



Convention on the Rights of the Child

Distr.: General
24 October 2023
English
Original: Spanish
English, French and Spanish only

Committee on the Rights of the Child

List of issues in relation to the report submitted by Panama under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*

1. The State party is requested to submit in writing additional, updated information, of 10,700 words maximum, by 15 February 2024. The Committee may take up all aspects of children's rights set out in the Optional Protocol during the dialogue with the State party. In the present document, the Committee uses the term "child" to refer to a person who is under 18 years of age.
2. Please provide statistical data, disaggregated by sex, age, nationality, ethnic origin, socioeconomic background and urban or rural residence, for the past three years, on:
 - (a) The number of reported cases involving the offences covered by articles 2 and 3 of the Optional Protocol, with information on the number of prosecutions, convictions and sanctions, disaggregated by the nature of the offence, including with respect to on- and offline activity, the category of perpetrator and the relationship between the perpetrator and the victim, and the sex and age of the child victims;
 - (b) The number of child victims who have received trauma counselling, been provided with reintegration assistance or received compensation;
 - (c) The way in which children gain access to and use digital media and/or social networks and their impact on child safety;
 - (d) The authorities' activities under the National Plan against Trafficking in Persons 2012–2017.
3. Please provide information on any progress made towards establishing a centralized data-collection system, including measures to improve the recording of cases of all the offences covered by the Optional Protocol and data compilation in all State party agencies involved in protecting children pursuant to the Optional Protocol.¹
4. Please provide information on any progress made towards establishing a centralized system for coordinating the implementation of the Optional Protocol,² including the effectiveness of the National Intersectoral Committee for the Prevention of Violence against Children and Adolescents as a coordination forum.
5. Please provide information about the resources specifically allocated to and used for the implementation of the Optional Protocol.
6. Please inform the Committee about current strategies and plans of action specifically intended to prevent and combat the offences covered by article 3 of the Optional Protocol, in particular forced labour, sexual exploitation (including the provisions of the current national

* Adopted by the pre-sessional working group on 29 September 2023.

¹ CRC/C/OPSC/PAN/1, paras. 86–89.

² Ibid., para. 23.



strategy for the prevention of sexual exploitation offences involving children), sexual exploitation of children in prostitution and online offences, including procedures and guidelines to ensure the reporting of cases of sexual exploitation and sexual abuse.³ Please also report on the human, technical and financial resources allocated to the implementation of such strategies, plans, procedures and guidelines.

7. Please provide further details on the preventive measures taken to protect children in particularly vulnerable situations from the offences covered by the Optional Protocol, such as girls who are victims of domestic violence, children in street situations, Indigenous, migrant and refugee children, children living in institutions and children living in poverty.

8. Please provide updated information on the long-term initiatives undertaken to continue to raise awareness of and to continue to promote training on the offences covered by the Optional Protocol and on whether they address the gender aspects of violence and involve former child victims, volunteers and members of the community.⁴ In particular, please provide information about measures specifically intended to educate children about the harmful consequences of such practices, including comprehensive sexual and reproductive health education and how to protect themselves online, about the assistance available to prevent children from falling victim to them and about any distinct components targeting Indigenous and Afrodescendent communities.

9. Please provide information on the reinforcement of the child protection infrastructure, including the strengthening of the national child protection authority and its offices at the provincial level, in particular those located in Indigenous regions with the status of a province. Please provide information on coordination and cooperation among the National Secretariat for Children, Adolescents and the Family, the National Commission for the Prevention of Sexual Exploitation Offences, the National Intersectoral Committee for the Prevention of Violence against Children and Adolescents and the National Commission against Trafficking in Persons with regard to preventing the sexual exploitation of children and adolescents and protecting the victims of such exploitation.

10. Please provide information about the initiatives undertaken by the State party to prevent the sexual exploitation of children in travel and tourism and about whether the State party has taken any measures to disseminate the Global Code of Ethics for Tourism, developed by the World Tourism Organization, on protecting children from sexual exploitation in travel and tourism. Please provide updated information on the implementation of a framework to regulate the tourism sector in order to protect children.⁵

11. Please provide information on the criminalization and prosecution of offences related to the contacting and grooming of children, the viewing of the sexual abuse of children live-streamed over the Internet and participation therein, the distribution of child sexual abuse material, including self-generated content produced from coerced sexting, and the sexual extortion of children.

12. Please inform the Committee whether the Criminal Code explicitly defines, classifies and criminalizes the offences covered by articles 2 and 3 of the Optional Protocol, in particular: (a) the transfer of organs of a child for profit; (b) the engagement of a child in forced labour; and (c) the sale or transfer of a child for the purpose of illegal intercountry adoption. Please also provide information on the measures taken to identify gaps in and obstacles to the effective implementation of the law defining and criminalizing the offences covered by articles 2 and 3 of the Optional Protocol.

13. Please clarify whether the State party's legislation provides for its extraterritorial jurisdiction over all the offences referred to in the Optional Protocol, in particular when the alleged offender is a national of the State party or a person who is habitually resident in its territory, or when the victim is a national of the State party. Please also provide information on whether the Optional Protocol can be used as the legal basis for extraditing a person suspected of the offences covered by the Optional Protocol.

³ [CRC/C/PAN/CO/5-6](#), para. 23;

⁴ Ibid.

⁵ Ibid., para. 14.

14. Please provide more details on the measures taken, at all stages of criminal proceedings, to protect the rights and interests of children who are victims of and witnesses to the offences covered by the Optional Protocol, to prevent their revictimization, and to ensure that they are not stigmatized and that they have access to efficient, appropriate and long-term support programmes and systems to facilitate their reintegration and their physical and mental recovery.

15. Please provide information on the steps taken to develop holistic and victim-centred methods to identify children – such as those entering the State party unaccompanied – who are victims of, or are at risk of becoming victims of, trafficking in children, the sale of children and the sexual exploitation of children in prostitution or child sexual abuse material. In particular, please provide detailed information on the measures taken to guarantee that a best-interests assessment is conducted as part of all decisions taken in respect of unaccompanied children throughout immigration-related procedures, to protect the identity of such children and to establish a guardianship system for them.
