



## Convention on the Rights of the Child

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### COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-first session

#### SUMMARY RECORD OF THE 1112th MEETING (Chamber A)

Held at the Palais Wilson, Geneva,  
on Tuesday, 24 January 2006, at 10 a.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second periodic report of Saudi Arabia (CRC/C/136/Add.1; CRC/C/SAU/Q/2 and Add.1)

1. At the invitation of the Chairperson, Mr. Al-Abdul Karim, Mr. Al-Ajaji, Ms. Al-Angari, Mr. Al-Aqil, Mr. Al-Hadlaq, Mr. Al-Harbi, Mr. Al-Hogail, Prince Torki bin Mohammed bin Saud Al-Kabeer, Mr. Al-Khayal, Mr. Al-Muheiza, Mr. Al-Rassi, Mr. Al-Shaddi, Ms. Al-Shiha, Mr. Al-Salihi, Mr. Al-Sheikh, Mr. Aqil, Mr. Attar and Mr. Rashwan (Saudi Arabia) took places at the Committee table.
2. Prince Torki bin Mohammed bin Saud AL-KABEER (Saudi Arabia), introducing the second periodic report of Saudi Arabia (CRC/C/136/Add.1), said that, in line with the teachings of Islam, the family was the basic social unit within which children should be nurtured and prepared for adulthood. Efforts had been made to enable all government, non-governmental and private bodies to contribute to the development of children in such areas as education, health, social welfare and recreation.
3. The report detailed all developments concerning the rights of the child in Saudi Arabia, particularly in terms of legislation and regulations adopted since consideration of the first periodic report. Most noteworthy was a bill currently under consideration that aimed to protect children from abuse and neglect.
4. The National Commission for Child Welfare monitored and coordinated implementation of the Convention by all bodies concerned with child welfare. Chaired by the Minister of Education, the Commission had been restructured in 2005 in order to strengthen its mandate. All bodies working to improve respect for children's rights had received copies of the Convention and were required to submit reports on their achievements in implementing its provisions that came within their jurisdiction.
5. The Convention had been disseminated through the media, and campaigns had been conducted to teach children about their rights. Teachers had attended training workshops on children's rights. Several radio and television programmes had raised awareness of the child's right to special protection, free education and comprehensive health care, and of the need to protect children from hazards and accidents. Other programmes had promoted the rights of orphans, juvenile delinquents and children with disabilities, particularly their right to education, training, care and participation in public life. Much media coverage had been devoted to raising children's and parents' awareness of the child's right to life, a name and a nationality, a decent environment, non-discrimination, protection from exposure to hazards, and protection from exploitation, neglect or abuse. Schools and children's clubs had organized events at which children had met officials and been able to gain an understanding of their rights under the Convention. Those events had also provided forums for children to express their opinions.
6. The Kingdom's regulations that sought to safeguard children's best interests focused on ensuring that they received good maternal care. The Basic Law emphasized the need for protection and care of the family and children, and included provisions to safeguard family unity, look after family members and prevent the employment of children, in both the private and

public sectors, other than in circumscribed circumstances. The standard minimum employment age had been set at 18 years. Forcing children to engage in hard labour, exploiting them or exposing them to hazardous or harmful occupations were all prohibited by law.

7. While the delegation welcomed the forthcoming dialogue with the Committee, it would caution against reports containing inaccurate and unreliable data and statistics.

8. Ms. AL-THANI said that while the second periodic report provided much information on legislation, the Committee would welcome further details of the current situation of the rights of the child in practice. The delegation should be more specific about the nature of the private organizations that had contributed to the drafting of the second periodic report. She asked whether the Government planned to ratify the two Optional Protocols to the Convention, and whether it would withdraw its reservation to the Convention. It would be useful to learn precisely which articles of the Convention were in conflict with the provisions of sharia law.

9. She asked what degree of coordination existed between the Supreme Council for Childhood and the National Commission for Child Welfare, and whether there was a degree of overlap between the mandates of the two bodies. What progress had the Commission made in drafting a comprehensive guide to the Kingdom's statutes and legislation on children? Had it identified any contradictions between domestic legislation and the Convention or any other international human rights instruments?

10. Regarding the right to life, the delegation should indicate whether the Government planned to introduce a guarantee that the death penalty would not be handed down against children. Additional information should also be provided on the fire in the girls' school in Mecca in March 2002.

11. The delegation should provide further details of any forums where children could freely express their opinions. Had any measures been taken to encourage society in general and families in particular to listen to children's views?

12. It would be useful to learn whether the legislation prohibiting the use of corporal punishment in educational institutions was in fact enforced. Had any steps been taken to ensure that children were not punished by whipping? What measures were being taken to raise parents' awareness of non-violent forms of discipline? She enquired whether there was a free telephone helpline for children to complain about violations of their rights.

13. Mr. SIDDIQUI requested further information on the National Commission for Child Welfare. In particular, he wished to know whether it would be better able to coordinate with other organizations if it was not located in the Ministry of Education. What was the current composition of the Commission? How many of its members were from the Government and how many from private organizations? It would be useful to know how often it met. The relationship between the Commission and the Planning and Follow-up Committee should be clarified. Was the chair of that Committee also a member of the National Commission for Child Welfare?

14. He wished to know what efforts the Saudi Arabian Government was making to collect and compile disaggregated data on street children, beggar children, children in employment,

especially those engaged in hazardous labour, sexually exploited children, unaccompanied asylum-seeking children, refugee and displaced children and other vulnerable groups of young people. Did the Government intend to conduct any in-depth studies into the causes of those youngsters' plight with a view to finding realistic remedies? He asked how soon the mechanisms for collecting statistical data on the implementation of the Convention would be established and how the data would be collected.

15. Did the Government propose to make 18 the minimum age for marriage? Were there any plans to make instruction in the Convention part of the school curriculum? Was the Government aware of the fact that some Saudi Arabian charitable organizations active in other Muslim countries were founding religious schools which were becoming a breeding ground for extremism, hatred and terrorism? What measures was it contemplating in order to halt such activities?

16. Ms. ANDERSON commended the increased participation of civil society in implementing the Convention in Saudi Arabia and in the remarkable growth in the number of associations promoting children's welfare and interacting with the Government. She would, however, welcome more information on the actual nature of that interaction. Was it systematic and regular? Were civil society's views really taken into account? Similarly, she would like to know more about relations between human rights groups and the Government.

17. Ms. Yangheee LEE asked whether Saudi Arabia had an independent mechanism for monitoring the realization of human rights in accordance with the Paris Principles. She requested further details of the Plan of Action to strengthen the implementation of the Convention and of other measures to prevent child abuse and neglect. Was there any discrimination against religious minorities and stateless persons (bidoun)? She failed to understand how public flogging could not be regarded as cruel, inhuman or degrading treatment and punishment.

18. Mr. KOTRANE asked what efforts were being made to implement International Labour Organization Convention (ILO) No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, particularly with regard to raising the minimum age for the employment of children. Did the Government intend to ratify any further international conventions such as the Arab Charter on Human Rights? If so, what steps had been taken to that end? Were there any plans to review laws and regulations to ensure their consistency with international human rights conventions? Were any measures envisaged to link the interpretation of religious law to rights protected by the Convention?

19. Would it be possible to allow certain vulnerable groups to participate in the work of the National Commission for Child Welfare or to submit complaints to it? He drew attention to the fact that the minimum working age of 13 infringed international conventions. The age at which a child could appear in court also required re-examination.

20. Turning to the issue of discrimination, he enquired whether children born out of wedlock were entitled to Saudi Arabian citizenship. The report shed little light on any measures to guarantee the right of all children to acquire Saudi Arabian nationality without any discrimination whatsoever. Could Saudi Arabian women pass on their nationality to their children? What was the position with regard to children born in Saudi Arabia of parents who did

not possess a residence permit? What was being done to help children born out of wedlock to establish their filiation? Did children from religious minorities have the right to express their opinion freely? Could Christian children practise their religion freely?

21. Ms. OUEDRAOGO said that the report presented a fragmented rather than a holistic picture of the realization of children's rights. In her view, implementation of the Convention in Saudi Arabia was not rights-oriented, but was chiefly concerned with questions of welfare. A greater effort was therefore needed to promote children's rights.

22. The report made no mention of any schemes to provide teachers, police officers or social workers with training in the Convention. Did the information contained in the report on children born out of wedlock imply that they were normally placed in institutions and therefore deprived of family life? The Committee was concerned about the situation of girls given that they had no freedom of movement, only limited working opportunities, and were unable to marry non-Muslims. She therefore wished to know what measures were planned to promote human rights in general and the rights of the child in particular.

23. How were young people consulted about children's programmes? What national and local arrangements existed for that purpose? She would be grateful for more precise information about any steps taken to shield youngsters from films, magazines and Internet sites with a harmful or violent content.

24. The Committee was concerned about certain acts of the religious police. Had the latter received any training in children's rights? The public flogging of children was a violation of their rights. What steps were therefore being taken to abolish the practice?

25. Ms. ORTIZ said that she was curious to learn whether the principle of the best interests of the child had been incorporated into Saudi Arabian legislation. She believed that those interests were not taken fully into account when children were placed in institutions or prisons on account of family breakdown. Were the administrative and judicial authorities trained to secure compliance with that principle? What measures were taken to ensure that the media conveyed a respectful attitude to children, their rights and the Convention?

26. The CHAIRPERSON pointed out that, under the Convention, it was impermissible to impose a death sentence on a person for a crime they had committed while he or she was a minor. He therefore asked the delegation to comment on information in the Committee's possession to the effect that death sentences were imposed on such persons. The Committee was of the opinion that the Government must abolish, or at least suspend, the death penalty for crimes committed by children.

27. Prince Torki bin Mohammed bin Saud AL-KABEER (Saudi Arabia) responding to the question concerning his Government's reservation to the Convention, drew attention to the information provided in the written replies.

28. Mr. AL-SHADDI (Saudi Arabia) said that additional information on the implementation of legislation and programmes would be provided in the next periodic report, when the necessary monitoring mechanisms would be in place.

29. It was important to note that the title of the coordinating body for children's issues was the National Commission for Children, and not the National Commission for Child Welfare, as it appeared in the English version of the report. Children's issues were viewed in terms of rights rather than the provision of assistance. There were several levels within the Commission, including the Supreme Council, chaired by the Minister of Education, and the Planning and Follow-Up Committee, which met weekly or fortnightly and was chaired by the Deputy Minister of Education. The Commission was attached to the Ministry of Education because the Government considered the right of the child to education a supreme right, in that if a child had the right to education he or she would be capable of asking for other rights. The Commission had been reviewed three times in the last 20 years, most recently in 2005.

30. One of the Commission's projects was the preparation of a comprehensive guide to legislation on children, with a view to identifying shortcomings or duplications. A committee had been established, comprising members from all sectors related to children's affairs, to collect information before the analysis phase.

31. To date, four annual meetings between children and ministers had been organized, and the Ministry of Education also placed emphasis on children voicing their opinions at school. Although it was not referred to as children's parliament, there was a children's consultative council, and two more were planned.

32. The National Commission for Children had developed a 10-year National Plan of Action for Children pursuant to the resolutions of the last World Summit for Children, which it would work on in collaboration with the United Nations Children's Fund (UNICEF).

33. The Government wished to support the work of civil society organizations, and to that end had met with associations working with women, disabled persons and children. The next country report would reflect the involvement of such associations.

34. The CHAIRPERSON asked whether any deadline had been set for the completion of the guide to legislation on children, and to the handbook on the rights of the child referred to in the written replies. He wondered whether if there were overlap between government bodies, there would be legislative amendments. How was the National Plan of Action implemented and funded?

35. Mr. AL-SHADDI (Saudi Arabia) said that it was hoped that the original deadline for completion of the guide and handbook within three years would be met. The Ministry of Finance would ensure that the necessary resources were provided for the plan. There was no special budget for children within the general budget, but, as 60 per cent of the population was made up of children, a corresponding proportion of the budget would be allocated for children's affairs.

36. Ms. Yanghee LEE, noting that the National Commission for Children was attached to the Ministry of Education, asked what connection the Ministry of Political Affairs, represented by the head of the delegation, had with children's affairs.

37. Mr. AL-SHADDI (Saudi Arabia) said that the Ministry of Political Affairs was responsible for relations with international organizations, including the human rights treaty bodies.
38. Prince Turki bin Mohammed bin Saud AL-KABEER (Saudi Arabia) said that Saudi Arabia had been a target for terrorist acts, and had therefore adopted a number of national measures to combat terrorism, but was also working with the international community. As to charitable organizations being used as a front for terrorist organizations, the Government was closely monitoring their operations to ensure that they were truly engaging in charitable activities and not using their funding for illicit purposes. The State did not wish to stop their work, but rather to ensure that their activities were for the public good.
39. Mr. AL-MUHEIZA (Saudi Arabia) said that there was a specialized juvenile justice system; youth courts also conducted proceedings in child welfare institutions. The services of psychologists and social workers were available. The objective of the system was to rehabilitate adolescents to ensure that they did not become repeat offenders. By law, the death sentence could not be imposed on persons under the age of 18. In accordance with Islamic sharia, judgements took into account the age of the offender.
40. The legal age for marriage was set at 18 for both boys and girls.
41. Ms. AL-ANGARI (Saudi Arabia) said that as a result of sharp population growth, schools were overcrowded and the Government had been obliged to rent space in residential buildings for schools. During the tragic events in the school in Mecca, the police authorities had simply been there to help.
42. Ms. AL-THANI asked what measures had been adopted to avoid the recurrence of such a disaster.
43. Ms. AL-ANGARI (Saudi Arabia) said that teachers were being trained on proper evacuation procedures for emergency situations and fire prevention.
44. Ms. AL-SHIHA (Saudi Arabia) said that the Civil Defence Department had adopted a number of important measures, and had ensured that there were emergency exits in all schools.
45. The CHAIRPERSON said that it was important to provide training to the religious police. In emergency situations, it was understandable that girls might flee a building without being correctly dressed, and that was not a reason to put them in danger.
46. Prince Turki bin Mohammed bin Saud AL-KABEER (Saudi Arabia) said that the Government had established a committee to carry out an inquiry into the matter. The police had arrived after the disaster, and it was not true that they had brought girls back to the school, but rather that they had endeavoured to help and protect them. The press had published incorrect information.
47. Ms. Yanghee LEE said that, as that disaster had occurred in March 2002, she wondered when the results of the inquiry were expected. She expressed concern with regard to the religious police restricting the movement of girls and women in the street.

48. Prince Torki bin Mohammed bin Saud AL-KABEER (Saudi Arabia) said that the inquiry into the fire in a Mecca school had not taken four years; it had taken time to improve facilities and raise awareness among school staff of measures introduced as a result of the investigation.

49. Ms. AL-THANI said that the health service in Saudi Arabia was very good and its budget was increasing. Health indicators showed that public health was improving, but not as fast as it had in the past. Efforts were being made to improve the situation of children with disabilities. She requested further details of services available to children with disabilities. What efforts were being made to integrate those children fully into society? She asked for more information on the health services available to children in remote areas, particularly among the Bedouin population. Official figures showed that 80 per cent of women breastfed their children, did those figures relate only to women who breastfed exclusively? Maternity leave in Saudi Arabia was only 8 to 10 weeks; what was being done to ensure that women could breastfeed their children past that period? Childhood obesity was becoming a problem, as in many modern societies; was there a national plan on the issue and, if so, could a copy be provided to the Committee? Were there any centres dealing with such adolescent health issues as psychological and sexual health and smoking and drug addiction? She commended the fact that silence had been broken in Saudi Arabia on the sensitive issue of HIV/AIDS; were measures being taken to prevent social discrimination against those affected?

50. Had any measures been taken to raise awareness of the negative impact on girls of early marriage? Although circumcision of girls was not a widespread or religiously motivated practice in Saudi Arabia, there had been reports by doctors that it took place in the south of the country. She expressed concern that there was no legislation on the issue and asked whether measures would be taken to eradicate it.

51. Mr. SIDDIQUI said that free education meant that there must be no direct or indirect costs related to school enrolment. He wanted to know whether it was true that school fees were being charged in some schools. Illiteracy remained a particular problem among young girls, were there any programmes to address that situation? Education indicators for girls seemed to show that progress had halted, despite the advances made in the 1990s. What were the reasons behind the stagnation and what was the Government doing to remedy it? What measures were being taken to ensure the quality of education given to children with disabilities and Bedouin children? He asked what facilities were available to children outside the formal education system and how many children were benefiting from them. Although the majority of the population of Saudi Arabia were Sunni Muslims, there were also significant numbers of Shia Muslims in the country. How were school staff trained to respect religious differences? Did the school curricula reflect the values of peace, democracy, tolerance and respect for the rights of children, irrespective of religion? Was it true that the number of teachers, particularly female teachers, was decreasing? Did female teachers face constraints in the workplace? What was being done to improve the situation? He asked for more information about the function of the newly created Social Protection Department. Did it work in cooperation with non-governmental organizations? Which geographical areas did it cover?

52. Ms. Yanghee LEE asked for a breakdown of the statistics on children with disabilities. She wanted to know if reports that single women migrant workers who fell pregnant while in Saudi Arabia were imprisoned were true. She asked what measures had been taken to implement the Saudi version of the International Code of Marketing of Breast-Milk Substitutes. Until what



age was education compulsory in Saudi Arabia? Were there differences in the methodology used in Koranic schools? What were the inheritance rights of children born into marriages of convenience? She said that the Committee had received reports of a 14-year-old Egyptian boy awaiting execution in Saudi Arabia; she asked for further clarification of how the age of majority was decided by judges.

53. Mr. KRAPPMANN asked what measures were in place to assist the development of children in families living in poverty. Many children who were begging on the streets of Saudi Arabia were of foreign origin. It was stated in report that foreign children had the same rights as Saudi children; did the Government therefore also accept responsibility for those children?

54. The preschool enrolment rate was very low and did not appear to be increasing; how did the Government plan to strengthen its efforts to provide quality education for more young children? He asked for the delegation's comment on reports that, in practice, not all primary education was free, as well as an assurance that any fees would be abolished. He asked what the reasons were for children leaving school before completing their education. Had studies been done on the matter? What was being done to help children outside the school system? Were there enough schools to cope with an increase in secondary school attendance? He expressed concern at figures showing that take-up of vocational training was relatively low, especially among girls. What measures would be taken to expand that sector? He asked for information on human rights education; was it included in the curriculum? Did it include children's rights? He asked whether education policy had been influenced by the regional seminars held in the country on the provisions of the Convention relating to education.

55. Ms. ANDERSON said that Saudi Arabia had an enviable record for prosecution in cases of child abuse but she wanted to know what happened to the children involved? Were they always placed in institutions? Who regulated childcare institutions? How else were children helped to recover?

56. Ms. OUEDRAOGO asked for more information on the rights of girls to leisure activities; were leisure activities segregated by gender? She asked for clarification of the apparent contradiction in paragraph 281 of the report regarding the minimum age for employment. What was the situation for children between the ages of 13 and 17? Did compulsory education end at the age of 13? She asked for more information regarding children and drug abuse. Were specialist treatments available to children? She expressed concern about children begging on the streets; often they were the children of migrant workers. How many children were in rehabilitation and what measures were being taken to prevent begging? In her report the Special Rapporteur on the sale of children had mentioned the trafficking of children for work as beggars or as camel jockeys. What measures had been taken to address those problems?

57. Ms. ORTIZ asked for more information on what was meant by the classification "unknown parentage" for children living in social welfare institutions. Were attempts made to identify the children's parents? What measures were taken to ensure children's right to identity? Were the poverty of the family and the fact of being born outside wedlock considered reasons enough to separate children from their families? She asked for more information on the rights of children under the kafalah system of guardianship. What did the phrase "separated from their parents" mean in the table of disaggregated data on children deprived of a family environment

contained in the written replies (CRC/C/SAU/Q/2/Add.1)? Did it include children under the kafalah system? She noted that one of the reasons for detaining children in surveillance centres was “family break-up”, and asked why those children were detained alongside children who had committed offences.

58. The CHAIRPERSON noted that even though a country might have cases of female genital mutilation it was not necessarily a practice supported by the Government. The Committee wanted to know what action the Government was taking to prevent it.

59. He noted that cases of drug addiction were increasing and asked the delegation of Saudi Arabia to explain the apparent 50 per cent increase from 2002 to 2003.

The meeting rose at 1.05 p.m.