



Convention on the Rights of the Child

Committee on the Rights of the Child

Sixty-first session

17 September – 5 October 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 and updated information related to the consideration of the initial report of the Philippines (CRC/C/OPSC/PHL/1)

The State party is requested to submit in writing additional, updated information (15 pages maximum), if possible before 2 July 2012.

The Committee may take up all aspects of children's rights contained in the Optional Protocol during the dialogue with the State party.

1. Please provide statistical data (disaggregated by sex, age, nationality, socio-economic background, and urban and rural residence) for the years 2009, 2010, 2011, on the number of:

(a) Reports of sale of children, child prostitution and child pornography, with additional information on the type of action taken as a result, including the prosecution and punishment of perpetrators;

(b) Children trafficked into and out of the Philippines and children trafficked within the country for the purpose of sale, prostitution, engagement in forced labour, illegal adoptions including 'simulation of birth', organ transfer or pornography as defined in article 3, paragraph 1, of the Optional Protocol;

(c) Children offered, delivered, or accepted by whatever means for the purpose of prostitution, engagement in forced labour, illegal adoptions, organ transfer, pornography or sale of children disguised as arranged marriages;

(d) Child victims who have been given assistance with reintegration or been paid compensation.

2. Please provide information on the progress made to develop a centralized data collection system on cases of sale of children, child prostitution and child pornography with a view to ensuring a coordinated data collection system of different agencies involved in child protection matters under the Optional Protocol.

3. Please also provide information on the steps being taken to coordinate the activities of the different agencies involved in child protection matters under the Optional Protocol in order to avoid overlaps and duplication of functions among them.

4. Please explain the measures that are being taken to ensure that the budget allocation for children includes child protection programmes focusing on matters covered by the Optional Protocol.

5. Please indicate the measures that have been taken to evaluate the implementation of programmes under the National Action Plan for Children that was concluded in 2010 as it relates to matters under the Optional Protocol. Please also provide information on the steps being taken to adopt a new National Action Plan for Children for the period 2011-2016.

6. Please provide information on recent preventive measures adopted to protect groups of children particularly at risk of becoming victims of offences under the Optional Protocol, namely, children in street situations and children of displaced persons, particularly in areas of armed conflict such as Mindanao. Furthermore, please indicate the effectiveness of the mechanisms that have been developed to identify and detect children who are, or who are at risk of becoming, victims of sale, prostitution and pornography, particularly at ports of entry.

7. Please indicate the measures that have been taken to criminalize the sale of children, child prostitution and child pornography. Please also provide information on the measures taken to prevent and combat these offences including those that occur in the private sector, particularly in the hotel industry.

8. Please inform the Committee on the measures taken to raise and harmonize the age of sexual consent as recommended by the Committee in paragraph 10 of its concluding observations (CRC/C/PHL/CO/3-4). Additionally, please indicate the specific legislative measures being taken to ensure that children that are victims of sale, prostitution and pornography do not face the risk of prosecution but are treated as victims throughout the legal process.

9. Please explain the measures being taken to ensure that the investigation and prosecution of cases under the Optional Protocol are expedited. Please indicate what measures have been taken to address the reported cases of corruption and judicial inefficiency, and the complicity of law enforcement officials in child trafficking.

10. Please inform the Committee about the measures taken to improve the capacity for care and support of child victims, and to increase the number of shelters for children that have been rescued from sale, prostitution and pornography.

11. Please provide information on the measures being taken to establish extraterritorial jurisdiction for offences under the Optional Protocol. Please also inform the Committee as to whether the Optional Protocol can be used as a legal basis for the extradition of an alleged offender without the condition of the existence of a bilateral treaty.

12. Please provide information on the steps taken to provide victims of offences under the Optional Protocol with appropriate remedies, including compensation.