



Convention on the Rights of the Child

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Committee on the Rights of the Child

Seventy-fifth session

15 May-2 June 2017

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the report submitted by the United States of America under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 23 February 2017. The Committee may take up all aspects of children's rights set out in the Optional Protocol during the dialogue with the State party.

1. Please provide information to complement that contained in paragraph 14 of the State party's report (CRC/C/OPAC/USA/3-4) and explain whether and how information on the Optional Protocol has been disseminated to the general public and included in school curricula.
2. With reference to paragraphs 8 and 16 of the State party's report, please inform the Committee of the difficulties encountered by the State party in raising the minimum age of recruitment into its armed forces to 18 years. Please also provide information on measures taken to prohibit the use of persons under the age of 18 in armed conflict.
3. With reference to the recruitment requirements and safeguards referred to in paragraph 17 of the State party's report, please provide the Committee with a copy of the documentation given to parents and children explaining the risks, duties and legal obligations of children involved in military service and the avenues open to them to claim their rights.
4. Please indicate whether the quota system for military recruiters has been abolished and, if not, the reasons for not doing so; whether child recruits are required to actively reconfirm their decision to enlist upon reaching 18 years of age; whether child recruits can leave the army at their own request before reaching the age of 18; and whether parents may withdraw their consent after enlistment if the child is still under 18.
5. Please indicate:
 - (a) The nature of the recruiter irregularities referred to in annex IV of the State party's report and the sanctions imposed in case of wrongdoing;

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(b) Whether the State party intends to make it compulsory to formally request the informed consent of parents before sharing personal information about students with the army.

6. With regard to the deployment of persons under the age of 18 in areas where hazardous duty pay or imminent danger pay have been granted, and with reference to the information provided in paragraph 19 of the State party's report, please explain the reasons why such deployments have not yet been prohibited.

7. Please provide detailed information on the regulations applicable to private military and security companies and indicate whether:

(a) The State party has ensured that the regulations refer to the provisions of the Optional Protocol and humanitarian law and how it effectively monitors and exercises extraterritorial jurisdiction over the activities of private military and security companies abroad;

(b) Any evaluation has been conducted of the impact on crimes covered by the Optional Protocol of the State party's policy of outsourcing military and security services, and any outcomes thereof.

8. Please provide information on whether any investigation has been conducted into the grave violations of children's rights that have allegedly been committed by private military and security companies in Afghanistan and Iraq, notably the killing and maiming, the detention, the torture and the recruitment of children. Please also provide information on the outcomes of any such investigation.

9. Please provide information on the results of any investigation conducted into the killing of children reported by the United Nations Assistance Mission in Afghanistan (UNAMA), on the measures taken to establish accountability and prevent violations, on whether the outcome of any such investigation has been made public and on how families may obtain redress, including compensation. Please also provide information on the findings of the Department of Defence regarding the State party's air strikes on a hospital run by Médecins sans frontières in Kunduz on 3 October 2015.

10. Please provide information on the recovery and reintegration strategy of the State party with regard to children fleeing armed conflict and provide data disaggregated by state on the number of refugee children who benefited from the strategy during the reporting period. Please also provide updated information on the number of former child soldiers whose requests for asylum have been refused on the basis of the Immigration and Nationality Act since 2013.

11. Please explain how the United States military forces based in Afghanistan monitor the treatment of child detainees in operations they support and how they prevent children from being subjected to torture and ill-treatment, including through their training, advisory and assistance tasks. Please provide detailed information on the investigation conducted into the cases of detention of two children referred to in the UNAMA report entitled *Treatment of Conflict-related Detainees in Afghan Custody*, published in 2015, and on the outcomes of the investigation.

12. Please provide information on the redress and rehabilitation measures, including compensation, afforded to Omar Khadr.

13. Please explain how the provision of military assistance has helped the countries receiving such assistance to become more compliant with the provisions of the Optional Protocol. Please also indicate whether the State party has assessed the effectiveness of granting waivers to stop the recruitment of children in armed conflict in these countries.