



Convention on the Rights of the Child

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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 Canada (CRC/C/OPSC/CAN/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. Please provide statistical data at the federal, province and territory levels (disaggregated by sex, age, socio-economic background, indigenous status and ethnic origin) for 2009, 2010 and 2011, on the number of:

(a) Reports of sale of children, child prostitution and child pornography, 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 Canada and children trafficked within the country for the purpose of sale, child prostitution, or child pornography as defined in article 3, paragraph 1, of the Optional Protocol;

(c) Child victims who have been given assistance with reintegration or been paid compensation.

2. In view of the National Plan of Action for Children, 'A Canada Fit for Children' containing several provisions addressing offences under the Optional Protocol, please provide detailed information on implementation measures and the budget allocated to them.

3. Please indicate which government mechanism(s) is/are established to ensure coordination, monitoring and evaluation between governmental departments and bodies having responsibility for the implementation of the Optional Protocol at federal, provincial and territorial levels. Furthermore, with reference to those provinces/territories which do not have coordinating mechanisms, please provide detailed information regarding monitoring and evaluation of the implementation of the Optional Protocol at federal, provincial and territorial levels.

4. Please clarify if the State party envisages establishing a mechanism for gathering and evaluating data and information at federal, provincial/territorial and municipal levels concerning the implementation of the Optional Protocol.
5. Please provide further details on preventive measures which have been taken to protect children in particularly vulnerable situations such as Aboriginal children, children belonging to other minorities, children in street situations, unaccompanied children and children with disabilities from offences under the Optional Protocol.
6. Please clarify whether there is a legal provision explicitly prohibiting the sale of children and whether it covers all acts and activities described in article 3, paragraph 1 (a) of the Optional Protocol including:
 - (a) Offering, delivering or accepting, by whatever means, a child for the purpose of:
 - (i) Sexual exploitation of the child;
 - (ii) Transfer of organs of the child for profit;
 - (iii) Engagement of the child in forced labour;
 - (b) Improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption.
7. 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.
8. Please provide information on the measures being taken to establish extraterritorial jurisdiction for offences under the Optional Protocol.
