Were there any differences in the stipends offered to children enrolled in the annual schoolchildren's training programme. She wished to know whether the curriculum of schools run by the armed forces offered subjects other than those related to the military, whether students were given an opportunity to finish their education and whether foreign students were allowed to join the programme. She enquired about the nature of the training provided to the armed forces, in particular whether they received sufficient information about the Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed

conflict and whether children under 18 were protected by the law in wartime or emergencies. Qatar's written replies to the list of issues did not provide any information regarding child victims of armed conflict. She also requested full details concerning foreign children who came to Qatar and asked whether it would be possible to establish a data collection process aimed at identifying those children.

14. Mr. PURAS wished to know to what degree civil society NGOs had been involved in the preparation of Qatar's initial report under the Optional Protocol, what mechanisms existed to make children aware of the adverse effects of their participation in armed conflict and what measures were planned for introduction under the national executive work plan for childhood for 2008-2013.

15. Mr. KOTRANE commended the Qatari Government for its dissemination of the Optional Protocol. He asked whether the executive work plan would include the Optional Protocol and whether it would be made available to all government institutions dealing with children. Although Qatari children were not recruited into the armed forces, legislation should expressly prohibit their recruitment. He wished to know whether any legislation was being planned to that effect. He asked for information on the legal status of students attending military academies, who, according to the written replies to the list of issues, were considered to be civilians. However, the role of the Education Ministry in such schools was not clear. He enquired whether Qatar planned to ratify the Rome Statute of the International Criminal Court and enact legislation allowing the criminalization of Qatari nationals abroad.

16. Ms. ORTIZ asked whether young people had been consulted in the preparation of Qatar's initial report under the Optional Protocol, how they were treated during military service and what regulations applied to the use of light weapons by children under 18.

17. Mr. CITARELLA asked whether the Optional Protocol took precedence over domestic law or whether its status could be modified by changes in national legislation. It was his understanding that the Supreme Council for Family Affairs was responsible for coordinating the implementation of the Optional Protocol. He asked whether the Ministry of Defence took part in such coordinating activities or whether they were restricted to civilian institutions. In regard to criminal law, he suggested that the Qatari Criminal Code be modified to enable implementation of the Optional Protocol in the national courts.

18. The CHAIRPERSON wished to know the status and content of the children's rights bill and whether Qatar envisaged becoming a party to the Convention relating to the Status of Refugees and its Protocol.

The meeting was suspended at 4 p.m. and resumed at 4.23 p.m.

19. Mr. AL-HAMADI (Qatar) stressed the importance of dialogue with the Committee on the Rights of the Child and looked forward to receiving recommendations from the Committee and to working towards their implementation. He said that Qatar had the political will to carry out its commitments under the Optional Protocol. In fact, the Government's general reservation to the Convention on the Rights of the Child concerning provisions incompatible with Islamic Law had been withdrawn that very day.

20. Mr. AL-KHATIR (Qatar) said that there were no legal provisions for voluntary under-18 recruitment in the armed forces, but that such recruitment was criminalized in his country.
21. Mr. CITARELLA asked whether the Qatari Penal Code provided for the criminalization of under-age recruitment in the military.
22. Mr. AL-KHATIR (Qatar) said that, although there was no such provision in the Qatari Penal Code, Decree No. 31 of the Military Service Act of Qatar of 2006 did not allow the recruitment of children under 18. Young people could volunteer for military service at age 18.
23. Ms. KHATTAB asked whether Qatar had withdrawn its reservations to articles 21 and 22 of the Convention on the Rights of the Child.
24. Mr. AL-HAMADI (Qatar) said that no specific information had been provided by the Council of Ministers as to the number of reservations which had been withdrawn, but that he would endeavour to obtain the details as soon as possible.
25. Mr. AL-KHATIR (Qatar) said that non-Qatari students could not attend military academies. The National Council was striving to ensure compatibility with the Paris Principles. There were eight members representing civil society and five government representatives with observer status on the Council.
26. Ms. KHATTAB asked whether the government representatives sitting on the Council were observers without voting rights.
27. Mr. AL-HAMADI (Qatar) said that government representatives sitting on the Council did not have the right to vote.
28. Ms. AL-MAHMOUD (Qatar) gave an overview of the executive work plan for childhood 2008-2013, which was being finalized by the Council of Ministers. That strategy, based on the Convention on the Rights of the Child and the declaration contained in the outcome document of the special session of the General Assembly devoted to children held in 2002, focused on children's health, development and protection. All parties, including civil society, had participated in the consultation process relating to the childhood strategy. With regard to the dissemination of the Optional Protocol, it was to be hoped that the plan would include the Optional Protocol and that a programme for the dissemination of the Protocols to the Convention would be adopted.
29. Mr. AL-KHATIR (Qatar) said that the financial incentives for enrolment in armed forces training programmes were designed purely to motivate the students.
30. Ms. KHATTAB wished to know whether students removed from day and private schools to attend military-run schools received a higher stipend than those who were enrolled in the annual schoolchildren's training programme. She asked why some should receive a higher sum than others.
31. Mr. AL-KHATIR (Qatar) said that the stipends were an incentive for the children to attend school, and that the amount of the stipend depended on their stage of education. It was not a

form of discrimination. The curricula of schools run by the armed forces included programmes in physical education, infantry training, personal and intellectual development, first aid, fire fighting and computer training.

32. Ms. AIDOO asked whether children who failed in the general school system were allowed to repeat their academic year or whether they had to attend a school for dropouts.

33. Mr. AL-KHATIR (Qatar) said that the enrolment of children in military schools was not compulsory. Students could enrol according to their own wishes for one calendar year, renewable upon request. They were allowed to leave the military school programme at any time and could continue their education in a government school during normal school hours, or take home schooling.

34. The CHAIRPERSON wished to know whether the stipend had contributed to higher academic achievements.

35. Mr. AL-KHATIR (Qatar) said that the stipends were indeed instrumental in improving academic performance.

36. The CHAIRPERSON pointed out that the curricula of military schools did not appear to include human rights, the Convention on the Rights of the Child and its Optional Protocol.

37. Mr. KRAPPMANN asked whether provision was made for the establishment of student councils or other mechanisms through which children's views could be taken into account in decision-making in schools.

38. Mr. AL-KHATIR (Qatar) said that student councils had been set up in military academies, where students' suggestions and views were taken into account.

39. Mr. AL-HAMADI (Qatar) said that the Qatari Institute for the Protection of Children and Women had participated in the preparation of Qatar's initial report under the Optional Protocol. The Constitution of Qatar stipulated that, upon ratification and publication in the Official Gazette, international instruments, including the Convention and the Optional Protocol, had the force of law and took precedence over domestic legislation.

40. Ms. AIDOO asked whether the National Human Rights Committee had participated in the preparation of Qatar's initial report under the Optional Protocol.

41. Mr. AL-HAMADI (Qatar) said that neither the National Human Rights Committee nor youth representatives had participated in preparing Qatar's initial report under the Optional Protocol.

42. Ms. AL-MAHMOUD (Qatar) said that the National Human Rights Committee had participated in the preparation of Qatar's initial report under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSA/QAT/1) and would participate in the preparation of its second periodic report under the Convention. In 2006, the Cabinet had established a national committee to draft a children's rights bill, which was made up of representatives of the Supreme Council for Family Affairs and other relevant authorities. The bill, which was based on the Convention and its optional protocols, included a definition of the

child, an enumeration of children's rights, and mechanisms for the protection of children and their participation in decision-making in matters that concerned them. The drafting committee was currently considering the bill, which would be transmitted to the competent authorities when it was finalized.

43. Ms. KHATTAB said that it would be desirable to strengthen the children's rights bill in the areas of protection and action to combat discrimination.

44. Mr. AL-HAM ADI (Qatar) said that the Government would give due consideration to that suggestion. A committee had been established to study the question of refugees and Qatar's accession to the Convention relating to the Status of Refugees, which it was expected to approve. Article 17 of the Penal Code provided for extraterritorial jurisdiction in the case of certain offences, such as terrorism, trafficking in human beings and offences that constituted a national security threat.

45. Ms. KHATTAB asked whether such extraterritorial jurisdiction applied to persons who committed a crime against a child.

46. Mr. AL-HAMADI (Qatar) said that a Qatari national who committed a crime abroad that was punishable under international law or that threatened the security of Qatar would be prosecuted on his or her return to Qatar.

47. Mr. KOTRANE said that Qatar's extraterritorial jurisdiction should be extended to include crimes involving children that were committed outside the national territory. He asked whether provision had been made in the children's rights bill to prosecute persons who committed such crimes.

48. Mr. ABDURAHMAN (Qatar) said that the Penal Code took both the country in which the crime was committed and the nationality of the offender into account in defining extraterritorial jurisdiction. Any person who committed an offence involving the recruitment of children in Qatar that contravened the Optional Protocol was subject to the jurisdiction of the Qatari courts. Qatari courts also exercised jurisdiction over violations of the Optional Protocol committed outside Qatar by Qatari nationals or residents. The forthcoming revision of the Penal Code would make provision for all acts that contravened the Optional Protocol to be subject to the jurisdiction of the State, regardless of whether they were committed by a Qatari national or by a foreigner.

49. Mr. AL-HAMADI (Qatar) said that a law had been enacted in 1999 to regulate the ownership and use of guns and ammunition. Licences were issued only at the conclusion of a lengthy and complicated procedure.

50. Ms. AIDOO said that it was important to know how many refugee children had come from conflict-torn areas and what type of assistance Qatar could provide to such children.

51. Ms. AL-MAHMOUD (Qatar) said that the competent authorities had not registered any cases of child refugees. Nevertheless, a project was under way to set up a number of shelters and centres for the purpose of providing protection, treatment and rehabilitation for victims of abuse, including child refugees from conflict zones.

52. Ms. AIDOO said that military personnel should possess a thorough understanding of the provisions of the Convention and the Optional Protocol, particularly since the latter was directly related to their work. Such an understanding would help to ensure their use of the highest standards of conduct when dealing with children.

53. Ms. AL-MAHMOUD (Qatar) said that an integrated training programme had been organized in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR) for all persons dealing with children in Qatar, including medical, educational, judicial, military and law-enforcement personnel. Efforts to raise awareness of the Optional Protocol had included the distribution of the text of the Optional Protocol to all relevant government authorities, including the armed forces. There was also a media plan to publicize the Optional Protocol through the Internet.

54. Mr. AL-KHATIR (Qatar) said that training courses in international humanitarian law had been included in the curricula of military schools in order to raise awareness of the rights and obligations of military personnel when dealing with civilians in times of war and peace.

55. Ms. KHATTAB said that Qatar was currently going through a phase of development and transformation, which, when combined with its relatively small population, adequate national resources and political will, augured well for the effective implementation of the Optional Protocol. She looked forward to reading, in Qatar's next report, about how it had incorporated the Committee's recommendations into the current legislative reforms, the children's rights bill, or its efforts to strengthen the competencies of the National Human Rights Committee.

56. Ms. AIDOO thanked the delegation for its cooperation. She urged the Government, in its reform efforts, to ensure that children's rights retained their specificity and did not become submerged in the general category of international humanitarian law.

57. Mr. AL-HAMADI (Qatar) thanked the committee for its comments and suggestions. His country would continue its efforts to bring its legislation and recruitment practices into conformity with the Convention and the Optional Protocol. He looked forward to receiving the technical assistance to be provided by the secretariat as soon as possible in order to implement training courses on the Optional Protocol. The Committee's concluding observations would be circulated to all government institutions responsible for implementing the Optional Protocol.

The discussion covered in the summary record ended at 5.15 p.m.