



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Sixty-fourth session

16 September–4 October 2013

Item 4 of the provisional agenda

### Consideration of reports of States parties

## Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

### List of issues to be taken up in connection with the consideration of the initial report of Paraguay, adopted by the Committee at its sixty-first session (17 September–5 October 2012) (CRC/C/OPSC/PRY/1)

The State party is invited to submit additional, updated information in writing (a maximum of 15 pages), if possible before 24 May 2013.

*The Committee may take up any and all aspects of children's rights covered by the Optional Protocol during the dialogue with the State party.*

1. Please provide statistics (disaggregated by sex, age, nationality, 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, 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. As the State party is developing human rights indicators for various areas, please provide the Committee with information on the mechanisms used to identify children who are particularly at risk from the offences described in the Optional Protocol, such as street children, indigenous children, children living in remote rural areas and child servants.

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\* Reissued for technical reasons on 19 December 2012.

3. Please explain to the Committee the nature of the relationships between the seven national plans, programmes and policies described in paragraph 12 of the State party's report and of the institutional mechanisms that exist to ensure their coordination in relation to the application of the Optional Protocol.
4. 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 child pornography and child prostitution in well-known areas of the main towns. Please include information on the measures taken to eliminate gender violence and to strengthen the gender equality perspective among the public authorities.
5. 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), together with all the other public authorities working in the various areas covered by the Optional Protocol, including those involved in efforts to combat the offences covered by the Protocol and to ensure the rehabilitation and reintegration of child victims, are familiar with and understand the contents of the Optional Protocol.
6. Please explain to the Committee whether the sale of children is classified as a separate offence under the Criminal Code. Please also provide information on the measures planned and carried out by the State party to address the gaps and shortcomings of the Criminal Code and its implementation as regards the criminalization of pornography and commercial sexual exploitation referred to in paragraphs 17, 55 and 59 of the State party's report.
7. Please provide the Committee with information on any specific measures taken to combat the sale and sexual exploitation of children, in particular those living in the so-called "triple-border" region between Paraguay, Brazil and Argentina. Please provide up-to-date information on the draft comprehensive law against trafficking in persons and in particular its provisions to tackle and punish the trafficking and sale in Paraguay of children for exploitation at work or sexual exploitation.
8. Please describe the measures implemented to eliminate the practice of the employment of children in domestic service and to develop policies and programmes to raise awareness and provide information to society at large about the harmful effects of this practice on children.
9. Please provide information on the measures implemented by the State party to ensure that all adoptions are processed and determined by the mechanisms established under the Adoption Act and not by way of legal custody; please also provide the Committee with information on the revision of the Adoption Act and whether civil society has participated in its revision.
10. Please provide further information on the measures implemented by the State party to ensure that existing programmes to provide support for child victims and victim- and witness-protection programmes in the State party are available throughout the country and that they properly address the specific concerns of children, victims and witnesses of the offences covered by the Optional Protocol while they are in contact with the criminal justice system.
11. Please provide information on the measures implemented by the State party to ensure that the victims of the offences covered by the Optional Protocol are not stigmatized. Please also include information on the measures taken to prevent them from being socially marginalized and to facilitate their reintegration and their physical and mental rehabilitation.

12. Please provide information on whether the State's legislation establishes the criminal responsibility of legal persons for acts or omissions in relation to the sale of children, child prostitution and child pornography. Please clarify whether the State's legislation provides for the seizure and confiscation of property used to commit or facilitate all the offences referred to in the Optional Protocol, as well as any acts deriving from such offences.

13. Please provide information on whether the Optional Protocol may be used as a basis in law for the extradition of a person suspected of the offences covered by the Protocol in the absence of a bilateral treaty, and please explain to the Committee whether the State party has extraterritorial jurisdiction over the offences covered by the Optional Protocol.

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