



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Sixty-second session

14 January–1 February 2012

### Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

#### List of issues concerning additional, updated information related to the initial report of Burkina Faso (CRC/C/OPSC/BFA/1)

**The State party is invited to submit additional, updated information in writing (a maximum of 15 pages), if possible before 16 November 2012.**

*The Committee may take up any and all aspects of children's rights covered by the Optional Protocol during the dialogue with the State party.*

1. Please provide statistics (disaggregated by sex, age, nationality, ethnic origin, region and socioeconomic stratum) for the period from 2008 to the present on:

(a) The number of reported cases of children being trafficked into or out of the territory of the State party and the number of child victims of the practices of the sale of children, child prostitution or child pornography as defined in article 3 of the Optional Protocol, together with information on the action taken in those cases, particularly with regard to the legal proceedings pursued and the penalties imposed; and

(b) The number of child victims provided with recovery assistance or compensation in accordance with article 9, paragraphs 3 and 4, of the Optional Protocol.

2. Please provide information on the progress made in drawing up and adopting the national action plan to combat child trafficking and sexual violence against children that is mentioned in paragraphs 29 (e), 33 (c) and 76 of the report. Please specify whether or not that plan sets out objectives, indicators and budget allocations for efforts to remedy the situation of child victims of the offences covered in the Optional Protocol.

3. Kindly indicate whether or not special training has been provided since 2008 to persons who are likely to come into contact with child victims of the offences covered in the Optional Protocol in the course of their professional duties, such as judges, prosecutors, members of the police force and social workers.

4. Please indicate what steps have been taken to raise public awareness of the offences covered in the Optional Protocol and to encourage members of the public to report such offences.

5. Please indicate what steps have recently been taken by the State party to prevent offences covered in the Optional Protocol from being committed and to address their root causes, in particular poverty and domestic violence.
6. Please indicate what specific steps have been taken to protect at-risk children, particularly street children and the Koranic students known as *talibs* or *garibous* who are forced to beg. Please also provide detailed information on the legal proceedings brought against those responsible and the punishments imposed upon them.
7. Kindly describe the specific measures and programmes that have been developed to remove the thousands of children who are being exploited to work in small-scale mines and as domestic servants from these situations, where they are at risk of sexual exploitation, trafficking, sale, prostitution and pornography.
8. Please provide additional, updated information on the functions, funding and activities of the village watch committees that have been set up to combat child trafficking (paras. 32, 79 and 156 of the report).
9. Please furnish detailed information on what measures have been adopted (apart from Act No. 029-2008/AN of 15 May 2008, on combating trafficking in persons and similar practices) to ensure that all the acts and activities defined under articles 2 and 3 of the Optional Protocol as constituting the sale of children, child prostitution and child pornography are fully covered by the Criminal Code. Please describe, in particular, the steps taken to prohibit and punish the following actions as instances of the sale of children: (a) the act of subjecting a child to forced labour; and (b) illicit intermediation of international adoptions.
10. Please indicate what steps have been taken to penalize early and forced marriages, as recommended by the Committee in its concluding observations of 2010 (CRC/C/BFA/CO/3-4, para. 25).
11. Please indicate what steps have been taken to prevent offences linked to sexual tourism and to punish the perpetrators.
12. Please explain why the number of cases of child trafficking registered in the courts of major jurisdictions in the State party is so small. Kindly provide detailed information on the frequency of out-of-court settlements in such cases and indicate whether or not such settlements are encouraged by the police and the courts.
13. Please indicate whether or not the State party plans to revise article 4 of the Criminal Code so that the extraterritorial jurisdiction of the State party's courts will no longer be contingent upon meeting the additional requirement that its exercise is necessary to avoid double jeopardy. What other measures does the State party plan to adopt in order to make sure that the courts have extraterritorial jurisdiction over all the cases specified in article 4, paragraph 2, of the Optional Protocol?
14. With regard to the bilateral agreement signed in 2004 by the State party and the Republic of Mali to combat cross-border trafficking in children, kindly indicate whether the standing committee established under article 9 of that agreement has met since March 2009 and whether steps have been taken to prevent, identify, prosecute and punish the perpetrators of acts covered in the Optional Protocol.
15. Please provide information on measures taken by the State party to protect the rights and interests of child victims of crimes under the Optional Protocol at all stages of criminal proceedings.

16. Kindly provide additional information on the procedures that are applied when children are arrested on suspicion of soliciting under article 428 of the Criminal Code. What steps have been taken to ensure that such children are treated as victims rather than as offenders?

17. Please furnish information on the procedural guide and the transit centres mentioned in paragraph 159 of the report in connection with the care of child victims and their social reintegration.

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