



**Convention on the  
Rights of the Child**

Distr.  
GENERAL

CRC/C/SR.1301  
30 January 2008

Original: ENGLISH

---

COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-seventh session

SUMMARY RECORD OF THE 1301st MEETING\*

Held at the Palais Wilson, Geneva,  
on Thursday, 24 January 2008, at 10 a.m.

Chairperson: Ms. LEE

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Kuwait under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Initial report of Kuwait under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

---

\* No summary record was issued for the 1300th meeting.

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 5) (continued)

1. At the invitation of the Chairperson, the members of the delegation of Kuwait took places at the Committee table.
2. Mr. AL-OTAIBI (Kuwait) said that Kuwait had included a number of provisions in its Constitution to ensure protection of the rights of the child. For example, the Constitution stipulated that the family was the foundation of society and committed the State to safeguarding children against exploitation and moral, physical and spiritual negligence. Kuwait had ratified a number of international conventions, including the Worst Forms of Child Labour Convention, 1999 (No. 182) and the Minimum Age Convention, 1973 (No. 138) of the International Labour Organization (ILO). It had also adopted a number of enactments in its criminal law to penalize those who violated the rights of the child, and had taken practical steps to identify cases of child prostitution and child pornography. The legislature had adopted laws qualifying the trade in human beings and the selling, buying, offering for sale or donation of children as acts of slavery.
3. The issue of the involvement of children in armed conflict required a special approach, as it involved many different aspects. Kuwait believed in the importance of educating children to reject violence, intolerance and hatred through the promotion of peace, dignity, tolerance, freedom and equality. The Kuwaiti Government was well aware of the adverse effects of a failure to observe the rights of the child during armed conflict, in particular as the country had been brutally invaded by Iraq under the former Iraqi regime. Even during the invasion, Kuwait had never resorted to the mobilization of children, and it supported all international efforts to eradicate such mobilization and prevent the involvement of children in armed conflict. The occupation had had psychological, physical and social repercussions, which had been addressed by a number of specialized bodies, including the Office of Social Development.
4. In order to support education and combat poverty - two essential elements in promoting the rights of the child - Kuwait cooperated with international organizations such as the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO). It also worked bilaterally and with non-governmental organizations (NGOs), including the Kuwaiti Society for the Advancement of Arab Children, and regional programmes such as the Centre for Children and Mothers. Spending on programmes for children was an investment that could reap benefits and break the vicious cycle of poverty. Civil society had an important role to play in the promotion of children's rights, in particular by means of education programmes aimed at combating violence against children.
5. Kuwait had begun including the subjects of human rights and children's rights in its education programmes, in particular at the secondary level, and had recently concluded an agreement with the International Committee of the Red Cross (ICRC) with the aim of organizing events on human rights and humanitarian law for prosecuting attorneys and judges.

Initial report of Kuwait under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/OPAC/KWT/1, CRC/OPAC/KWT/Q/1 and Add.1)

6. Ms. KHATTAB (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) said that, while the State party had made a praiseworthy effort in submitting its replies to the list of issues, it would have facilitated the work of the Committee if it had followed the guidelines for reporting when drawing up its periodic report. The Committee was aware that Kuwait had worked tirelessly to alleviate the suffering of the Kuwaiti children who had been victims of the 1990 invasion, and that it thus had experience in the field covered by the Optional Protocol. The Committee was also aware that, in general, Kuwaiti children enjoyed their rights and benefited from a high level of prosperity. She welcomed the signature by Kuwait of the Rome Statute of the International Criminal Court and its accession to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, and expressed the wish that those instruments would soon enter into force in the State party.

7. According to the State party, the report had been drawn up by the Ministry for Social Affairs and Labour, with the participation of a number of other ministries, as the Higher Committee for Children and the Family had temporarily suspended its activities. Had the Higher Committee since resumed its work and, if so, had its mandate or composition been changed? Had the Government consulted civil society organizations when drawing up the report? She requested clarification as to why the State party, in its reply to the first question in the list of issues, had referred to a body responsible for dealing with juvenile delinquents, although juvenile delinquency per se was not a subject covered by the Optional Protocol. She welcomed the fact that the State party had taken a clear position that the minimum age for voluntary military service was 18. While the Government had adopted a law protecting children against violations of the Optional Protocol, the Committee would like to know whether there were any legal provisions that imposed penalties on people who committed such violations, or that protected children from compulsory recruitment. Noting the tensions in the region and the military action threatened by the United States of America against the Islamic Republic of Iran, she asked whether the recruitment of children could ever be legally permissible, for example in the event of a state of emergency. According to the report, the Compulsory Reserve Military Service Act No. 102 of 1980 had been repealed owing to problems encountered in its implementation, and Kuwaitis were thus exempted from military service for an unspecified time. What effect had that had on the Kuwaiti military, and what conditions applied to Kuwaiti nationals and foreigners in the military service? While the State party maintained in the report that there were no armed groups in Kuwait, she pointed out that there were extremist groups in the region, and asked what the Government did to protect children from recruitment by such groups. Were Kuwaiti courts competent to try people involved in the recruitment, outside Kuwait, of children when the perpetrators or victims were Kuwaiti nationals? Did Kuwait require double criminality for the extradition of the perpetrators of such crimes?

8. While the Office of Social Development had an admirable record of achievement in the rehabilitation of children affected by armed conflict, it was unclear to what extent non-Kuwaiti children could benefit from its work. Noting that Kuwait had a large foreign population, she asked what difference there was in the legal status of Kuwaiti compared with non-Kuwaiti children. Were foreign minors provided with the same legal assistance as Kuwaiti children?

Were child refugees or asylum-seekers able to benefit from any assistance programmes? While the State refrained from the expulsion or refoulement of child asylum-seekers, the Committee had been told that such children were kept in custody. Was that the case? She expressed astonishment that Kuwait's contribution to the Office of the United Nations High Commissioner for Refugees (UNHCR) was just 200,000 United States dollars. Lastly, the Government had cited the lack of violations to justify the fact that there was no budget allocation for implementation of the Optional Protocol. The State party should rather consider providing resources for preventive measures, which should be taken regardless of whether any offences had been committed.

9. Mr. ZERMATTEN noted that the numbers of street children and refugee children had recently increased significantly in Kuwait, especially among children of Bedouin origin. They were particularly vulnerable to potential recruitment not only by extremist groups, but also by so-called "security companies", which were actually armed groups and would be covered as such by the Optional Protocol. What legislation and practical measures had been adopted to prevent that kind of recruitment? What was Kuwait's policy regarding the export of weapons to neighbouring States that might use children in military operations? What progress had been made with mine-clearance operations in Kuwait?

10. Mr. PURAS requested more specific information on the medical, psychological and other support provided or available to victims of armed conflict. What professional resources were available for that purpose, and were such professionals trained in the provisions of the Optional Protocol?

11. Ms. SMITH asked whether the Kuwaiti Government had any system for the identification of former child soldiers among the refugees and other foreign nationals arriving in the country. How many former child soldiers were there in Kuwait?

12. Mr. FILALI asked whether the State had taken any measures to prevent paramilitary training of children, for example by sporting clubs. Were members of the judiciary, the armed forces and the police familiar with the content of the Optional Protocol?

The meeting was suspended at 10.45 a.m. and resumed at 10.55 a.m.

13. Mr. AL-OTAIBI (Kuwait) said that there had been a great deal of coordination by the Ministry of Foreign Affairs with other bodies, including the Department for Women and Children of the Ministry of Social Affairs and Labour, when the replies to the list of issues had been drawn up. Kuwait had signed the Rome Statute of the International Criminal Court, and was currently in the process of ratifying it. The Compulsory Reserve Military Service Act No. 102 of 1980 had been repealed not owing to problems in implementation, but pending improvement of the text itself.

14. He would comment briefly on a number of questions asked by members of the Committee; detailed replies would be forwarded to the Committee in due course by the competent authorities. It was worth noting that the Kuwait Fund for Arab Economic Development, which provided assistance, including in the form of scholarships, to more than 100 countries, had paid out more than 14 billion United States dollars for projects to improve infrastructure, provide

electrical power and promote health care and education. In addition, Kuwait had contributed 200,000 United States dollars to the Office of the United Nations High Commissioner for Refugees (UNHCR). Although Kuwait was one of the top 20 developing countries in terms of donations to UNHCR, that was of course a modest sum, especially considering the devaluation of the dollar, and it was likely that his Government would respond positively to a recent request to increase that amount. Work carried out under contracts concluded for the removal of anti-personnel mines had been under way for a number of years, and virtually all existing mines had been cleared. Kuwait was also actively involved in helping Afghanistan and Iraq remove anti-personnel mines.

15. Ms. AL-SABAH (Kuwait) said that the Higher Committee for Children and the Family had been replaced by a broader-based High Council for Children and the Family, with participation by government ministries responsible for social affairs, the family and children, as well as representatives of civil society.

16. Mr. AL-OTAIBI (Kuwait) said that his Government was striving to address the problem of delinquency at the level of the Ministry of Social Affairs and Labour. All sentences for delinquency were reviewed to ensure that they were in accordance with the law. Preventive measures were in place that focused on delinquent children under the age of 18. Special attention was given to children who were the victims of crimes. A number of religious and other experts examined the problems and decided on measures to be taken to avoid recidivism.

17. The CHAIRPERSON pointed out that the question did not refer to delinquency per se, but focused on why the initial report on the implementation of the Optional Protocol dealt at length with delinquency. The Committee was interested in delinquency only insofar as it related to the Optional Protocol, which only concerned children involved in armed conflict.

18. Mr. AL-OTAIBI (Kuwait) said that no situation of armed conflict currently existed in Kuwait.

19. Ms. KHATTAB (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) said that it was feared that victims of armed conflicts might be dealt with as delinquents, instead of being given the special treatment they needed. They should not be put together with adult criminals, and they should benefit from rehabilitation measures. If they were not properly treated, they might later become delinquents.

20. Mr. KOTRANE said that even children who had committed offences must receive treatment aimed at their reintegration in society. That said, the question of children who had been victims of an armed conflict should not be confused with that of children who violated the law.

21. Ms. AL-SHATTI (Kuwait) said that her Government was eager to cooperate with other countries which had had to address the problem of child soldiers. Although currently there were no former child soldiers present in Kuwait, her Government was giving consideration to setting up a body that could take care of such children in the future, should the need arise.

22. Ms. KHATTAB (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) said that the Committee would like to learn more about the children of foreigners in Kuwait. Were there any statistics on the number of children who had been victims of armed conflicts and were currently present in the country?
23. The CHAIRPERSON said that in question 1 of the list of issues, the Committee had asked the State party to provide information on the competent governmental departments or bodies responsible for the coordination and implementation of the Optional Protocol, but the written reply had discussed programmes set up to deal with juvenile delinquency. Question 2 had sought information on budget allocations for the implementation of the Optional Protocol, and according to the written reply, figures on delinquency had been annexed to the report, but the Committee did not have that annex. Repeated references had been made to budget allocations for the implementation of the Optional Protocol, but no information had been provided on children identified as having been child soldiers or having been involved in armed conflict; instead, references continued to be made to delinquency. She asked the delegation for clarification.
24. Ms. AL-THANI, referring to the confusion between delinquents and children who were victims of armed conflict, said that Kuwait's particular situation must be borne in mind: many children had suffered from the Iraqi invasion of Kuwait. She would like more information on measures taken by the Department for Women and Children or in schools to give special attention to Kuwaiti children who had been victims of the Iraqi invasion.
25. Ms. AL-SABAH (Kuwait) said that a research project had been started to learn more about the physical and emotional problems of children suffering from the effects of the Iraqi invasion. A strategy had been launched for treating post-traumatic stress in such children, and a study had looked into the educational effects of the invasion. Further initiatives were planned. Foreign children present in Kuwait had not of course been affected by the invasion. Kuwait was working to examine the problem of juvenile delinquency and of children who had been victims of persecution and violence. The Ministry of Social Affairs cared for children with social and family problems. Special centres provided medical and other assistance to children in need.
26. Ms. SMITH said that, judging by the replies of the delegation, Kuwait did not have a problem with child soldiers or children involved in armed conflict, since no former child soldiers were present in the country. That was positive information, and she was also pleased that Kuwait was giving consideration to setting up a body that could take care of such children in the future, should the need arise.
27. Mr. AL-DOSSARI (Kuwait) said that Kuwait placed great emphasis on education. A partnership had been set up between governmental bodies, NGOs and regional centres to foster the dissemination of a culture of peace and tolerance and encourage a rejection of violence and fanaticism. The National Council for Culture, Arts and Letters and the House of Culture of the Child were actively involved with those issues, as was a children's theatre. Moreover, school curricula included lessons on the culture of peace and on the rights of the child. Respect for children was enshrined in the Constitution.
28. Governmental bodies cooperated with NGOs on child care. The Kuwait Fund for Arab Economic Development conducted studies, organized symposiums and issued textbooks for children containing chapters on respect for human rights and for the culture of others. Seminars

were held in universities. A regional centre for the advancement of Arab children, based in Kuwait, had been set up in 1996 with the help of UNESCO. One of the publications issued by the centre was a book on the rights of children in Kuwait. The Subregional Centres for Children and Mothers also addressed many of the problems faced by children in Kuwait. The Centres had a mobile unit which visited needy families.

29. Mr. AL-SAEEDI (Kuwait) said that, pursuant to article 70 of the Constitution, the Emir could conclude international conventions by decree, and he then referred them to the National Assembly. Thus, the Optional Protocol was part and parcel of Kuwait's domestic legislation and was implemented by all State institutions. International conventions and domestic legislation ranked equally, and all government institutions enforced them.

30. Mr. FILALI said that it would be interesting to learn whether domestic law or an international convention to which Kuwait was a party took precedence if ever a conflict arose between the two. He also asked about the status of international conventions in domestic law and whether the delegation could cite an example of a court decision in which an international instrument had played a role.

31. Ms. KHATTAB (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) noted that, according to paragraph 4 of the initial report, Kuwaiti law ensured implementation of the provisions of article 6, paragraph 1, of the Optional Protocol. She wondered whether the delegation could give any examples of decisions by Kuwaiti courts in which those provisions had been cited.

32. Mr. KOTRANE said he did not believe that a court would impose a penalty for a violation of the provisions of the Optional Protocol if the act had not been made an offence in domestic legislation: there must be a law criminalizing the acts defined in the Protocol. That was why the Committee would like to have some examples.

33. Mr. AL-SAEEDI (Kuwait) said that international conventions took precedence over domestic law. An international convention became part of domestic legislation once it had been ratified, and its provisions could then be applied by judges and institutions.

34. Mr. KOTRANE, referring to crimes committed outside Kuwait, expressed his concern that there was double criminality requirement for crimes committed outside Kuwait, and that, as stipulated in articles 11-13 of the Criminal Code, the jurisdiction of domestic courts could not be extended to cover crimes committed abroad, unless they were committed by a Kuwaiti national. The State party should ratify the Rome Statute of the International Criminal Court so as to make it possible to prosecute the perpetrators of the crimes covered by the Optional Protocol if they bore any relation to Kuwait.

35. Ms. KHATTAB (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) said that it was particularly important to clarify the issue of the scope of jurisdiction.

36. Mr. AL-MANEHA (Kuwait) said that the draft law on human trafficking prepared by the Ministry of Justice explicitly referred to the question of legal and judicial competence for transnational crimes and would soon be adopted.

37. Mr. AL-SAEEDI (Kuwait) said that Kuwait could not extend its jurisdiction to other States unless there was a bilateral legal agreement guaranteeing reciprocal treatment. Where such agreements existed, it was possible to bring perpetrators to justice, whether they were Kuwaiti or foreign nationals.

38. Mr. KOTRANE said that such bilateral agreements did not provide sufficient guarantees that criminals would be prosecuted. That was why the Optional Protocol required State parties to extend the jurisdiction of domestic courts to cover crimes committed outside national territory.

39. Mr. AL-SAEEDI (Kuwait) said that the Government was currently considering the adoption of a model law, drafted by the League of Arab States, to prevent violations of human rights. As soon as the law was adopted, Kuwaiti jurisdiction would be extended to cover all crimes relating to it, regardless of the country in which they were committed.

40. Mr. AL-DOSSARI (Kuwait) said that, although there were no recorded cases of the offences referred to in the Optional Protocol, several institutions, such as the Ministry for Social Affairs and Labour, had been allocated a budget to care for the victims of armed conflict. With a budget of 137 million dinars, care centres provided food, lodging, clothing and medical care. Approximately 138 million dinars were allocated to programmes to care for disabled children, and 500,000 dinars were earmarked for the institutional care of orphans, who were particularly vulnerable to involvement in armed conflict.

41. Ms. KHATTAB (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) said that, while the Committee welcomed the measures that were in place to care for the victims of armed conflict, Kuwait should allocate a budget specifically for the purpose of implementing the Optional Protocol.

42. Ms. AL-RASHEEDI (Kuwait) said that military service in Kuwait was open only to persons aged 18 or over, and was not compulsory. With regard to the arms trade, Kuwait did not produce arms for export to neighbouring countries, and arms were not sold in Kuwait. The Government had invested heavily in the removal of landmines, and children who were victims of landmines received appropriate medical care.

43. Mr. ZERMATTEN welcomed the efforts of the State party to remove landmines. In view of Kuwait's strategic position as a transit country for the arms trade, he wondered whether the Government could be sure that no arms were exported to countries where children might be involved in armed conflict.

44. Ms. AL-RASHEEDI (Kuwait) said that, while Kuwait was aware of its strategic position as a transit country, it was a peaceful State that prohibited the sale and distribution of arms. The Government had organized campaigns to prevent the proliferation of arms.

45. Ms. AL-SABAH (Kuwait) said that Kuwait was a State party to the Biological Weapons Convention and did not permit the transit, trade or sale of arms.

46. Mr. FILALI said the delegation should provide detailed information about the steps taken by the State party to reduce the number of landmines and comply with the relevant international treaties.



47. Ms. AL-SABAH (Kuwait) said that her country had ratified the Mine Ban Treaty in 2007. It would enter into force in Kuwait in 2008, after which the country had five years to implement the Treaty and eradicate all landmines.
48. Ms. AL-SHATTI (Kuwait) said that the disarmament department within the Ministry of the Interior was mandated to dispose of landmines.
49. The CHAIRPERSON said the delegation should confirm whether the work of the Higher Committee for Children and the Family was still suspended.
50. Ms. KHATTAB (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict), noting that the Higher Committee for Children and the Family was presided over by the Prime Minister, asked how frequently it met. Did it have a secretariat to manage the schedule of work when the Prime Minister was not present, and if so, what were its prerogatives?
51. Ms. AL-SABAH (Kuwait) said that the vice-president and other members of the Ministry of Social Affairs and Labour participated in the work of the Higher Committee for Children and the Family.
52. The CHAIRPERSON said it was not clear whether the Higher Committee was being restructured, or whether an entirely new body was being established.
53. Ms. AL-RAMIDEEN (Kuwait) said that a new, more effective body was to be created but that it would assume the same functions as the former body.
54. Mr. AL-DOSSARI (Kuwait) said that various branches of the Ministry for Social Affairs and Labour were involved in monitoring the involvement of children in armed conflict. Victims of armed conflict received the same treatment regardless of nationality, and they were not treated as juvenile delinquents. No minors or refugees were recruited into the armed forces, and stringent control measures were in place to prevent such practices.
55. Mr. POLLAR asked what measures were in place to identify vulnerable non-Kuwaiti children and to prevent them from being recruited as child soldiers by foreign armed groups, who might even operate from outside Kuwait. How did Kuwait raise awareness among children of the dangers of involvement in armed conflict?
56. Ms. AL-RAMIDEEN (Kuwait) said that, apart from the programmes mentioned previously, there were public bodies that provided social care and protected unaccompanied minors, and the Ministry of Health had set up a centre offering medical care and other services to children who had suffered violence.
57. Ms. AL-TARKEET (Kuwait) reiterated that Kuwait was a peace-loving country, which provided free medical care to everyone, regardless of status, religion, gender or affiliation. Help was on offer to the child victims of the Iraqi invasion who might be suffering from psychological problems, although no cases had actually been identified among either its own citizens or non-Kuwaitis.

58. Ms. AL-RASHEEDI (Kuwait), responding to Mr. Pollar's question, said that non-Kuwaitis were not entitled to join military groups and that all military academies came under the supervision of the Ministry of Defence. Military service was not compulsory and even Kuwaiti nationals rarely joined the armed forces because of the very strict entry conditions.

59. Ms. JAWHAR (Kuwait) said that the Ministry of Social Affairs and Labour kept a database of child victims and juvenile delinquents and its Department of Public Activities and Information did everything possible to offer both groups opportunities for rehabilitation, by conducting studies, holding conferences and disseminating information to all levels of society.

60. The CHAIRPERSON again highlighted the Committee's serious concern that Kuwait grouped together child victims of armed conflict and juvenile delinquents.

61. Ms. KHATTAB (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) said that the Committee was aware of the efforts undertaken by Kuwait but the Optional Protocol on the involvement of children in armed conflict needed more attention by society and by decision-makers themselves. Information on measures taken by Kuwait to meet its obligations under the Protocol would be appreciated. Such measures should be independent and based on plans formulated by relevant ministries in conjunction with civil society. With regard to the legal framework, although Kuwaiti children might not be faced with the danger of becoming child soldiers, children from other countries were, and Kuwait had sufficient resources to protect non-Kuwaiti children in its territory from being recruited by armed groups. The psychological protection, social welfare and health care of children involved in armed conflict had to be guaranteed. The current dialogue had revealed the extent of the problem and hopefully future work would address it.

Initial report of Kuwait under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography  
(CRC/C/OPSC/KWT/1; CRC/C/OPSC/KWT/Q/1 and Add.1)

62. Mr. KOTRANE (Country Rapporteur for the Optional Protocol on the sale of children, child prostitution and child pornography) welcomed Kuwait's ratification of a number of related international instruments, including ILO's Worst Forms of Child Labour Convention (No. 182) and Minimum Age Convention (No. 138), as well as the Arab Charter on Human Rights. In that connection, did Kuwait intend to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their families? That Convention contained important protections for children. With regard to legislation, he had not found, either in Kuwait's report or in the written replies to issues, any reference to the specific laws that incorporated the provisions of the Optional Protocol. What legislative steps had been taken in that regard? While it was true that there was legislation in force that might be said to cover areas touched in the Optional Protocol, as required by the Protocol, the report itself led to doubts in that respect. For example, on page 3 of the report (CRC/C/OPSC/KWT/1), it was stated that the crime of selling children did not exist in Kuwait. It was not sufficient that the Criminal Code had provisions prohibiting forced labour, although it was possible that such practices might be related to the sale of children, especially in the area of domestic labour. Moreover, where laws existed, they were insufficient. The penalty of two years' imprisonment for involvement in child prostitution was inadequate. With regard to pornography, the law as it stood simply did not cover all the acts that should be prohibited.

63. Mr. ZERMATTEN asked what criminal procedures were in place to protect child victims and child witnesses of crimes under the Protocol. Did Kuwait consider victims of crimes as perpetrators, which would run counter to the need to protect victims? Were protective measures provided for child victims or witnesses to such crimes, including limiting the number of hearings to prevent re-victimization or avoiding the need for victims to confront the perpetrators of the crimes in public? In that respect, did Kuwait have recourse to audio-visual media to avoid the distress of physical confrontation? Was it possible under Kuwait's criminal system to compensate victims, even if the perpetrators were not in a financial position to do so? He also wished to know what rehabilitation and compensatory measures were in place for child victims. Was there a compensation fund for victims, in the event that perpetrators were unable to pay?

64. Ms. AIDOO asked whether any data were available on children involved in crimes specified in the Optional Protocol. Had any studies on such issues been undertaken and what had they revealed? Turning to child prostitution, she expressed concern about the legal definition of prostitution under Kuwaiti law, which reserved the crime of "prostitution" for women and girls but classified it as "debauchery" for men and boys. The Optional Protocol referred to all children, boys and girls, without differentiation, and she asked whether the Kuwaiti law as it stood allowed for the Protocol to be enforced fully, equally and equitably, in a non-discriminatory way.

65. Ms. AL-THANI asked whether Kuwait had plans to create an independent body competent to hear complaints by children whose rights were being violated, as had been established in many other countries.

66. Mr. CITARELLA said that current Kuwaiti legislation made no provision for criminalizing Kuwaiti citizens who went abroad to engage in child sex tourism. There was also insufficient legislation on the sale of children, extradition and extraterritorial jurisdiction. Finally, were any facts or statistics available that would give a true picture of the situation regarding the sale of children, child prostitution and child pornography?

67. Ms. KHATTAB repeated her earlier question regarding measures taken to assist in the rehabilitation of non-Kuwaiti child victims. She said that all persons in Kuwait must be informed of the assistance available to child victims. She drew attention to efforts being made to provide assistance at a regional level and suggested that Kuwait might collaborate by providing assistance to rehabilitation centres in Arab countries.

The meeting rose at 1 p.m.