



Convention on the Rights of the Child

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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 consideration of the initial report of Bosnia and Herzegovina (CRC/C/OPSC/BIH/1)

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

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 indicate the governmental department or body responsible for the coordination and evaluation of activities to implement the Optional Protocol.
2. Please explain whether the institution of the Ombudsmen for Human Rights in Bosnia and Herzegovina currently has competencies to receive complaints from or on behalf of children regarding violations of all rights covered under the Convention and its two Optional Protocols. If so, please provide information on the number of such complaints received and processed.
3. Please clarify whether the crimes of sale of children, child prostitution and child pornography are explicitly prohibited in the State- and Entity-level Criminal Codes. In addition, please indicate which criminal justice legislation currently applies with regard to crimes under the Optional Protocol committed in the Federation of Bosnia and Herzegovina, in Republika Srpska and in Brčko District, respectively, as well as in inter-Entity and cross-border cases.
4. Please further indicate legal and other measures taken to prevent and criminalise, as a case of sale of children, the improper inducing of consent, as an intermediary, for adoption of a child. Please further provide statistical data on the number of children adopted from the State party for the years 2007, 2008, and 2009, disaggregated by entity and municipality from which the child has been adopted, as well as the actual number of intercountry adoptions, disaggregated by country of adoption (destination).

5. Please provide, if available, statistical data or information, disaggregated by the nature of the offence, and the victim's sex, age, nationality and entity of habitual residence, for the years 2007, 2008 and 2009 on:

(a) The number of reported cases, investigations, prosecutions and convictions for the offences of sale of children, child prostitution or child pornography, in particular against the members of the police and staff of private security companies, disaggregated by the nationality of the perpetrator(s);

(b) The number of child victims provided with recovery assistance and compensation as defined in article 9, paragraphs 3 and 4, of the Optional Protocol as well as the existence of any reintegration programmes provided for the victims.

6. Please provide information on any laws concerning the criminal liability of legal persons for the acts and activities listed in article 3, paragraph 1, of the Optional Protocol.

7. Please clarify whether the State party can establish extraterritorial jurisdiction specifically for all crimes covered under the Optional Protocol. Please further indicate whether the State party has, since the entry into force of the Optional Protocol, requested the extradition of any person accused of any of the offences referred to in this Optional Protocol and, if so, whether such request(s) have been honoured by the requested State(s).

8. Please indicate whether the State party has taken measures to ensure appropriate, child-friendly, assistance to all child victims of crimes under the Optional Protocol, including for social reintegration and physical and psychological recovery.
