



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 Albania (CRC/C/OPSC/ALB/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. Given the low number of criminal acts of child exploitation, child prostitution and production and dissemination of child pornography as well as the absence of data on the exploitation of children for sexual tourism in Albania reported by the State party, please provide information on the progress made towards the establishment of a system of data collection of all offences covered by the Optional Protocol.

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

(a) Reported acts of sale of children, child prostitution and child pornography, as well as other forms of exploitation including child sex tourism, 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 Albania and children trafficked within the country for the purpose of sale, prostitution, engagement in forced labour, illegal adoptions, organ transfer or pornography as defined in article 3, paragraph 1, of the Optional Protocol;

(c) Children offered, delivered, accepted by whatever means for the purpose of prostitution, engagement in forced labour, illegal adoptions, organ transfer, pornography or marriage;

(d) Child victims who have been provided assistance with reintegration or have received compensation.

Please also indicate whether there is a dedicated database of such acts.

3. Please explain how the State party ensures the harmonization of the implementation of the National Strategy against Trafficking in Human Beings and the National Strategy for Combating the Trafficking of Children and the Protection of Children who are Victims of Trafficking. Please also indicate whether adequate resources have been allocated to that end and if any accountability mechanisms have been established. Please indicate what has been the impact of the strategies on the elimination of sexual exploitation of children in Albania.

4. Please indicate what strategies have been elaborated to address organized crime networks and corruption of the police in the context of sexual exploitation of children.

5. Please elaborate on the strengthening of the capacity of the National Referral Mechanism for Trafficked Children and the local Anti-Trafficking Committees, in cooperation with local social services, to identify, assess and refer children at risk or victims of trafficking for assistance to appropriate support services. Please also indicate the measures taken by the State party to support the development and implementation of community child and family protection plans and social strategies, including adequate budget for their implementation.

6. Please inform the Committee of the strategies adopted to prevent and counter child prostitution and other forms of child sexual exploitation, which are often closely related to internal trafficking of children that has been on the rise in the State party. Please also clarify whether children exploited in prostitution may be subject to criminal punishment under the Penal Code.

7. Please explain the measures taken to deal with children who have voluntarily returned to prostitution once liberated from sexual exploitation, or who have turned into recruiters or exploiters of prostitution.

8. Please explain the measures taken by the Ministry of Telecommunication and the National Regulatory Commission for Electronic Communications, including the improvement of the legislation and procedures for protecting children from pornography, by providing safe internet for children, including through the establishment of the central authority for internet safety, ISP licensing and checks for harmful contents.

9. Please clarify whether legal persons, including corporations, can be held liable for acts or omissions related to the sale of children, child prostitution and child pornography.

10. Please inform the Committee whether the State party has taken measures to establish its jurisdiction for the offences referred to in article 3, paragraph 1, of the Optional Protocol, without the condition of double criminality, in the following cases:

(a) When the alleged offender is a national of the State party or a person who has his habitual residence in its territory;

(b) When the victim is a national of the State party.

11. Please inform the Committee whether the Optional Protocol can be used as a legal basis for extradition of an alleged offender without the condition of the existence of a bilateral treaty.

12. Please clarify whether domestic legislation of the State party provides for the seizure and confiscation of goods used to commit or facilitate all offences under the Optional Protocol as well as the proceeds derived from such offences.

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