

COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-sixth session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 8 OF THE OPTIONAL PROTOCOL TO THE CONVENTION ON
THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF
CHILDREN IN ARMED CONFLICT**

Concluding observations: QATAR

1. The Committee considered the initial report of Qatar (CRC/C/OPAC/QAT/1) at its 1263rd meeting (see CRC/C/SR.1263), held on 20 September 2007, and at its 1284th meeting, held on 5 October 2007, adopted the following concluding observations:

A. Introduction

2. The Committee welcomes the submission of the State party's initial report, as well as the submission of the written replies to its list of issues (CRC/C/OPAC/QAT/Q/1/Add.1), which provide additional information on the legislative, administrative, judicial and other measures applicable in Qatar in respect of the rights guaranteed by the Optional Protocol.

3. The Committee reminds the State party that these concluding observations should be read in conjunction with its previous concluding observations adopted on the State party's initial periodic report under the Convention on 12 October 2001 (CRC/C/15/Add.163) and on the initial report under the Optional Protocol on the sale of children, child prostitution and child pornography adopted on 2 June 2006 (CRC/C/OPSC/QAT/CO/1).

B. Positive aspects

4. The Committee welcomes the State party's declaration pursuant to paragraph 2 of article 3 of the Optional Protocol that recruitment to the State party's armed forces and other regular forces is voluntary and is for those who have attained the age of 18 years and that it takes account of the safeguards set forth in paragraph 3 of the same article. The Committee also welcomes the State party's affirmation that its national legislation makes no provision for any form of compulsory or coercive recruitment.

5. While observing that the State party's Constitution states that "defending the country is the duty of all citizens" (article 53), the Committee notes with appreciation that military service is not compulsory and that no legal provision allows for compulsory recruitment even in a state of emergency.

6. The Committee welcomes the State party's accession on 5 January 2005, to the 1977 Protocol additional to the 1949 Geneva Conventions and relating to the protection of victims of non-international armed conflicts (Protocol II).

7. The Committee notes with appreciation that the State party advocates an 18 years ban on the use of children as soldiers and supports the universal ratification of the Optional Protocol.

C. Main areas of concern and recommendations

C.1. General measures of implementation

Legislation

8. The Committee, while noting the information provided during the dialogue that the State party is considering acceding to the Rome Statute of the International Criminal Court, is concerned that there is no specific provision criminalizing the compulsory recruitment or involving in hostilities of a person under the age of 18, nor a specific provision providing extraterritorial jurisdiction in case of recruitment of a Qatari child outside the country or recruitment of children by a Qatari citizen outside Qatar.

9. In order to strengthen the national and international measures for the prevention of the recruitment of children for armed forces or armed groups and their use in hostilities, the Committee recommends that the State party:

(a) Ensure that violations of the provisions of the Optional Protocol regarding the recruitment and involvement of children in hostilities be explicitly criminalized in the State party's legislation;

(b) Establish extraterritorial jurisdiction for these crimes when they are committed by or against a person who is a citizen of or has other links with the State party;

(c) Ensure that military codes, manuals and other military directives are in accordance with the provisions and the spirit of the Optional Protocol.

10. Furthermore, given the important contribution it can provide for the prevention and elimination of conscripting or enlisting children into the national armed forces or using them to participate actively in hostilities, the Committee recommends that the State party accede the Rome Statute of the International Criminal Court.

Reservations

11. The Committee notes with appreciation the oral information provided by the State party delegation during the dialogue that the State party on 20 September 2007 withdrew its reservations to the Convention.

12. The Committee invites the State party to notify the Secretary General of the withdrawal of its reservation at the earliest opportunity.

National Plan of Action

13. The Committee, while noting the formulation for a national strategy on childhood, notes with concern the absence of a component on the State party's obligations under the Optional Protocol.

14. The Committee invites the State party to incorporate in its national strategy consideration of the provisions of the Optional Protocol on the involvement of children in armed conflict.

Dissemination and training

15. The Committee, while welcoming initiatives to promote human rights education in the school curricula, regrets the inadequate measures taken to disseminate the Optional Protocol to the public at large.

16. The Committee recommends that the State party continue providing its armed forces, including personnel to be deployed to international operations, with training on the provisions of the Optional Protocol. It further recommends that the State party develop systematic awareness-raising and education on the Optional Protocol for children and adults in accordance with article 6 (2). The State party should also conduct training programmes on the provisions of the Optional Protocol for all relevant professional groups working with and for children who have been victims of acts contrary to the Optional Protocol, or professionals who may come with contact with them, such as health personnel, social workers, teachers, lawyers, judges and media professionals as well as authorities working for and with asylum-seeking, refugee and migrant children.

C.2. Recruitment of children

Voluntary military youth activities

17. The Committee, while noting the information provided by State party that curricula for cadets includes human rights education, the Committee stresses the need to include components on the Convention on the Rights of the Child and the Optional Protocol.

C.3. Measures adopted with regard to disarmament, demobilisation and social reintegration

Measures of social reintegration

18. The Committee welcomes the statement during the dialogue that the State party intends to accede to the Convention relating to the Status of Refugees. However, in the light of the fact that countries in the Middle East continue to receive a large number of refugee, asylum-seeking and migrant children from countries experiencing conflict or in post-conflict situations, the Committee is concerned over the State party's lack of preparedness to identify children who may have been recruited or used in hostilities prior to arrival in Qatar and to provide them with

multidisciplinary assistance for their physical and psychological recovery and their social reintegration.

19. The Committee recommends that the State party:

(a) Develop mechanisms to identify at the earliest possible stage refugee, asylum-seeking and migrant children entering Qatar who may have been recruited or used in hostilities;

(b) Carefully examine the situation of refugee, asylum-seeking and migrant children who have been recruited or used in hostilities and provide them with immediate multidisciplinary assistance for their physical and psychological recovery and their social reintegration in accordance with article 6 (3) of the Optional Protocol;

(c) Accede to the 1951 Convention relating to the Status of Refugees in order to improve the protection of refugee children who may have been recruited and involved in armed conflict.

(d) Take all necessary measures to ensure that the return of a child to the country of origin shall only be conducted when the return is in the best interests of the child.

20. The Committee also recommends that the State party systematically collect disaggregated data on refugee, asylum-seeking and migrant children within its jurisdiction who may have been involved in hostilities abroad. In this regard the Committee recommends that the State party take note of the Committee's General Comment No. 6 (CRC/GC/2005/6) on treatment of unaccompanied and separated children outside their country of origin.

C.4. International assistance and cooperation

Financial and other assistance

21. The Committee welcomes the financial and other assistance given by the State party for the education, health and social integration of children affected by armed conflict in other countries.

22. The Committee encourages that the State party to continue to provide financial support as well as other assistance to improve implementation of the Optional Protocol, including its multi- and bi-lateral cooperation with other countries in order to address the issue of involvement of children in armed conflict, with a particular focus on preventive measures as well as on physical and psychological recovery and social reintegration of children who are victims of acts contrary to the Optional Protocol.

23. The Committee while noting with appreciation Qatar's contribution to United Nations Peacekeeping Operations, invites the State party to ensure that its personnel are fully aware of the rights of children involved in or affected by armed conflicts; and that military contingents are aware of their responsibility to ensure that these rights are not violated.

C.5. Follow-up and dissemination

Follow-up

24. The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the members of the Cabinet and the Advisory Council (*Majlis al-Shura*), the Ministry of Defense and to municipalities (*baladiyat*), when applicable, for appropriate consideration and further action.

Dissemination

25. The Committee recommends that the initial report submitted by the State Party and these concluding observations adopted by the Committee are made available to children and their parents through, *inter alia*, school curricula and human rights education. It also recommends that the State party make the concluding observations widely known to the public at large in order to generate debate and awareness of the Optional Protocol, its implementation and monitoring.

C.6. Next report

26. In accordance with article 8, paragraph 2, of the Optional Protocol, the Committee requests the State party to include further information on the implementation of the Optional Protocol in its second periodic report under the Convention on the Rights of the Child, in accordance with article 44 of the Convention.
