



Convention on the Rights of the Child

Distr: GENERAL

CRC/C/OPSC/QAT/Q/1/Add.19 May 2006

Original: ENGLISH

ENGLISH and ARABIC

COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-second session 15 May – 2 June 2006

WRITTEN REPLIES BY THE GOVERNMENT OF QATAR TO THE LIST OF ISSUES (CRC/C/OPSC/QAT/Q/1) TO BE TAKEN UP IN CONNECTION WITH THE CONSIDERATION OF THE INITIAL REPORT OF QATAR (CRC/C/OPSA/QAT/1) SUBMITTED UNDER ARTICLE 8, PARAGRAPH 1, OF THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY (CRC/C/OPSA/QAT/1)*

[Replies received on 5 May 2006]

*In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

GE.06-41893

Answers to the list of issues to be taken up in connection with the consideration of the initial report of the State of Qatar pursuant to article 12 of the Optional Protocol on the Sale of Children, Child Prostitution and Child pornography.

Foreword

The State of Qatar is devoted greater attention to the question of the implementation of the provisions of the Convention on the Rights of the Child, so that these norms and provisions should be reflected and observed into different aspects of life, including health, educational, social, cultural and other areas, and in a manner that has been reflected into the national legislation which adopted by the State.

The state of Qatar's ratification of the Optional Protocol to the Convention confirms its adherence to the norms and principles embodied into the afore-mentioned Protocol.

The implementation process of the Optional Protocol, which its provisions came to supplement and complement the provisions of the Convention of the Rights of the Child, has contributed to reinforcing the respect and observance of the provisions of the Convention, as well as reinforcing the continuity of their implementation in all the aspects which have been mentioned before.

In accordance with Article 12 of the Optional Protocol, the State of Qatar submitted its initial report to Committee on the Rights of the Child (CRC/C/OPSA/QAR/1).

On 16th February 2006 the State of Qatar received a list of issues to be taken up in connection with the consideration of the report of the State of Qatar questions during the Forty-Second Session which will be held between 15th May – 2nd June, 2006.

Within the framework of addressing the issues included in the list referred to, it was taken into consideration that there should be no tackling of matters revealed in the original report nor should there be repetition of the data, statistics and data tables or even national information or legislation contained in the original report which comply with the initial report's requirements.

Likewise, it was taken into consideration that the form procedure of the answers should be similar to that of the initial report. The content procedure is undoubtedly related to the topics stated in the list referred to and which is considered complementary to the issues referred to in the initial report. The report will be divided into two sections:

Section One: contains the issues mentioned in the list and according to their order together with the answers provided for them in the light of the available information, data, interpretation and document explication.

Section Two: contains statistical data, tables and legislation arranged in appendices as they referred to into the main text.

Part One

The Issues Mentioned in the List

The First Question

Please provide statistical data (including by sex, age, urban and rural areas), if available, for the years 2003, 2004 and 2005 on:

The number of children trafficked to and from Qatar as well as in the country; and

The number of reported cases of sale of children, child prostitution and child pornography, with additional information on the outcomes of these cases, including prosecution, withdrawal or sanctions for the perpetrators; and

The number of child victims provided recovery assistance and compensation (if any) as defined in article 9, paragraphs 3 and 4 of the Optional Protocol.

As for Clause A of this Question

No statistical data were registered for the afore-mentioned years about trafficked children except what has already been explained concerning using children as jockeys in camel races. These children were included in the trafficking cases which were settled. Likewise, rehabilitation programs were given to these children in the manner indicated in the answer to Question 7.

As for Clause B of this Question

No statistical data were registered about cases reported concerning children sale and exploitation in prostitution and pornography. A reference, however, could be made to general statistics concerning the number of children exposed to any kind of corporal violence or molestation. (See Appendix No.1).

As for Clause C of this question

No statistical data were registered about victimized children who received assistance and compensation as specified in paragraphs 3 and 4 of Article 9 of the Optional Protocol, except the cases of using children in camel races as shown in the answer to Question7.

The Second Question

Please provide information on extraterritorial jurisdiction over offences in violations of the provisions of the Optional Protocol when these offences are committed abroad by Qatari national or non-national.

The Qatari Penal Code includes explicit provisions endorsing the principles of territoriality and extraterritorial jurisdiction over offences committed by Qatari national (positive criteria) or if the deceased is a Qatari (negative criteria).

The Qatari Penal Code adopted the positive criteria in article 18, which provides that the provisions of the Code shall be applied to offences committed abroad by Qatari national if it is considered as an offence punishable under the Code, or if it is punishable under the penal code of the country on the which the offence is committed.

As for the non-Qatari, and in accordance with the principle of territoriality, he/she is subject to the provisions of the Penal Code when he/she commits an offence within the State of Qatar or when he/she participates in a criminal act part of which took place within the State of Qatar. The Penal Code adopted this principle in article 13.

Moreover, if the non-Qatari committed abroad an offence as a perpetrator or an accomplice related to trafficking in drugs or in persons or piracy or terrorism, his/her mere presence in the State of Qatar would make him/her subject to the jurisdiction of the State of Qatar. Article 17 clearly provides for such cases where the principle of extraterritorial jurisdiction can be applied, which covers the offences mentioned in the Optional Protocol.

Furthermore, the Qatari Penal Code extends its jurisdiction even to the offences fully committed abroad regardless of the nationality of the perpetrator when such offences constituted a threat to the State's internal and external security. This has been provided for in article 16.

Finally, it may be added that the jurisdiction of the State of Qatar extends to include offences committed on board of ships and airplanes owned by the State of Qatar or carrying its flag or run by it for any purpose and wherever they may be, according to provisions of article 14 of the Penal Code (See Appendix No.2).

In the light of the above, it is evident that the Qatari Penal Code extends its jurisdiction over offences, including the ones covered by the Optional Protocol, committed abroad by Qatari national or non-national in accordance with the principles of territoriality and extraterritorial jurisdiction.

The Third Question

Please provide statistical information on budget allocations (national, regional and local) for the implementation of the rights contained in the Optional Protocol.

Reference could be made here that there are many government bodies and some NGOs working in the area of childhood which allocate part of their budgets to the works of rights mentioned in the Optional Protocol according to their specialty and size of activity. For an example, reference could be made to the Supreme Council for Family Affairs (Department of Childhood) for its being the governmental body concerned with childhood in the State. A yearly budget is allocated to be spent on the programs implemented by this Department in collaboration with other bodies with the same specialty. The budget of this Department was as in the following table (in Qatari Riyal):

NO	Years	Budget
1	2004 - 2005	1,046,436
2	2005 - 2006	1,580,000
3	2006 - 2007	2,828,300

As on the level of NGOs, for example, the Qatar Foundation for Child and Woman Protection, a yearly budget is allocated to be spent on programs concerned with children.

The Fourth Question

Please provide updated information on the intentions to review the general reservation made upon accession.

When ratifying the Optional Protocol in 2001, the State of Qatar entered a general reservation regarding any provision which conflicted with the Islamic Law.

As already mentioned in the initial report, the State intends to re-consider the question of its general reservation. The Supreme Council for Family Affairs, which is the body concerned with childhood affairs in the State, formulated a national committee including experts from all specialized bodies to study this international document and to find out how far it is possible to withdraw the general reservation. The study was eventually submitted to the higher authorities to look into the remarks and opinions expressed by this committee.

The Fifth Question:

Please provide updated information on the activities of Child's Friend Office particularly related to the implementation of the Optional Protocol. In this regard, please provide information on the number of individual complaints received, investigated and their outcomes, and give further details on the child hotline.

The Qatar Foundation for Child and Woman Protection was created on basis of the Resolution No. 5 of the Minister of Civil Service and Housing in the Year 2003 to replace the child's Friend Office.

The Qatar Foundation for Child and Woman Protection since its creation, sought to providing a safe environment on the soil of the State of Qatar for Qatari and non-Qatari women and children permanently or temporarily and this includes persons accompanying their families in case of non-Qataris. This is all done on basis of Qatari Constitution and Qatari national laws and in accordance with principles of human rights and international documents and protocols consistent with Islamic Law as the Foundation has been keen on offering its services to the children groups that need support and protection in all their various forms (legal, social, health, political, economic, educational).

The Foundation seeks to realize the following goals:

Protecting children from deviated and abnormal practices at home, the community and at work and addressing problems resulting from these practices.

Ensuring the legal framework for child's rights and protecting them socially and familiarly.

Ensuring the implementation of the international, Arab and regional agreements concerning child's protection and rights in the society.

Creating a societal awareness to care for child's needs and social rights.

In order to realize the afore-mentioned goals, the Foundation applies in its work numerous means to identify the size of issues which include menace, trespassing or harm which victimize children.

The Foundation's most important sources of information are

Hotlines: The Foundation has designed hot telephone numbers to make room for victims of violence to contact the Foundation to enable it to tackle these cases. Besides, the Foundation advertised these telephone hotlines in the local newspapers and different media and in the tourist bulletins distributed in public places.

The Foundation receives information on cases of maltreatment and exploitation in which a child has fallen victim of menace, molestation from relatives, teachers, medical centers or any other body.

The Foundation has worked on building a network of cooperation with the different educational and pedagogical institutions and centers which work in this area through contact officers who represent these bodies.

As for the number of complaints coming from the Foundation, the Foundation dealt with many cases which required different forms of protection (social, legal, economic educational and health). The complaints included menace, harming ranging between beating up and solicitation and problems in education and the deterioration in living and sexual conditions and recommendation in addition to problems related to children's custody. Number of cases rose up to 128 in 2004 and 328 in 2005 (See Appendix No3). After studying the cases, the Foundation forwarded them to the specialized bodies such as the general prosecution, charitable funds association, ministries and governmental offices. These cases were all settled.

Moreover, the Foundation currently is endeavoring to attain a legal status like the Family Consultations Center, which has recently attained this status.

The Sixth Question:

Please provide information on whether a national strategy accompanied by a time bound national plan of action for combating human trafficking has been developed.

The State of Qatar started effectively to resolve the issue of trafficking in persons. The committee is chaired by H.E. the Minister of the Exterior. A number of meeting ensued and ended up in recommendations which were later reviewed by the Board of Ministers in July, 2003. The recommendations included a proposal to form a sub-committee to implement the main committee's recommendations.

In the periodic meeting of the Board of Ministers on 14th January 2004, it was agreed that a sub-committee chaired by the Supreme Council for Family Affairs in addition to membership of representatives from different governmental bodies should be formed.

In the light of the instructive steps of the strategy to combat trafficking in persons, the sub-committee specified victims of trafficking in persons in the following groups:

Children used in camel races.

Women exposed to sexual exploitation.

Incoming workers.

On basis of these specifications, the sub-committee's plan of action included the following areas:

First Concerning Clause A:

Establishing a project of a law to specify the characteristics of a camel racer.

Establishing mechanisms to implement the law.

Second: Concerning Clauses B and C:

Establishing a training program for staff responsible for implementing the law on human rights in general and issues of trafficking in persons in particular.

Establishing an office for human rights in the Ministry of the Exterior.

Statistics about cases reported and about trafficking in persons.

Establishing programs to protect, rehabilitate and re-include victims of trafficking in persons,

Preparing booklets to raise awareness of foreign workers and in may different languages.

Reviewing the laws that Stage punishing violation of workers' rights and lay out a mechanism to activate these laws.

Preparing a guide for foreign workers coming to the State of Qatar.

Third: General Plans:

Providing a hotline to enable the above groups to seek help.

Establishing consultative programs in public hospitals.

Holding meetings with all the ministries and administrations to study the procedures taken in the light of the specialty of each of them to combat trafficking in persons, besides the committee's appropriate coordination in case the roles of action are not clear.

In the light of the above, the aforementioned concerned bodies undertook the task of implementing the sub-committee's plan. These concerned bodies have achieved effectively the following:

In the legislation Area:

Issuing a new Penal Code No. 11 for the year 2004 which states in Chapter Six, articles 296, 297 and 298, the indictment of promoting prostitution and adultery, and in articles 320 and 322 the indictment of slavery, forcing workers to work even though paid.

Issuing Labor Law No 14 for the year 2004.

Issuing Law No.22 on 23rd May 2005 on Banning the Employment, Training and Participation of Children in Camel Racing (See Appendix 4).

In the Media Area:

Booklets in many different languages have been prepared containing information about foreign incoming workers on basis of labor work.

Posters containing positive images of domestic servants with legal quotations stating their rights have been prepared.

Television and radio clips and flashes promoting the good and fair treatment of domestic servants together with the punishment resulting from violation of their rights according to the law have been made.

Organizing lectures which contain references to good and fair treatment of domestic servants.

In the area of assistance, protection and rehabilitation:

Assistance and protection have been provided to victims of trafficking in persons and not treating them as offenders violating the law of immigration and prostitution. They were provided with assistance programs by means of staff qualified to provide protection and assistance to victims.

Preparing a hotline in the Ministry of the Exterior to combat trafficking with persons by means of an advertisement in different languages in local newspapers

The Qatari House for Sheltering and Human Care has been established to care for rehabilitating and protecting victims of trafficking in persons who include women, children and others within the framework of special programs supervised by psychologists and specialized doctors. The House is annexed to the Supreme Council for Family Affairs.

The role of the Department of Social Service at Hamad Medical Corporation has been activated and enabled it to undertake a study of the social and psychological conditions of the children injured during training or performing camel racing, in addition to providing care for all victims of trafficking in persons.

On the Procedural and Institutional Level:

An office for human rights has been established in the Ministry of the Exterior to enhance and promote human rights in the Ministry of the Exterior's area of work. Given that awareness-raising of dangers of trafficking in persons and measure to avoid them are part of this office's specialty.

A national office for combating trafficking in persons annexed to the Supreme Council for Family Affairs has been established to undertake the responsibilities of coordination with the concerned bodies in the state to assist victims of trafficking in persons and rehabilitating them, beside following up the awareness-raising and prevention procedures to ban trafficking in persons.

In the training area:

The Supreme Council for Family Affairs in coordination with the Higher Commission of Human Rights in Geneva organized training courses to promote awareness of the international conventions concerned with children. These training courses were jto pediatricians, judges, police staff and others. The course will continue for the forthcoming years.

Likewise, the subject of human rights has ban included in the courses given in the Police Training Institute.

The Seventh Question:

Please provide information on the measures taken to prevent the use of children as camel jockeys. Please provide information on the regional initiatives undertaken in this regard, including the bilateral and multi-lateral cooperation."

The State of Qatar was on the lead in banning using children in camel races. In this respects, Law No. 22 for the year 2005 was issued on banning employment, training and involving children in the afore-said camel races.

The measures taken by the state did not only include meeting the costs of reinstating and compensating children but went further to include projects and programs to rehabilitate them and

provide means of respectable living. This task was assigned to Qatar Charitable Society which made a bilateral agreement with the Sudanese party to prepare rehabilitation programs like this:

Qatar Charitable Society prepared a project of social and psychological rehabilitation for camel racing children returning to Sudan from the State of Qatar in cooperation with the National Council for Protecting Childhood in Sudan (in its capacity as a governmental coordinator for the project.) The Qatari Charitable Society's project conducted a social survey to find out the best means of reinsuring these children in their communities. This survey was conducted during the period 14th – 20th October, 2005 and covered the areas of dwelling of the children included in the rehabilitation project in Sudan. This was done in order to specify the needs required for the project according to scientific bases and criteria to ensure that the returning children targeted in this study receive aids assisting them to recover and rehabilitate in their communities which on their part need assistance to create a societal development that promotes the creations of an appropriate and sound environment for their growth. This survey brought about a large number of findings and recommendations. (See Appendix No. 5).

This survey met with approval and appreciation of the UNICEF office in Sudan as it was considered a model achievement distinguished other conducted through UNICEF in a neighboring Gulf State.

General Statistics:

The number commutated of returnees was 212 children.

Domiciles: Kasla Governorate, Nile Water Governorate. The majority is in Kasla: 185 children.

Number of villages where children dwell: 16 villages.

All children in both governorates belong to the Rashayde tribe.

The Social Aspects:

The number of children included in the research is 82 in the State of Kassala and State of River Nile.

Interviews with the largest possible number of children were difficult, and those conducted were conducted with children's guardians and not the concerned children themselves because the targeted group worked as herdsmen in the fields and therefore are not settlers in fixed dwelling areas. Explanatory table in Attachment to Appendix No. 5.

Psychological Evaluation:

The evaluation targeted 181 children from State of Kassala and due to reasons related to the nomadic nature of their lives, only 74 children were included in the evaluation.

Explanatory table (Attachment to Appendix No. 5).

The overall ratio of the psychological evaluation:

86.50% happy about their coming home

97.30% relaxed and sociable.

93.20% recovered from symptoms of anxiety and fear and have easily socialized.

100% sound mental health.

8.10% special cases (psychological and physical problems like permanent defects, epilepsy and surgical operations)

Overall evaluation and psychology: Good

Recommendations:

Providing projects of schools, health centers, water projects, mosques, besides awareness-raising programs and economic provisions to raise income of the children's families.

The Eighth Question:

Please provide information on the measures taken to protect particularly vulnerable groups of children from sexual exploitation and trafficking for exploitative purposes, including children with disabilities, children of (non-Qatari) migrant workers and children in alternative care.

The available procedures can be divided into legislative and institutional procedures.

The legislative procedures:

1- This is based on the Permanent Constitution of which article 21 states: "The family shall be the foundation of the society. Its pillars shall be religion, morals and love for the nation. The law shall organize means of protecting the family, supporting its principles, bolstering its ties, preserving ideals of matrimony, childhood and the elderly". Further article 22 States "The State shall extend care to the young generation and protect them from influences of corruption, from exploitation, from physical, mental and spiritual negligence, and provide adequate circumstances for developing its creativity in different fields with improved education".

2- The state of Qatar ratified the Convention on the Rights of the Child Rights' Convention and the State is committed through its adoption of legislative and administrative procedures to implement the provisions of the Convention.

3- The State of Qatar is committed to the juvenile law related to protection of children during court procedures.

Institutional Procedures

Establishing the Qatari House for sheltering and Human Care to protect and rehabilitate victims of trafficking in persons. The House endeavors to realize these objectives by means of a number of tasks, the most important of which are:

Providing accommodation to trafficking in persons victims, including children.

Providing psychological, medical and living care for victims.

Making trafficking in persons victims aware of their rights and providing them with the consultative legal services.

Providing victims with social and athletic activities and functions.

Offering adequate assistance to victims wishing to return to their countries after making sure of their rehabilitation properly.

Within the same framework, the children included in an alternative care receive from Qatar Charitable Society huge aids through the system of sponsorship[which includes orphans. The aids program extended to psychological, personal, social, educational and health care to prepare orphans to face the future.

Year	Total Number of Orphans	Money Remitted in Q.R
2003	17278	19,696,920
2004	17457	19,900,980
2005	20103	22,917,420

The Ninth Question:

Please provide information on the status children (non-Qatari) migrant workers.

The area of care and rehabilitation of children in general and the rights works stated in the Optional Protocol in particular, are not at all subject to any discrimination between Qatari's and non-Qatari.

Information and statistics included in the answer to the Seventh Question assures that protection procedures cover all children inside the State of Qatar region.

For instance, in the area of pedagogical services and after the issuance of Law No. 25 for the year 2001 concerning compulsory education, education has become compulsory and free to all children registered in the birth register in the State of Qatar from primary to secondary schooling or when reaching the age of 18 (See Appendix No. 6).

The Qatari Foundation for Child and Woman Protection sought to fulfill its objectives to protect children living in Qatar regardless of their nationalities. The Foundation provided support and assistance to all children, including non-Qatari by means of the following:

Receiving cases related to residence permits of children and wives of foreign workers and assure assistance to them when facing legal problems. The Foundation, moreover, reviews continuously the laws in effect in the State of Qatar concerning visits and residence permits of foreign workers and their families, and taking into consideration the psychological, cultural, social and economic factors that effect them. The cases solved in these respects were about 25 cases.

The Qatar Foundation for Child and Woman Protection provided economic assistance to a number of families of foreign workers. The number of beneficiary families in this respect was 59 families.

Charity societies and associations in the State of Qatar help non-Qatari children and their families, especially prison inmates.