



Convention on the Rights of the Child

CRC/C/OPSC/KOR/Q/113 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 Republic of Korea (CRC/C/OPSC/KOR/1)

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

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

(a)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;

(b)The number of reported cases of children trafficked to and from the Republic of Korea, as well as trafficked within the country, for the purpose of sexual exploitation;

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

The number of cases of organ transplant, including bone marrow transplant, involving donors under the age of 18; and

The number of cases of domestic and inter-country adoption.

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

In paragraph 8 of the initial report (CRC/C/OPSC/KOR/1), it is noted that international treaties have the identical force and effect of law as the domestic laws of the Republic of Korea. Please clarify whether the Optional Protocol takes precedence over domestic legislation in case of conflict, and whether it can be invoked directly before the courts. Please provide relevant case law if applicable.

Please clarify which governmental body is in charge of the coordination of the implementation of the Optional Protocol, and further elaborate on its role and activities in this respect.

Please indicate whether there is an independent monitoring mechanism on child rights, including the implementation of the Optional Protocol, with the mandate to receive complaints from, or on behalf, of children on violations of the Optional Protocol.

Please provide information on domestic and intercountry adoption procedures, including the roles of adoption agencies. Please also provide information on the relevant legal framework, including legislation criminalizing article 3 (a)(ii). Please indicate whether there is a central authority in charge of domestic and intercountry adoption.

With reference to paragraph 46 of the initial report (CRC/C/OPSC/KOR/1), please inform the Committee whether the State party may establish its jurisdiction over offences referred to in the Optional Protocol in all cases indicated in article 4, and notably in its paragraph 2, i.e. when the crime is committed abroad by or against a national of the Republic of Korea, or when the alleged offender is present on the State party's territory.

Please inform the Committee on the number of investigations, trials and convictions/acquittals, including sanctions imposed, for crimes covered by the Optional Protocol in the years 2004-2007.

Please provide information on initiatives taken by the State party to prevent child sex tourism by Korean citizens abroad, including any legislative measures. Has the State party taken any measures to disseminate the Code of Conduct developed by the World Tourism Organization on the protection of children from sexual exploitation in travel and tourism?

Please provide information on the measures taken by the State party to combat the problem of trafficking in persons for the purpose of sexual exploitation, particularly children. Please indicate whether the State party has entered into bilateral agreements with other countries with a view to providing protection and assistance to child victims of trafficking.

Please provide information on measures taken to strengthen international assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences covered by the Optional Protocol.
