



Convention on the Rights of the Child

Distr.: General
12 December 2025

Original: English
English, French and Spanish only

Committee on the Rights of the Child

List of issues in relation to the report submitted by the United States of America 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 2026. The Committee may take up all aspects of children's rights set out in the Optional Protocol during the dialogue with the State Party.
2. Please provide information on the measures taken to improve the collection of data centralized at the federal level on all offences under the Optional Protocol by harmonizing the various existing data systems and definitions of offences and by expanding the basis for data to include all offences under the Optional Protocol. Please provide data, disaggregated by sex, age, nationality, race, ethnic origin, socioeconomic background and disability, on child victims of offences under the Optional Protocol. Please also provide information on the number of legal proceedings and on the outcomes thereof in terms of the conviction and sentencing of perpetrators of offences.
3. Please provide information as to whether the State Party intends to reconsider its reservation to and understandings specified upon ratification of the Optional Protocol, in the light of the Committee's recommendations.
4. Please inform the Committee about the efforts made to update and implement existing strategies, such as the National Strategy to Combat Human Trafficking and the National Strategy for Child Exploitation Prevention and Interdiction. Please also provide information about the efforts made to develop additional comprehensive strategies and plans aimed at addressing not only sexual exploitation and trafficking, but also all the other offences under the Optional Protocol, focusing on the prevention and prohibition of offences and the rehabilitation and reintegration of child victims.
5. Please provide updated information on the measures taken:
 - (a) To better coordinate activities under the Optional Protocol, especially with regard to the prevention of offences under the Optional Protocol and the protection of child victims, undertaken by federal, state and local authorities and by the various sectors, such as the healthcare, child welfare, law enforcement and other sectors, and to clarify the roles of the National Human Trafficking Coordinator and the National Coordinator for Child Exploitation Prevention and Interdiction;
 - (b) To increase resources to combat offences under the Optional Protocol at the domestic level and to ensure that recent cuts to social assistance programmes and foreign aid do not affect the effective functioning of organizations working to prevent and combat such offences and protect child victims at the international level;

* Adopted by the Committee intersessionally on 1 October 2025.



(c) To prevent the separation of migrant children from their families while entering the State Party or being deported, and to ensure family reunification for migrant children separated from their families at the border under the 2018 policy to that effect.

6. Please provide updated information on the measures taken:

(a) To eliminate demand for sexual services by children, including boys, to increase investigations, prosecutions and the punishment of buyers of such services throughout the entire territory of the State Party, including among Native American populations, and to guarantee effective access for victims to justice, remedies and adequate compensation;

(b) To ban child marriage without exception;

(c) To ensure that the Human Trafficking Framework for Instructional Programming in Schools is integrated into school curricula in all states, and to provide age-appropriate education in schools and in out-of-school facilities on risks related to all offences under the Optional Protocol;

(d) To take targeted measures to prevent children in marginalized and vulnerable situations from becoming victims of offences under the Optional Protocol.

7. Please inform the Committee of the most recent measures taken:

(a) To combat the sale of children for the purpose of engagement in forced labour, including through forced prostitution, and to eliminate all forms of child labour, including by revising the Fair Labour Standards Act, which provides for exceptions to the minimum age of employment of children in agriculture and other areas, including by adopting pending bills in this area; and to ensure that the burden of proof for the offence of economic exploitation of a child lies with the alleged perpetrator and not with the child;

(b) To develop federal legislation that would exclude the possibility of the sale of children in the context of commercial surrogacy and that is outside the scope of its family law; and to prevent the private sector from offering selection of embryos on the basis of medical and non-medical criteria;

(c) To prevent the abandonment of children who have been adopted internationally from abroad and who are then put up for a new adoptive placement, sometimes via platforms that act as intermediaries with prospective adoptive parents by creating online catalogues of children available for adoption.

8. Please provide updated information, including relevant data, on the efforts made to combat the sexual exploitation of children in the context of tourism, in particular on the outcome of the implementation of the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes through Advanced Notification of Travelling Sex Offenders. Please also clarify whether the State Party intends to amend United States Code, title 18, section 2423 (Transportation of minors), under which it is a defence, which the defendant must establish by clear and convincing evidence, that the defendant reasonably believed that the person had attained the age of 18 years.

9. Please provide updated information about the status of implementation of the National Strategy for Child Exploitation Prevention and Interdiction and about other measures taken to combat child sexual exploitation and child sexual abuse material in the digital environment, including measures:

(a) To combat the reported surge in child sexual abuse material generated by artificial intelligence, address challenges in the enforcement of legislation prohibiting child sexual abuse material and strengthen penal laws and regulations to combat the evolving nature of child sexual exploitation, especially online;

(b) To address, in collaboration with technology companies, the increasing use of encrypted platforms and the dark web;

(c) To establish mechanisms to enforce its laws against offences under the Optional Protocol in the digital environment, including the Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks (TAKE IT DOWN) Act of 2025, aimed at requiring digital platforms to remove non-consensual intimate images.

10. Please clarify whether the State Party's legislation was updated in line with the recommendation contained in the Committee's concluding observations on the previous report of the State Party to criminalize all elements of the offences under articles 2 and 3 of the Optional Protocol, in particular with regard to the definition of the sale of children, which is similar, but not identical, to trafficking in children.¹ Please also clarify how the State Party criminalizes child sexual abuse material, including visual material in films and photography and audio material, and the sale of children for the purpose of transfer of organs of the child for profit.

11. Please inform the Committee of the measures taken to establish extraterritorial jurisdiction over all offences under the Optional Protocol, in addition to the offences of child sex trafficking and child sexual abuse material as referred to in the State Party's report.² Please also clarify whether the State Party plans to use the Optional Protocol as a legal basis for extradition where there is no bilateral extradition treaty with the other country concerned without limiting its application to the principle of dual criminality.

12. Please provide updated information on the measures taken:

(a) To ensure that the laws and policies of the State Party provide protection services to victims of all offences under the Optional Protocol, in addition to victims of trafficking in persons, and that those services are widely known and accessible to children, and to address the specific needs of child victims of offences, including boys, in particular to seek remedies and compensation;

(b) To extend safe harbour laws to the entire territory of the State Party and to decriminalize the involvement of children under the age of 18 in prostitution;

(c) To identify, detect and protect unaccompanied foreign children and asylum-seeking, refugee and migrant children who are, or who are at risk of becoming, victims of offences under the Optional Protocol, to restore legal aid for unaccompanied migrant children and to reinstate the Central American Minors programme.

¹ CRC/C/OPSC/USA/CO/3-4, paras. 8 and 9 (a).

² CRC/C/OPSC/USA/5, para. 69.