

# **Qatar's Non-Compliance with the Convention on the Rights of the Child: A Substantive Submission to the Committee**

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## **Submitted by:**

Justice Pour Tous Internationale (JPTi) is an independent human rights non-governmental organization with recognized charity status (N° DAR: 022060176) and duly registered as a not-for-profit association (CHE-226.634.549) in Geneva, Switzerland. Established on 20 April 2022 and formally registered on 6 May 2022, JPTi operates on the principle that all politics must exist in the context of human rights. It engages rigorously with United Nations mechanisms, regional human rights bodies, and diplomatic platforms to challenge structures enabling violations and to secure redress for victims. Its work spans critical thematic areas, including the defense of whistleblowers, journalists, entrepreneurs, and vulnerable communities; the promotion of religious freedom and child rights; the modernization of policing services; the countering of abuses of state security legislation used to suppress dissent and erode civil liberties; and the combatting of corruption, particularly through initiatives ensuring the transparent repatriation of illicit assets. Through its case-driven approach and unwavering commitment to international law, JPTi systematically leverages global advocacy channels to foster accountability, strengthen democratic institutions, and uphold the dignity and rights of individuals worldwide.

## **INTRODUCTION**

Justice Pour Tous Internationale (JPTi) respectfully submits this report to the Committee on the Rights of the Child in the framework of its 99th Session and its review of the combined fifth and sixth periodic reports of the State of Qatar (CRC/C/QAT/5-6). This submission identifies and analyses structural, legal, and institutional shortcomings in Qatar's implementation of the Convention on the Rights of the Child (CRC), particularly in relation to the protection of children from arbitrary detention, psychological violence, forced family separation, discriminatory practices, and the denial of effective remedies.

The submission is grounded in the documented experiences of two children, [REDACTED], who were subjected to serious violations of their rights by Qatari authorities in 2020. Their ordeal followed the politically motivated detention of their father, Mr. Tayeb Benabderrahmane—a French-Algerian entrepreneur and whistleblower—who was held incommunicado, subjected to mistreatment, and later condemned to death in absentia under opaque national security procedures. As reprisals intensified, the children were placed under de facto house arrest and surveillance, denied access to support services, and exposed to

psychological trauma. Their mother, Mrs. Mahdjouba Benkeltoum, was simultaneously expelled from Qatar under coercive conditions and ordered to surrender private family archives, effectively severing the children from their sole remaining caregiver. These events unfolded in complete disregard for the best interests of the children and absent any judicial review or protective intervention.

Mr. Benabderrahmane's case, as detailed in JPTi's [official press release](#), reveals broader systemic abuses, including the misuse of state security legislation, politically motivated prosecutions, enforced disappearance, and the weaponization of the judiciary. These violations not only targeted Mr. Benabderrahmane personally but had direct and irreparable consequences for his children—who, as dependents of a migrant household, found themselves without legal protection or institutional support. The situation of [REDACTED] reflects the wider vulnerability of children of migrant workers in Qatar, who continue to face structural barriers to accessing education, documentation, and state protection.

Of particular concern is the institutional inaction of the National Human Rights Committee (NHRC), Qatar's national body tasked with safeguarding human rights. Despite urgent appeals from [REDACTED] during the height of the crisis, the NHRC—then under the leadership of Deputy Chairman Mr. Boudjellal Bettahar—failed to act. Rather than intervening to ensure the children's protection, the NHRC dismissed their requests for help. This failure is especially alarming in view of Qatar's current representation at the international level: the NHRC is chaired by Maryam bint Abdullah Al Attiyah, who concurrently serves as Chairperson of the Global Alliance of National Human Rights Institutions (GANHRI). Although the NHRC retains its 'A' status under the Paris Principles, this status is subject to mandatory reaccreditation. The upcoming GANHRI Sub-Committee on Accreditation (SCA) review, scheduled for the 46th Session from 20 to 31 October 2025, must rigorously assess the NHRC's independence, responsiveness to child victims, and its effectiveness in politically sensitive human rights contexts, particularly when the State itself is implicated.

This submission seeks to support the Committee in its assessment of Qatar's compliance with the CRC by documenting emblematic violations that reveal deep structural deficiencies. It calls for urgent legal, policy, and institutional reforms to ensure that no child in Qatar—citizen or non-citizen, politically exposed or otherwise—is left unprotected from state-led harm, coercion, or neglect.

## **I. LEGAL AND STRUCTURAL DEFICIENCIES UNDERPINNING CHILD RIGHTS VIOLATIONS**

### ***A. Absence of a Comprehensive Child Rights Law***

As of 9 May 2025, the State of Qatar has not enacted a comprehensive and binding Children's Act that would provide full legislative incorporation of the rights enshrined in the Convention on the Rights of the Child (CRC). In its response to the List of Issues Prior to Reporting, Qatar acknowledged that the legislative procedures for such a law remain under development, despite having pledged to adopt such legislation since at least 2014. This legislative inertia represents a persistent failure to translate the CRC's obligations into enforceable national law, in direct contravention of Article 4 of the Convention, which obliges States Parties to undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the Convention.

Although various sectoral laws in Qatar contain isolated child-related provisions—such as the Family Law No. 22 of 2006, the Juveniles Act No. 1 of 1994, and the Social Security Law—these instruments lack cohesion, comprehensive coverage, and enforceable procedural guarantees. Critically, none of these texts ensure the primacy of the best interests of the child as a substantive right, interpretive principle, and procedural rule, as stipulated by Article 3 of the CRC and elaborated in General Comment No. 14 (2013) of the Committee on the Rights of the Child.

The absence of an overarching Child Rights Law also means that Qatar lacks a unified and binding normative framework for defining rights-holders, duty-bearers, and mechanisms for redress in situations of violations. Moreover, no institutional system has been established to ensure systematic application of child rights standards across all sectors, including the judiciary, police, national security services, and social welfare agencies. This gap renders children particularly vulnerable in crisis scenarios, where the discretionary authority of state agents is unchecked and unaccountable to international human rights standards.

The consequences of this structural deficiency are tragically illustrated in the case of [REDACTED]. In January 2020, amid the politically motivated detention of their father, Mr. Tayeb Benabderrahmane, the children were effectively placed under coercive confinement without any legal mandate, procedural oversight, or psychosocial support. No existing law provided a mechanism by which the children could be heard, assisted, or protected. No judicial review was available to challenge their isolation, the surveillance imposed upon them, or the forced expulsion of their mother from Qatar under duress.

The family's disintegration was orchestrated by state agents operating without any obligation to assess or prioritize the best interests of the children. Their ordeal occurred in a legal vacuum—where the absence of binding procedural norms enabled arbitrariness, intimidation, and retaliation without accountability. Furthermore, there was no statutory recourse for [REDACTED] to seek redress, support, or legal intervention. This is emblematic of the wider failure of the Qatari legal system to institutionalize the best interests of the child as a primary consideration in all actions concerning children, including in matters of national security, family separation, and psychological integrity.

The State party's assertion that child-related rights are distributed across various legal provisions and will eventually be consolidated in a future law fails to meet the Committee's standards. As the Committee has repeatedly emphasized, partial incorporation of child rights provisions without a holistic framework undermines the indivisibility, interdependence, and universality of children's rights. The case of [REDACTED] demonstrates that this fragmented approach offers no meaningful protection when a child is exposed to structural abuse, institutional negligence, and retaliatory conduct by state authorities.

The failure to adopt a comprehensive Child Rights Law is not a technical oversight but a fundamental structural omission. It deprives children of legal recognition, procedural protection, and institutional remedies in situations of crisis and vulnerability. It also contradicts the CRC's core legal requirements under Articles 3, 4, and 19, and must be remedied without further delay if Qatar is to fulfill its international legal obligations.

#### ***B. Lack of Child-Sensitive Judicial and Administrative Safeguards***

The State of Qatar asserts, in its combined fifth and sixth periodic report to the Committee, that it has incorporated mechanisms allowing for the participation of children in judicial and administrative proceedings, including the recognition of their right to express views freely and to have those views given due weight in matters affecting them. Qatar also refers to Family Code provisions allowing children to choose their custodian in custody disputes and to give their opinion regarding guardianship arrangements. However, these isolated statutory references lack the necessary procedural depth, enforcement guarantees, and institutional frameworks required to meet the obligations of Articles 12 and 37 of the Convention on the Rights of the Child.

The experience of [REDACTED] highlights the profound discrepancy between Qatar's formal commitments and the reality facing children in situations of conflict with public authorities. In January 2020, both children were subjected to a form of extrajudicial confinement, placed under de facto house arrest, and monitored by a Qatari security agent in the immediate aftermath of the arrest of their father. This surveillance and restriction of movement occurred without any legal warrant, judicial authorization, or notification of rights. It was executed by security authorities operating under the opaque umbrella of Qatar's internal intelligence services—entities which remain entirely unregulated by child protection protocols.

Despite the children's vulnerability and the high-risk context—namely the violent arrest of a parent, forced family separation, and psychological breakdown of the custodial mother—no social services intervention was provided. The children were denied any interaction with qualified child psychologists, social workers, or independent child welfare professionals. At no stage were they informed of their rights, offered legal counsel, or permitted to express their views in a protective setting, in flagrant violation of Article 12 of the Convention.

Moreover, the conditions imposed on [REDACTED] must be understood as a form of coercive confinement amounting to arbitrary deprivation of liberty within the meaning of Article 37(b) CRC. The children were isolated within their own home under the supervision of agents of the state, deprived of contact with extended family, denied access to schooling and healthcare, and psychologically pressured by the authorities. There was no administrative or judicial review of the situation, no appeal mechanism, and no assessment of necessity or proportionality, as required under international norms for any form of state-imposed restriction on children's freedom.

This treatment was not incidental. It is symptomatic of Qatar's failure to institutionalize child-sensitive safeguards within its legal system and administrative practices. The country's juvenile justice law, dating back to 1994, remains underdeveloped, lacks procedural guarantees consistent with CRC General Comment No. 10 on children's rights in juvenile justice, and has not been updated to incorporate best practices such as child-specific legal representation, trained child judges, or independent child rights ombudspersons. Although Qatar refers to judicial training initiatives, these remain sporadic and have not translated into systematic child-centred adjudication.

Furthermore, the State's national human rights architecture—most notably the National Human Rights Committee (NHRC)—has not been endowed with specialized child protection units capable of investigating and responding to such cases. In the case of [REDACTED],

direct appeals made by the children to a senior NHRC official were dismissed as “inappropriate,” demonstrating not only a lack of institutional sensitivity but an implicit complicity in the silencing of children’s voices.

Thus, despite Qatar’s assertions of compliance, there exists no effective mechanism in either the judicial or administrative apparatus to operationalize the right of the child to be heard, particularly in high-risk or politically sensitive situations. Children’s participation remains subordinated to adult discretion, and procedural protections are absent where the state itself is the source of the threat.

Qatar has failed to establish the structural safeguards, legal procedures, and institutional guarantees necessary to ensure that children are heard in accordance with Article 12 CRC and protected against arbitrary detention as mandated by Article 37 CRC. The experience of [REDACTED] is not an isolated incident but a reflection of a broader systemic omission to ensure that child protection is integrated into all levels of judicial and administrative decision-making, particularly in national security contexts.

### ***C. Ineffective Enforcement of Article 19 and Absence of Independent Complaint Mechanisms***

Under Article 19 of the Convention on the Rights of the Child, States Parties are required to take all appropriate legislative, administrative, social, and educational measures to protect the child from “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse,” while in the care of parents, legal guardians, or any other person. These measures must include effective procedures for prevention, identification, reporting, referral, investigation, treatment, and follow-up of instances of child maltreatment. Furthermore, General Comment No. 13 (2011) emphasizes that such protective frameworks must be child-sensitive, rights-based, and supported by independent mechanisms capable of receiving, investigating, and responding to complaints.

Despite Qatar’s repeated claims that it has made significant investments in family counselling centres, public awareness initiatives, and educational programmes through entities such as the “Wifaq” Family Counselling Centre and the “Aman” Protection Centre, the actual architecture for child protection in Qatar remains fragmented, under-institutionalized, and critically deficient in terms of independence and enforceability.

Qatar has not established a dedicated, fully independent child protection authority empowered by statute to investigate complaints, issue binding findings, or initiate legal proceedings against perpetrators of abuse, including when the State itself is the alleged violator. Although the National Human Rights Committee (NHRC) has a designated unit for children and other vulnerable groups, this body is not operationally autonomous, lacks sufficient investigatory powers, and does not function as a protective mechanism for children facing violence or abuse at the hands of security or intelligence agencies. This institutional limitation is especially severe given the centralized authority of the State’s security apparatus and the absence of judicial oversight over its conduct.

This systemic failure is tragically illustrated in the case of [REDACTED]. Following the arbitrary detention of their father in January 2020 and the coercive expulsion of their mother, the children experienced severe psychological trauma,

isolation, and fear. Rather than being placed under the supervision of a protective service or granted access to mental health professionals, they were subjected to constant surveillance by a Qatari security agent and deprived of emotional or institutional support. Their only recourse was direct communication via text messages with Mr. Boudjellal Bettahar, Deputy Chairman of the NHRC.

██████, then fifteen years old, repeatedly appealed to Mr. Bettahar for help, describing the deterioration of her mother's health, the silence surrounding her father's fate, and her own mental distress, including her brother's suicide attempt. She wrote, "My mother is dying right in front of me, and we have no idea whether my father is still alive... A strong woman like my mother can no longer cope... This cannot continue any longer."

Rather than acting upon these credible and urgent complaints, Mr. Bettahar dismissed ██████'s pleas as "unacceptable," and instead reprimanded her mother, Mrs. Benkeltoum, for failing to "calm" her daughter. No protective intervention was triggered. No legal or institutional inquiry followed. This indifference illustrates the total absence of a child-centred complaint mechanism and the ineffectiveness of the NHRC in cases where the State or its agents are implicated in serious violations of child rights.

Furthermore, Qatar's domestic law does not provide for any enforceable remedy for psychological abuse or neglect suffered as a result of state action or inaction. Children lack standing before courts or tribunals to seek redress independently. There is no children's ombudsperson, and no administrative protocol obligates the police or security services to notify child welfare institutions in cases of potential harm involving minors. This results in the complete institutional invisibility of child victims of state-led abuse, as was the case for ██████.

This lack of an effective, child-sensitive protection system not only contravenes Article 19 CRC, but also undermines Qatar's obligations under Articles 24 and 39, which impose affirmative duties to provide rehabilitative care to child victims of violence. The psychological harm suffered by the Benabderrahmane children has been documented, was foreseeable, and was allowed to persist unremedied—highlighting a systemic refusal to operationalize the Convention's protective guarantees.

The absence of a functioning, independent child protection framework in Qatar leaves children exposed to unmitigated abuse and trauma, particularly in politically sensitive contexts. The State's failure to act on the urgent pleas of children—despite the existence of a national human rights body and counselling centres—reveals a deeper institutional resistance to confronting violations by state agents. Qatar cannot fulfill its CRC obligations without establishing a credible, autonomous, and rights-based child protection mechanism with the mandate to investigate, respond, and remedy such abuses.

## **II. ARBITRARY DETENTION, PSYCHOLOGICAL ABUSE, AND RETALIATORY MEASURES**

### ***A. Arbitrary Detention and Intimidation***

Under Article 37(b) of the Convention on the Rights of the Child (CRC), no child shall be subjected to arbitrary arrest or detention, and any deprivation of liberty must be lawful,

necessary, and subject to prompt review by a competent authority. Furthermore, Article 9 affirms the right of the child not to be separated from his or her parents against their will, except in situations where such separation is necessary for the best interests of the child and is subject to judicial oversight. Article 16 additionally guarantees protection from arbitrary or unlawful interference with family life, privacy, and correspondence.

Despite these foundational protections, the treatment of ██████████ ██████████ in January 2020 by Qatari authorities constitutes a flagrant breach of the above-stated provisions. In the immediate aftermath of the politically motivated and arbitrary detention of their father, Mr. Tayeb Benabderrahmane, the children—then aged 15 and 13—were placed under what amounted to de facto house arrest. They were subjected to close and continuous surveillance by a Qatari internal security officer stationed near or inside their residence. Their movements were restricted, their emotional and psychological state was disregarded, and they were prevented from receiving external assistance or protection.

This coercive confinement was not accompanied by any form of judicial order or legal authorization. No proceedings were initiated to assess the necessity or legality of the surveillance, no explanation was provided to the children or their legal representatives, and no opportunity was granted to challenge the restriction imposed on their liberty. These measures, executed in a security vacuum, were patently arbitrary under international law and in direct violation of the guarantees set out in Article 37(b) CRC.

Concurrently, Qatari authorities subjected the children's mother, Mrs. Mahdjouba Benkeltoum, to coercive expulsion from the country. She was given less than 48 hours to leave Qatar and was compelled to travel to Algeria under the threat of harm to her family, specifically to surrender the personal and professional archives of her detained husband. This forced displacement was executed during a period of acute family crisis and had the direct consequence of separating the children from their sole remaining parental caregiver, in violation of Article 9(1) CRC.

The separation was not governed by any family court or child welfare procedure. There was no individualized determination of the best interests of ██████████, no provision for interim care, and no assessment of the emotional and psychological risk posed by the abrupt and involuntary removal of their mother. Moreover, there was no opportunity for the children to contest or even be heard regarding the decision, thereby violating their procedural rights under Article 12 CRC.

These coercive acts—targeting a family already victimized by arbitrary detention and state-led persecution—were clearly retaliatory in nature. They aimed not only to extract documents from the family but also to intimidate and suppress any potential resistance or exposure. The use of children as de facto hostages in this context constitutes a grave abuse of state power and reflects a pattern of intimidation incompatible with the Convention's foundational principles.

Notably, neither the children nor their mother were informed of any avenues for complaint, review, or legal remedy. The absence of procedural safeguards transformed what may have initially been a situation of state interest into one of unlawful repression, psychological abuse, and arbitrary deprivation of fundamental rights. The treatment endured by ██████████ must therefore be characterized not merely as neglect or administrative

failure, but as a deliberate misuse of state authority in defiance of international child rights obligations.

The facts of this case expose a profound failure of the Qatari State to implement the safeguards mandated by Articles 9, 16, and 37 CRC. The house arrest and surveillance of children, the coercive expulsion of their mother, and the retaliatory seizure of personal property—all without judicial review or protective oversight—reflect a systemic denial of children’s rights and the unlawful use of state power to punish and isolate vulnerable family members. These acts demand urgent scrutiny and should form the basis of the Committee’s recommendations to the State party.

### ***B. Psychological Abuse and Dereliction of Duty by State Institutions***

Articles 24 and 39 of the Convention on the Rights of the Child impose clear obligations on States Parties to ensure that children enjoy the highest attainable standard of mental and physical health and to take all appropriate measures to promote the physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation, abuse, or inhumane treatment. These duties extend not only to the prevention of harm but also to active protection, including intervention by institutions when children are exposed to serious psychological distress or trauma.

In the case of [REDACTED], the Qatari authorities’ actions did not merely reflect neglect of these obligations—they embodied an affirmative dereliction of duty, resulting in the aggravation of the children’s suffering. Left alone following their father’s unlawful detention and their mother’s forced expulsion, the children experienced escalating distress, culminating in a suicide attempt by [REDACTED]’s younger brother. During this period, [REDACTED], then only fifteen years old, reached out repeatedly to Mr. Boudjellal Bettahar, Deputy Chairman of the National Human Rights Committee (NHRC), a body purportedly mandated to safeguard human rights in Qatar, including the rights of children.

Rather than responding with concern, compassion, or the activation of protective mechanisms, Mr. Bettahar’s reaction was dismissive and hostile. He characterized [REDACTED]’s urgent text messages as “unacceptable,” and instead of offering assistance, he admonished Mrs. Benkeltoum to “calm her daughter.” This exchange, preserved in the submitted WhatsApp evidence, not only illustrates an institutional indifference to the mental health of children in crisis but also reveals a deeper culture of impunity and denial within the Qatari state apparatus.

[REDACTED]’s messages—articulate, emotionally raw, and deeply personal—should have triggered immediate intervention by a child protection agency or, at the very least, a human rights monitoring body such as the NHRC. Her testimony spoke of parental disappearance, emotional breakdown, fear for her own life and that of her mother, and the mental collapse of her family. She explicitly conveyed that her younger brother had attempted suicide and that she, a child, had been the only one to intervene to save him. She described her mother as wasting away physically and emotionally under unbearable pressure. These communications clearly constituted cries for help from a child at acute psychological risk.

Yet no investigation was opened, no social services were dispatched, no emergency support was offered. The NHRC’s failure to act in this instance constitutes a gross violation of its statutory role and amounts to institutional negligence under the terms of the CRC. It also

stands in stark contradiction to Qatar's claims, in its periodic report, that the NHRC functions as an independent entity monitoring child rights and offering protective services to vulnerable groups. In practice, this case demonstrates the opposite: a refusal to intervene when children are being harmed by agents of the state, and a pattern of dismissiveness when institutional credibility is at stake.

This failure must be situated within the broader context of Qatar's lack of an independent, child-specific complaints mechanism. No procedural route existed for [REDACTED] or her brother to report abuse by state agents, challenge their conditions of surveillance and isolation, or seek psychological support. The NHRC's rebuke, rather than resolution, served to silence the victim and shield those responsible from scrutiny—an outcome fundamentally incompatible with the principles of the CRC, particularly the right to be heard (Article 12), the right to health (Article 24), and the right to recovery and reintegration (Article 39).

The psychological abuse inflicted on the Benabderrahmane children was not incidental. It was facilitated and perpetuated by a system that actively ignored pleas for help, failed to activate protective protocols, and prioritized institutional self-preservation over the welfare of children. Qatar's failure to equip its institutions, including the NHRC, with the authority, training, and independence necessary to respond effectively to child suffering must be recognized as a critical breach of its treaty obligations.

The case of [REDACTED] reveals not only individual lapses but a systemic absence of accountability and response within Qatar's institutional framework. The emotional trauma endured by these children was deepened, rather than alleviated, by the very bodies that should have protected them. This calls for urgent reform of Qatar's institutional child protection model, the creation of independent complaint and oversight mechanisms, and the imposition of enforceable legal duties on public bodies to respond to signs of child suffering in a timely, rights-compliant manner.

### **III. INSTITUTIONALIZED GENDER DISCRIMINATION AND FAMILY SEPARATION**

Article 2 of the Convention on the Rights of the Child obliges States Parties to respect and ensure the rights set forth in the Convention to each child without discrimination of any kind, irrespective of the child's or their parents' sex, race, religion, or other status. Article 5 recognizes the responsibilities, rights, and duties of parents or legal guardians to provide appropriate direction and guidance to the child. Article 9 stipulates that children shall not be separated from their parents against their will, except when competent authorities determine, in accordance with the law and subject to judicial review, that such separation is necessary in the child's best interests. Article 3 affirms that in all actions concerning children, the best interests of the child shall be a primary consideration.

In the Qatari context, personal status laws and related administrative practices reflect a structural bias that discriminates against women in their roles as legal guardians and custodians of their children. Under Qatari law, a father is the default legal guardian (wali), while the mother's custodial role is limited to the physical care of the child and is subject to revocation upon remarriage or if she is deemed "unfit" by standards that disproportionately burden women. A mother cannot, without the permission of the male guardian or a court, make independent decisions regarding the child's passport, travel, education, medical treatment, or

access to legal services, even when she is the court-appointed custodian. This patriarchal guardianship model is codified in the Family Law No. 22 of 2006 and reinforced through administrative regulations relating to residency, passports, and child movement across borders.

This systemic framework exacerbated the vulnerability of Mrs. Mahdjouba Benkeltoum and her children during the events of January 2020. Following the arbitrary detention of her husband, Mrs. Benkeltoum was placed under severe pressure by Qatari authorities and forced to leave the country within 48 hours. No judicial determination was made regarding the impact of this separation on the children, nor were any steps taken to ensure their well-being in her absence. Qatari officials did not permit Mrs. Benkeltoum to travel with her children, nor was any provision made to assess whether this family separation was in the children's best interests. Instead, the authorities treated the children as subjects of the father's legal identity and possessions, depriving the mother of her rights as an equal caregiver and decision-maker.

This pattern of legal and administrative discrimination is not an isolated incident, but a structural issue. According to both State reports and NGO submissions, Qatari law continues to restrict women's ability to confer nationality to their children, control their movement, and exercise equal parental authority. These restrictions have been identified by multiple treaty bodies as incompatible with the principles of non-discrimination and the primacy of the child's best interests. In family law proceedings, the determination of custody is heavily weighted by gender-based assumptions, with maternal custody presumed appropriate only until certain ages (typically 13 for boys and 15 for girls), after which children are transferred to paternal guardianship, regardless of their personal views or best interests.

The consequences of these discriminatory norms are profound. They limit the capacity of mothers to protect and care for their children in times of crisis. They render children vulnerable to unilateral state action targeting the male head of household, without consideration of the impact on the remaining family unit. They deny children their right to maintain meaningful and stable contact with both parents, particularly when the mother is perceived as politically expendable or irrelevant under the law.

In the case of [REDACTED], these legal asymmetries had direct and traumatic effects. Their mother was expelled without judicial review. Her ability to intervene or even remain with her children was subordinated to state interests and a gendered legal framework. The children, in turn, were deprived of their primary caregiver and subjected to surveillance and isolation by male state agents, without access to maternal support or protection. The presumption that a mother could be removed without due process or that her custodial rights could be bypassed entirely is emblematic of the discrimination embedded within Qatar's legal regime.

Such treatment directly contravenes the CRC's requirements that the best interests of the child must guide all actions concerning them (Article 3), that children should be protected from arbitrary separation from their parents (Article 9), and that State Parties must ensure the equal application of all rights without discrimination (Article 2). Qatar's continued failure to reform its guardianship laws, child custody regulations, and nationality legislation entrenches a model of systemic inequality that places children—especially in politically sensitive families—at risk of harm, neglect, and institutional abandonment.

The intersection of gender discrimination and child rights violations in Qatar's personal status framework must be addressed as a structural and legal matter. Until women are recognized as equal guardians and empowered to act independently on behalf of their children, and until custody decisions are made based on the best interests of the child rather than the gender or marital status of the parent, Qatar will remain in breach of its obligations under the Convention on the Rights of the Child.

#### **IV. LACK OF REMEDY AND ACCOUNTABILITY**

Under Article 4 of the Convention on the Rights of the Child, States Parties are obligated to undertake all appropriate legislative, administrative, and judicial measures to implement the rights recognized in the Convention. In addition, Article 39 establishes a clear duty to promote the recovery and social reintegration of child victims of any form of neglect, abuse, or inhuman treatment, requiring that such recovery take place in an environment which fosters the child's dignity and self-respect. Fundamental to these obligations is the availability of effective remedies and the existence of accessible and impartial accountability mechanisms.

Despite Qatar's formal ratification of the CRC and other international human rights treaties, its domestic legal framework does not provide meaningful avenues of redress for children or families whose rights have been violated by members of the State's security apparatus or intelligence services. The lack of judicial oversight over the actions of internal security agencies, the opacity surrounding state security procedures, and the absence of independent complaint and investigatory mechanisms for children result in a systemic denial of justice.

The case of ██████ starkly illustrates this institutional vacuum. Following the arbitrary detention of their father and the coercive expulsion of their mother, the children were subjected to psychological abuse, surveillance, and effective confinement—all without judicial authorization, legal representation, or access to protective services. When ██████ appealed to the Deputy Chairman of the National Human Rights Committee (NHRC), Mr. Boudjellal Bettahar, her cries for help were dismissed. No inquiry was launched. No protective steps were taken. No apology or acknowledgment was ever issued.

This institutional inaction occurred despite the NHRC's stated mandate to investigate and respond to rights violations, including those committed against children. The refusal of the NHRC to engage with the substance of ██████'s claims—and the subsequent failure to even acknowledge the trauma experienced—reveals the absence of any functional mechanism within the Qatari human rights infrastructure capable of holding public officials accountable in politically sensitive cases.

Compounding this failure is the fact that Mr. Bettahar, to whom ██████ addressed her distress messages, is currently subject to an international arrest warrant issued by Belgian authorities for other serious allegations. Yet to date, no disciplinary, administrative, or legal consequences have been reported against him within Qatar. This reinforces the perception—and indeed the reality—of systemic impunity for high-ranking state actors implicated in rights violations. The refusal of the NHRC to investigate one of its own officials in connection with the psychological distress and institutional neglect of children further undermines its credibility and violates the Committee's guidance that national human rights institutions must be independent, accessible, and child-sensitive.

The judiciary, too, has offered no pathway for redress. Qatar’s legal system provides no specialized court or procedure through which children may challenge violations committed by the intelligence services. There is no provision under Qatari law for children to independently initiate claims for mistreatment, no protective counsel automatically assigned in cases of trauma or state abuse, and no legal standing accorded to children to seek reparation for non-material harm suffered due to violations of their emotional or psychological integrity.

This legal and institutional architecture falls significantly short of the standards required under international law. It deprives children of the core protections guaranteed by Articles 3, 12, 19, 37, and 39 of the CRC. It contradicts the principle of access to justice, affirmed not only by the CRC but also by General Comment No. 5, which emphasizes that “for rights to have meaning, effective remedies must be available to redress violations.”

In this context, the experience of [REDACTED] is not merely a tragic episode of individual suffering—it is emblematic of a broader and systemic failure by the Qatari State to uphold its obligations under the Convention. Without legal reform to guarantee independent investigation of abuses by security officials, judicial oversight of intelligence actions, and institutional accountability within national human rights bodies, no child in Qatar can be assured of access to justice when harmed by those in power.

The lack of remedy and accountability in the case of the Benabderrahmane children reveals a structural problem that extends beyond the facts of one family. It speaks to the absence of a rule-of-law framework that prioritizes the rights and dignity of the child, and to a political and legal culture in which violations by high-ranking officials can occur without consequence. The Committee should urge Qatar to implement immediate reforms to ensure accountability, including the establishment of child-sensitive judicial procedures, mechanisms to investigate state security abuses, and independent oversight of all institutions mandated to protect children’s rights.

## **V. CHILDREN OF MIGRANT WORKERS: LEGAL MARGINALIZATION AND STRUCTURAL VULNERABILITIES**

Qatar hosts one of the highest per capita migrant populations globally, and the situation of children of migrant workers, though rarely addressed directly in law or practice, presents significant and ongoing concerns under the Convention on the Rights of the Child. Articles 2, 9, 22, 28, and 30 of the CRC require that all children, irrespective of their or their parents’ migration status, be guaranteed the rights to non-discrimination, protection of family life, access to education, and preservation of identity.

Despite these binding obligations, both State and non-governmental reports acknowledge that children of migrant workers face serious structural disadvantages in Qatar. According to the State party, families ordered to leave the country—including those accompanied by children—may be referred to the Aman Centre for shelter and documentation assistance if their legal status is irregular. However, this discretionary provision does not amount to a binding legal guarantee and does not ensure the rights of the child to family unity, regular status, or access to redress in the face of sudden expulsion. Children born out of wedlock to migrant workers—referred to ambiguously in official language as “children of unknown parentage”—remain particularly vulnerable, and are at risk of statelessness, institutionalization, or de facto social exclusion.

Civil society stakeholders have further documented that children of migrant workers face significant barriers to accessing education, largely due to the high cost of private schooling. Many migrant children are excluded from free public education, and even when admitted, are subjected to administrative discrimination, such as requiring paternal documentation or being transferred between schools without maternal consent. These restrictions disproportionately impact children of single mothers, domestic workers, or those whose fathers have been detained, deported, or have absconded.

The case of [REDACTED] exemplifies the risks faced by children of migrant workers in politically sensitive contexts. Though French nationals, the children's treatment mirrored that experienced by vulnerable non-Qatari families. When their father, Mr. Tayeb Benabderrahmane, was detained and their mother was forced to leave the country under duress, no institutional framework existed to protect the children as dependents of a migrant household. They were effectively held in surveillance without access to education, psychosocial services, or legal remedies. This systemic neglect and absence of safeguards highlights a broader policy deficiency—namely, the failure to extend core protections under the Convention to all children on Qatari soil, irrespective of national origin or family status.

Moreover, migrant women—especially domestic workers—often lack the legal capacity to act as independent guardians, even of their own children. This legal incapacity, entrenched in the guardianship and residency framework, obstructs access to justice and assistance, and facilitates family separations without procedural review. It also reflects Qatar's broader failure to incorporate a child-rights-based approach into its immigration and labour policy regimes.

The situation of children of migrant workers in Qatar reveals a systemic and legally entrenched pattern of exclusion, in breach of Articles 2, 9, 22, and 28 of the CRC. The Committee should urge Qatar to (1) recognize all children, regardless of origin or parental status, as full rights holders under domestic law; (2) provide free primary and secondary education to all children within its territory; (3) abolish administrative practices that discriminate against non-Qatari families; and (4) ensure that immigration enforcement and labour regulations are subject to binding child protection safeguards.

## **RECOMMENDATIONS AND REQUESTS FOR CONCLUDING OBSERVATIONS**

In light of the serious and well-documented violations of the Convention on the Rights of the Child (CRC) arising from the treatment of [REDACTED], JPTi respectfully urges the Committee to formulate robust and targeted recommendations to address both the individual harm suffered and the legal, institutional, and policy failures that enabled it. The case of the Benabderrahmane children is emblematic of broader systemic gaps in Qatar's child protection framework, and as such, necessitates structural corrective measures and sustained international scrutiny.

*First*, the Committee should call upon the State of Qatar to adopt, as a matter of urgency, a comprehensive Child Rights Law aligned with the full breadth of the Convention's substantive and procedural guarantees. This legislation must codify the principle of the best interests of the child as a primary and binding consideration in all judicial, administrative, and policy decisions affecting children. It must provide for justiciable rights, clarify the duties of

public authorities, and establish enforcement mechanisms capable of delivering timely remedies. The current absence of such a legal framework has enabled arbitrary and harmful state action against children without recourse or oversight, as seen in the Benabderrahmane case.

*Second*, the Committee should recommend the establishment of an autonomous, well-resourced, and functionally independent child protection authority. This institution must have statutory powers to receive and investigate complaints of abuse or neglect, issue protective and restraining orders, and coordinate inter-agency responses to ensure the safety and well-being of children. It must be operationally separate from Qatar's internal security services, possess unrestricted access to relevant state institutions, and be able to intervene even in cases implicating state agents. Without such a mechanism, children remain unprotected in situations of state-led retaliation, repression, or systemic neglect.

*Third*, the Committee should urge the State of Qatar to carry out a comprehensive reform of its personal status and guardianship laws to eliminate gender-based discrimination that adversely impacts children. Legal guardianship and custody should not be determined by the gender or marital status of the parent but should reflect the best interests and expressed views of the child. The current legal presumption favouring paternal guardianship, particularly upon the child reaching a specified age, must be abolished in favour of a flexible, child-centred model. Both parents—regardless of gender—must be accorded equal legal authority and capacity to protect, represent, and care for their children.

*Fourth*, the Committee should recommend that Qatar establish judicial and administrative safeguards tailored to prevent arbitrary detention, forced separation, and psychological abuse of children, particularly in politically sensitive cases. These safeguards should include independent judicial oversight of all actions by security and intelligence bodies involving minors; the mandatory appointment of specially trained legal advocates for children at risk; and the creation of accessible, child-friendly complaints procedures. Accountability for violations committed by state security actors must be institutionalized, and no segment of the government should remain shielded from legal scrutiny where the rights of children are at stake.

*Fifth*, the Committee should call on Qatar to conduct a credible, impartial, and transparent investigation into the conduct of state officials and institutions involved in the violations suffered by [REDACTED]. This investigation must examine the role of the National Human Rights Committee, including the conduct of its Deputy Chairman and the institutional failure to act upon the children's repeated pleas for protection. It must also examine the inaction of law enforcement and social service agencies and their failure to assess or mitigate the psychological harm endured by the children. Full reparations should be granted to the victims, including public acknowledgment of the harm inflicted, provision of psychosocial rehabilitation, and the issuance of formal guarantees of non-repetition.

*Lastly*, the Committee should adopt specific recommendations to address Qatar's persistent failure to protect the rights of children of migrant workers, who constitute a significant yet legally marginalized population. The Committee should call for the abolition of all legal and administrative practices that discriminate against non-Qatari children, including the denial of free public education, the restriction of legal standing based on paternal status, and the exclusion from public child protection services. Qatar must be urged to guarantee all

children—regardless of their or their parents’ migration status—equal access to justice, education, family unity, and civil documentation. In particular, the Committee should recommend that Qatar ensure legal guardianship rights are extended to all resident parents, including migrant women, and that immigration enforcement procedures are subject to binding child protection safeguards, including judicial review and the principle of non-refoulement where children are at risk. These measures are essential to uphold Articles 2, 3, 9, 22, and 28 of the Convention and to protect children in mixed-status families, such as [REDACTED], who suffered family separation and institutional neglect due to the politically targeted detention of their migrant parent.

These recommendations are not only essential for redressing the specific harms suffered by the Benabderrahmane children, but also vital to rebuilding institutional credibility, ensuring compliance with the CRC, and affirming that children in Qatar—regardless of nationality, family status, or political context—are entitled to full and equal protection under international human rights law.