



Convention on the Rights of the Child

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Committee on the Rights of the Child

Seventieth session

14 September-2 October 2015

Item 4 of the provisional agenda

Consideration of reports of States parties

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

The State party is requested to submit additional, updated information in writing (15 pages maximum), if possible by 20 August 2015.

The Committee may take up any aspects of the rights of the child set out in the Optional Protocol during the dialogue with the State party.

1. Please provide recent statistics corresponding to children and adolescents aged up to 18 years (disaggregated by sex, age, ethnic origin and rural or urban area of residence) in respect to the following:

(a) Cases of the sale of children or adolescents, child prostitution, child pornography and other forms of exploitation, such as child sex tourism, and any actions taken in that regard, including the prosecution and punishment of perpetrators;

(b) Child and adolescent victims of trafficking and the type of exploitation for which they were trafficked, including trafficking for the purposes of sexual exploitation, transfer of organs for profit, illegal adoption, pornography or forced labour, as set out in article 3, paragraph 1, of the Optional Protocol, and any action taken, including the prosecution and punishment of perpetrators;

(c) Child and adolescent victims of offences set out in the Optional Protocol who have received assistance relating to their physical and psychological recovery, social reintegration and/or the receipt of compensation or reparation for the damage suffered, in line with article 9, paragraphs 3 and 4, of the Optional Protocol.

2. Please indicate whether the State party intends to adopt a specific action plan to combat the sale of children, child prostitution and child pornography. Please also provide information on any plans for the implementation of the Optional Protocol that have been adopted at the provincial or local level. Please provide the Committee with an update on the progress made towards the adoption of a national plan for children for the period 2015-2018 and specify whether the plan includes lines of action focusing on the implementation of the Optional Protocol.



3. Please describe the specific functions and scope of work of the Directorates for the Protection of Citizens' Rights of the Office of the Attorney General of the Republic referred to in paragraph 18 of the State party's report (CRC/C/OPSC/CUB/1) as they relate to the implementation of the Optional Protocol. In reference to the information provided in paragraph 19 of the State party's report, please clarify whether the State party has begun setting up an agency to coordinate public policies on children and adolescents.
4. Please provide information on the human, financial and technical resources specifically allocated for the implementation of the Optional Protocol.
5. Please report on the current coverage of Assessment and Assistance Centres for Minors, in particular in remote rural areas. Please also provide more detailed information on specific actions relating to the protection of child and adolescent victims of violence who are living in institutions, are of African descent and/or are refugees and on the results of those actions. Please also report on measures adopted to protect adolescents between the ages of 16 and 18 years who are at risk of becoming victims of any of the offences referred to in the Optional Protocol.
6. With regard to paragraphs 141 and 144 of the State party's report, which indicate that more girls than boys fall victim to prostitution and child pornography, please inform the Committee of any strategies for raising awareness among adolescent girls of their rights and of the offences referred to in the Optional Protocol. Please also indicate what other measures have been taken to combat gender stereotypes and to offer information and other services that are tailored to the sexual and reproductive health needs of adolescents.
7. Please provide specific information on joint efforts by the State party and the private sector, including the tourism and entertainment industries and sports clubs, to prevent the sale of children, child prostitution and child pornography in connection with those activities.
8. With regard to paragraphs 70 to 72 of the State party report, which deal with the criminal liability of legal persons, please specify how many private companies have been prosecuted for the criminal offences set out in article 3, paragraph 1, of the Optional Protocol and how many convictions have been handed down in those cases.
9. Please specify whether sex tourism is explicitly prohibited by Cuban law and what sanctions are applicable to private individuals and legal persons involved in child sex tourism. Please also provide further details on the administrative measures for combating child sex tourism referred to in paragraph 268 of the State party's report. Please also provide more information on the number of cases of child sex tourism in Cuba and the types of disciplinary measures applied in those cases.
10. Please indicate whether there are any plans to make the possession of child pornography a criminal offence and whether there are any such plans with regard to the commission of sexual offences over the Internet.
11. Please provide information on measures taken by the State party to ensure that the victims of the offences referred to in the Optional Protocol are not treated as delinquents or stigmatized.
12. Please indicate whether child and adolescent victims of the offences referred to in the Optional Protocol can access complaints mechanisms and procedures independently of any third party. Please also provide details on the results of the implementation of the instructions issued by the People's Supreme Court (referred to in paragraphs 158, 166, 167 and 182 of the State party's report) relating to the implementation of the principle of the best interests of the child in the criminal justice

system. Please also provide more detailed information on any obstacles encountered in that respect.

13. Please provide information on the activities carried out at Diagnosis and Counselling Centres that specifically focus on the rights of child and adolescent victims of the offences set out in the Optional Protocol, the main challenges involved and the results obtained in terms of the restitution of the rights of child victims.

14. Please inform the Committee about any strategies that have been adopted to guarantee access to rehabilitation and reintegration services and to compensation for child and adolescent victims of any of the offences set out in the Optional Protocol.

15. Please provide information on whether the State party has established and currently exercises extraterritorial jurisdiction over the offences referred to in the Optional Protocol. Please also provide detailed information on the system used for the extradition of persons to stand trial for the offences referred to in the Optional Protocol.
