



Convention on the Rights of the Child

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Committee on the Rights of the Child

Sixtieth session

29 May – 15 June 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 Greece (CRC/C/OPSC/GRC/1)

The State party is requested to submit additional, updated information in writing, and not exceeding 15 pages, if possible before 13 April 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 (disaggregated by sex, age, socio-economic background, ethnic group and urban and rural residence) for 2009, 2010 and 2011 on:

(a) Reports of sale of children (disaggregated by sale for purposes of sexual exploitation, transfer of organs for profit, or forced labour), child prostitution, child pornography and child sex tourism together with information on the action taken in response to these reports, in particular prosecutions engaged and penalties imposed;

(b) The number of children trafficked into, out of and within the territory of the State party for the purposes of sale, prostitution or pornography as defined in article 3, paragraph 1, of the Optional Protocol, together with information on the action taken in response, in particular prosecutions brought and penalties imposed;

(c) The numbers of child victims provided with recovery assistance or compensation in accordance with article 9, paragraphs 3 and 4, of the Optional Protocol.

2. Given the information provided by the State party (paras. 86 to 88 of the State party's report) about the awareness-raising activities conducted by the Hellenic police, please clarify which authority coordinates the implementation of the Optional Protocol, including the awareness-raising activities aimed at making the provisions of Optional Protocol widely known.

3. Please inform the Committee on the measures, if any, that the State party intends to take to prevent the current budgetary constraints from affecting children's rights under the Optional Protocol, particularly with regard to children in vulnerable situations.

4. Please inform the Committee on the measures taken to pay particular attention to children who are especially vulnerable to becoming victims of an offence under the Optional Protocol, such as children living in poverty, unaccompanied children, Roma children and children in street situations. In this context, please also indicate the support provided to children in vulnerable situations who are not “physically and mentally healthy and able-bodied” and hence do not, according to paragraph 63 of the State party’s report, meet the conditions for being admitted to Social Care Units.
5. Please indicate the legal definition of the sale of children in the State party. Please also inform the Committee whether the Criminal Code fully covers all the offences described in article 3 paragraph 1 (a) of the Optional Protocol, namely the act of offering, delivering or accepting a child, by whatever means, for the purpose of sexual exploitation of the child; transfer of organs of the child for profit; the engagement of the child in forced labour; and improperly inducing consent, as an intermediary, for the adoption of a child in violation of the applicable international legal instruments on adoption.
6. In view of paragraph 103 (j), 200 and 201 of the State party’s report, please indicate whether all children, including those above 15 years, are adequately protected against all forms of sexual abuse and exploitation. In particular, please clarify the sentence imposed for the offence of pornography when the child is above 15 years. Please also indicate whether the State party intends to amend article 351 A of its Penal Code and impose sanctions for “indecent acts with a child” above 15 years of age against remuneration, which are commensurate with this crime.
7. Please indicate the circumstances that may justify the disclosure of the name of the child victim of offences under the Optional Protocol. Please also inform the Committee on the conditions for the court ordering disclosure ex officio.
8. Please clarify which legal persons including corporations can be held liable for acts or omissions related to the sale of children, child prostitution and child pornography.
9. Please inform the Committee whether the Optional Protocol can be invoked to request extradition for crimes under the Optional Protocol. Please also provide information on whether the State party can establish extraterritorial jurisdiction for offences under the Optional Protocol.
10. Please provide more information about the “reflection period” given to victims of trafficking. Please clarify whether protection of child victims who are third-country nationals is dependent on their cooperation with the prosecuting authorities. Furthermore, please indicate whether there is any form of discrimination against child victims, whose domicile or habitual residence is not located in Greece or in the territory of another EU Member State, who apply for compensation under article 3 of Law 3811/2009.
11. Please indicate in further detail how the child’s best interests are guaranteed during repatriation of child victims of the offences under the Optional Protocol under the Agreement signed with the Republic of Albania.
