



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Seventy-third session

13-30 September 2016

Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the combined third and fourth periodic reports of Saudi Arabia

**The State party is requested to submit, in writing, additional, updated information, if possible before 1 June 2016 (10,700 words maximum).**

*The Committee may take up any aspect of children's rights set out in the Convention during the dialogue with the State party.*

#### Part I

**In this section, the State party is requested to submit its responses to the following questions.**

1. With reference to the general measures of implementation, please:
  - (a) Clarify if the State party has started implementing the National Childhood Strategy and the National Youth Strategy, whether these strategies cover all the rights under the Convention and their timeframe and main objectives, in terms of development of legislation, policies and programmes for children;
  - (b) Provide additional information on the steps taken to guarantee the independence of the National Human Rights Association;
  - (c) Inform the Committee about the system in place to track budgetary allocations for the implementation of the Convention and budget spending for children;
  - (d) Indicate the measures taken to overcome challenges related to data collection on all areas of the Convention, as highlighted in paragraph 52 of the State party's report (CRC/C/SAU/3-4);
  - (e) Indicate whether the provisions of the Convention are incorporated in school curricula and, if so, at which educational levels.
2. Please indicate whether the State party intends to end the discretionary powers of judges and to enforce the definition of the child as "any person under the age of 18 years", as provided for notably in the Child Protection Act. With reference to the State party's



indication that the possibility of child marriage has not been completely eliminated, please explain the steps taken to set the minimum age for marriage at 18 years and to clearly prohibit child marriage.

3. Please indicate the measures taken by the State party to revoke the decisions authorizing the execution of persons convicted for crimes committed when they were children and to immediately halt the execution of Ali Mohammed al-Nimr, Dawood Hussain al-Marhon and Abdullah Hassan al-Zaher. Please also indicate the measures taken to prohibit by law the imposition of the death penalty on anyone who was under the age of 18 years at the time of the commission of the offence.

4. Please provide detailed information on the legal, policy and awareness-raising measures taken to address the legal and de facto discrimination experienced by girls in the State party and to eliminate male guardianship of women and girls. Please also indicate whether the State party has assessed the impact of its public policy of strict segregation of the sexes and the imposition of a dress code on girls' enjoyment of their rights under the Convention and, if so, what was the outcome of such assessment.

5. Please provide information on any measure taken to address statelessness of children from nomadic, displaced and returned Arabian tribes and to ensure their registration at birth. Given the risk of statelessness arising from article 7 of the Citizenship Act, please indicate the steps taken to amend this article and allow all Saudi women to transmit their nationality to their children on an equal footing with men. Please also provide information on the birth registration of children of migrant domestic workers.

6. Please provide information on measures taken by the State party to ensure that children belonging to religious minorities can practice their religion without fear and threats, that they are not forced to attend Islamic teachings in schools and that they are not discriminated against, especially in the education sector and in the justice system. Please indicate whether discriminatory stereotypes against religious minorities have been removed from school curricula. Please also indicate whether children have been arrested and detained under blasphemy and apostasy charges, pursuant to the 2013 Royal Decree penalizing atheism.

7. Please clarify whether Royal Decree M/2 of 28/7/1435 prohibiting torture or degrading treatment in any place was supplemented by the abrogation of all legal provisions allowing for stoning, flogging and amputation of limb of children, such as those contained in the Juvenile Justice Act of 1975, as well as solitary confinement of children. Please also provide detailed information on the inquiry conducted into allegations of torture of Ali Mohammed al-Nimr, Dawood Hussain al-Marhon and Abdullah Hassan al-Zaher and on any measure taken to prevent and monitor cases of torture involving children and to prosecute those responsible.

8. Please indicate whether the State party has adopted a comprehensive law on domestic violence and established a women's unit within the police department and the prosecutor's office. Please comment on information before the Committee that the police often request that women and girls obtain their male guardian's permission to lodge complaints, and that child victims of sexual abuse might be prosecuted for extra-marital sexual relations if they denounce their abusers. Please provide information on the case of Fayhan al-Ghamdi who was reportedly released shortly after his conviction for the rape, torture and murder of his 5-year-old daughter and clarify the circumstances in which a perpetrator of sexual abuse can escape punishment.

9. In the light of the numerous residential care options for children available in the State party, please provide information on measures taken to prevent the institutionalization of children and to develop community-based services and programmes to reintegrate such children in their families, when possible, or to find foster care, in particular kinship care for

them. With reference to paragraphs 117 and 250 of the State party's report (CRC/C/SAU/3-4), please clarify the reasons why children deprived of a family environment receive education in the care institutions instead of in mainstream schools.

10. Please clarify whether male guardians can refuse the enrolment of girls in schools, and the reasons why girls can still not access certain educational opportunities, such as physical education. In the light of paragraphs 75, 122 and 129 of the State party's report (CRC/C/SAU/3-4), please provide information on measures taken to address the stereotyped images of women and men contained in school curricula and in certain legal provisions, such as article 153 of the Policy on Education.

11. Please provide updated information on the progress made in developing a legal framework for refugees and asylum-seeking children and in establishing a State mechanism to deal with refugee and asylum seekers. Please also provide information on the situation of refugee and asylum-seeking children in the State party and indicate whether the State party guarantees the Office of the United Nations High Commissioner for Refugees unhindered access to them.

12. Please indicate the steps taken to amend Order No. 1/738 of 4 July 2004 to explicitly prohibit forced and compulsory labour of children and to effectively enforce the legal prohibition of the use of children as camel jockeys. Please also provide detailed information on the measures taken to address the persistence of trafficking and the economic and sexual exploitation and ill-treatment of young migrant girls employed as domestic servants and to detect cases of child trafficking for economic exploitation. In particular, please provide information on measures taken to remove children working under slavery-like conditions in bonded labour, particularly in domestic work, and to ensure that women foreign domestic workers can freely leave their employer and visit their children living abroad.

13. Please provide information on the measures taken to provide support and rehabilitation services to the reported 83,000 children in street situation in the State party.

14. Please provide information on any inquiry conducted into the killing of children as a result of air strikes conducted by the State party in Yemen, since March 2015.

15. Please provide updated information on the draft alternative penalties law referred to in paragraph 321 of the State party's report (CRC/C/SAU/3-4) and, in particular, whether this law raises the minimum age of criminal responsibility for both girls and boys to internationally acceptable standards, prohibits life imprisonment and the possibility of imposing corporal punishment as a sanction. Please also indicate the legal grounds for detaining children who have not committed an offence but are considered as "vulnerable to delinquency". Please comment on the information before the Committee that, between 2011 and 2012, 61 children were arrested in the context of demonstrations and some of them were detained for over six months without being taken to trial.

## Part II

**In this section the Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report regarding:**

- (a) New bills and laws, and their respective regulations;
- (b) New institutions and their mandates, and institutional reforms;
- (c) Recently introduced policies, programmes and action plans, and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information, if available

1. Please provide consolidated budget information for the past three years on budget lines regarding children and social sectors, by indicating the percentage of each budget line in terms of the total national budget, gross national product and geographic allocation.
2. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years on:
  - (a) The number of children condemned to death, as well as the number of persons currently on death row who may have been sentenced for crimes they committed as children;
  - (b) The number of child victims of child marriage, including forced marriage, acid attacks and crimes committed in the name of so-called “honour”, as well as the number of perpetrators who have been prosecuted and convicted and the sanctions applied to them;
  - (c) The number of children in conflict with the law who have been arrested and detained, and the grounds for their arrest and detention, in particular the number of children who have been prosecuted under blasphemy laws as well as the number of children tried before specialized criminal courts.
  - (d) The number of children considered as “vulnerable to delinquency” who have been detained in supervised residential institutions and the reasons for their placement;
  - (e) The number of children who have been subjected to torture and ill-treatment as well as the number of perpetrators of those crimes who have been prosecuted and convicted and the sanctions applied to them;
  - (f) The number of children who have been rescued from slavery-like conditions, including children engaged in bonded labour, domestic servitude and prostitution, as well as the number of labour inspections;
  - (g) The number of children who have been killed in school attacks and/or deprived of education as a result of school destructions, as well as the number of schools damaged and/or destroyed as a result of attacks by State security forces in Yemen;
  - (h) The number of child victims of internal and external trafficking for the purpose of sexual or economic exploitation, including prostitution, forced marriage, forced labour, including bonded labour, and forced begging.
3. Please provide the Committee with an update of any data in the report that may have been superseded by more recent data or that may have been affected by new developments
4. In addition, please list any areas affecting children that it considers to be of priority with regard to the implementation of the Convention.