



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Sixty-eighth session

12–30 January 2015

Item 4 of the provisional agenda

### Consideration of reports of States parties

## List of issues in relation to the report submitted by Uruguay 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 in writing additional, updated information (15 pages maximum), if possible before 15 October 2014.**

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

1. Please provide statistics (disaggregated by sex, age, ethnic and rural or urban origin) on:
  - (a) The number of cases of the sale of children, child prostitution or child pornography and information on the action taken in those cases, particularly with regard to the trial and punishment of those involved;
  - (b) The number of cases of trafficking in children for purposes of sale, prostitution or pornography, as defined in article 3, paragraph 1, of the Optional Protocol;
  - (c) The number of children who have received assistance for their physical and mental rehabilitation and social reintegration or payment of compensation for the damages suffered, in accordance with the provisions of article 9, paragraphs 3 and 4, of the Optional Protocol.
2. Please provide information on the functions and achievements of the National Committee for the Elimination of Commercial and Non-Commercial Sexual Exploitation of Children and Adolescents (CONAPESE) regarding the implementation of the Optional Protocol and on how the efforts of national and international public- and private-sector institutions working in the field of children's issues are coordinated, as alluded to in paragraph 37 of the State party report.
3. Please provide detailed information on the content and results of the National Plan of Action for the prevention and elimination of commercial and non-commercial sexual exploitation of children and adolescents. Please also inform the Committee whether there is

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a general and comprehensive strategy to end the sale of children, child prostitution and child pornography.

4. Please provide information on the procedures for allocating resources to activities designed for the practical implementation of the Optional Protocol. Please also indicate what the budget for such activities has been over the past five years.

5. In the light of the results of the study conducted by the Catholic University of Uruguay on the high number of downloads of child pornography, please provide information on any programmes which the State party has conducted to raise awareness of and publicize the Optional Protocol in order to dispel the sociocultural stereotypes that generate tolerance in society for the sexual exploitation of children, child prostitution and child pornography.

6. Please provide information on the measures taken by the State party to ensure that those responsible for the administration of justice (lawyers, attorneys, prosecutors and judges), the staff of the Uruguayan Institute for Children and Adolescents and all other professionals working in the various areas addressed in the Optional Protocol, including those involved in efforts to combat the offences covered in the Optional Protocol and to provide rehabilitation and reintegration for child victims, are familiar with and understand its contents.

7. Please provide the Committee with information on the mechanisms used to identify children who are particularly at risk of falling prey to the offences described in the Optional Protocol, such as children living in poverty, street children, indigenous children and children living in remote rural areas. Please also provide information on the tangible measures taken to resolve the structural issues conducive to the commission of the acts covered in the Optional Protocol, such as poverty, social exclusion, segregation in housing and at school, domestic violence and discrimination against adolescents.

8. Please provide further information on the implementation of measures to prevent sex tourism, on whether they have been evaluated and, if so, how effective they have been.

9. Please clarify whether the sale of children and child prostitution are criminal offences in their own right and whether cases of sexual exploitation of children, transfer of children's organs for profit, forced child labour and illegal adoption have been dealt with as the sale of children. Similarly, please inform the Committee whether the possession of pornography and sex tourism have been classified as offences and, if not, what steps have been taken to explicitly criminalize them.

10. Please provide information on whether, under Uruguayan law, legal persons may be held criminally liable for committing offences covered in the Optional Protocol.

11. Please explain to the Committee whether the State party has extraterritorial jurisdiction over the offences covered by the Optional Protocol and, if so, under what conditions. Please also provide information on whether, in the absence of a bilateral treaty, the Optional Protocol may be used as a legal basis for the extradition of a person suspected of the offences covered by the Optional Protocol.

12. Please inform the Committee whether programmes have been developed and adopted to protect and support child victims and witnesses of offences covered in the Optional Protocol during their contact with the criminal justice system, specifying whether such programmes are available throughout the country and how they address the specific concerns of child victims and witnesses of the offences covered in the Optional Protocol.

13. Please provide information on the measures implemented by the State party to ensure that the victims of the offences covered in the Optional Protocol are not treated as criminals or stigmatized. Please also include information on the tangible measures taken to prevent them from being socially marginalized and to facilitate their reintegration and their physical and mental rehabilitation.

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