



# Convention on the Rights of the Child

## Committee on the Rights of the Child

### Fifty-fifth session

13 September–1 October 2010

## Optional Protocol on the sale of children, child prostitution and child pornography

### List of issues concerning additional and updated information related to the initial report of Nicaragua (CRC/C/OPSC/NIC/1)

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

**The State party is requested to submit additional and updated information in written form (not exceeding 15 pages), if possible before 2 August 2010.**

1. Please provide statistical data (disaggregated by sex, age, ethnic group and urban or rural residence) for 2007, 2008 and 2009 on the following:

(a) The number of complaints concerning the sale of children, child prostitution and child pornography, with further information on the type of follow-up provided on the outcome of the cases, including the prosecution and sanctioning of perpetrators; and

(b) The number of child victims provided with recovery assistance and/or compensation, in accordance with the provisions of article 9, paragraphs 3 and 4, of the Optional Protocol.

2. Please inform the Committee why the National Plan against the Commercial Sexual Exploitation of Children and Adolescents (2003–2008) has ceased to function, and

(a) Whether the State party has developed a new specific strategy — whether or not based on evaluations and studies concerning the plan — to eliminate the sale of children, child prostitution and child pornography and to protect victims;

(b) Whether regional or municipal plans have been drawn up in support of the application of the Optional Protocol at the local level; and

(c) Whether a specialized police force is provided with the necessary human, technical and financial resources to prevent, investigate and prosecute the sale of children, child prostitution and child pornography.

3. Please provide additional information concerning the functioning of the National Coalition against Trafficking in Persons and the mechanism used to ensure coordination with the activities of the relevant state and local authorities, as well as with civil society, including the business sector, the media and academia. Please also indicate which government departments or bodies are responsible for implementing the Optional Protocol.

4. Please inform the Committee regarding cases of the sale of children, child prostitution and child pornography that have come before the courts.

5. Please provide information on extraterritorial jurisdiction over offences that violate the provisions of the Optional Protocol when such offences are committed abroad by a Nicaraguan national or non-national or when the victim is a national of the State party.

6. Please explain how the 133 telephone line works and whether provision is made to assist victims through court actions and social protection. Please provide additional information on measures taken to protect child victims and witnesses during their contacts with the criminal justice system. For example, are special measures provided to avoid children suffering further trauma in the course of testifying at a trial?

7. Please indicate whether the Procurator for Children and Adolescents or other independent mechanisms for monitoring respect for the rights of the child are authorized to receive complaints regarding violations of the Optional Protocol directly from children, or on their behalf, and what action is taken on those complaints.

8. Please indicate whether the criminal law also criminalizes the sale of children in cases where the sale is intended to derive profit from

the sale of organs or from forced labour, and prohibits improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption (article 3, paragraph 1 (a) (ii), of the Optional Protocol). Please indicate also whether the State party has taken such measures as may be necessary to establish its jurisdiction over all the offences referred to in the Optional Protocol.

9. Please give details of the State party's cooperation with neighbouring countries and within the Central American Integration System (SICA) in matters related to the sale of children, child prostitution and child pornography and how it has made use of resulting agreements.