



Convention on the Rights of the Child

CRC/C/OPSC/USA/Q/126 February 2008

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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-eighth session

19 May - 6 June 2008

OPTIONAL PROTOCOL ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

List of issues to be taken up in connection with the consideration of the initial report of the United States of America (CRC/C/OPSC/USA/1)

The State party is requested to submit in written form additional and updated information, if possible before 31 March 2008

Please provide statistical data (including by sex, age group, urban/rural area) for the years 2005, 2006 and 2007 on:

The number of reported cases of sale of children, child prostitution and child pornography, with additional information on type of follow-up provided on the outcome of the cases, including prosecution, withdrawals and sanctions for perpetrators;

The number of children trafficked to and from the United States, as well as trafficked within the country;

The number of child victims provided with recovery assistance and compensation as indicated in article 9, paragraphs 3 and 4 of the Protocol.

Please provide more information on measures taken to establish an effective system of data collection on the issues covered by the Optional Protocol.

Please clarify whether sale of children, in all its forms covered by article 3 (1) (a) of the Protocol, is a separate offence from trafficking of children.

GE.08-40694

Please update the Committee on any development concerning the reservation entered by the State party on article 4 (1) of the Protocol.

With reference to the State party's understanding entered on the terms "applicable international legal instruments" and "improperly inducing consent", please update the Committee on any development following the recent State party's ratification of Hague Convention No. 33 on Intercountry Adoption.

With respect to the understanding entered to clarify the term "transfer of organs for profit", please inform the Committee on which would be the cases where a child could donate an organ pursuant to lawful consent. Is this consent meant to be expressed by the child or rather by the parents/guardians?

With reference to paragraph 84 of the State party's report, please briefly summarize the main findings of the report on the mid-term review for the Third World Congress, taking stock of the State party's efforts to combat child sexual exploitation.

Please elaborate on the information that there is a memorandum of understanding among the Department of Health and Human Services (DHHS), the Department of Homeland Security (DHS) and the Department of Justice (DOJ) which would prevent the DHHS from certifying a child victim of international trafficking without an authorization from the federal law enforcement system.

Please elaborate on the information received by the Committee that, while sexually exploited children are considered as victims according to Federal legislation, in some states these children may be actually prosecuted and punished as offenders.

Please provide the Committee with updated information on the social reintegration assistance as well as physical and psychosocial recovery measures available for victims of offences covered by the Protocol, and notably for children trafficked domestically for the purpose of sexual exploitation.
