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| CRC/C/OPSC/BFA/CO/1    | 31 Mar 2006       | Concluding Observation on the initial report of Burkina Faso adopted by the Committee at the sixty-second session (14 January-1 February 2013)  
http://www2.ohchr.org/english/bodies/crc/crcs62.htm|

**IV. General measures of implementation**

**Legislation**

8. While noting the State party’s indication that a draft law defining and criminalizing the sale of children, child prostitution and child pornography had been submitted to the Parliament and that a general child protection Code is being elaborated, the Committee is concerned that the existing legislation does not explicitly address all the offences covered under the Optional Protocol. It is also concerned by the delay in the adoption of the child protection Code.

...  
(c) Take all appropriate measures to expedite the process of elaboration and adoption of the child protection Code, as a matter of priority, as recommended by the Committee in its previous Concluding Observations under the Convention (CRC/C/BFA/CO/3-4, para. 9, 2010).
15. The Committee recommends that the State party:

(a) Continue and strengthen its efforts, including by encouraging the participation of the media, to increase awareness of the rights of children, particularly among children in vulnerable situations, parents, caregivers and all relevant professional groups, as well as community and religious leaders. Such efforts should include the dissemination of information and education programmes on the harmful effects of the sale of children, child prostitution and child pornography, preventive measures and the importance of reporting such offences;

V. Prevention of the sale of children, child prostitution and child pornography (art. 9, paras. 1 and 2)

Measures adopted to prevent offences prohibited under the Optional Protocol

19. Recalling its previous recommendations under the Convention (CRC/C/BFA/CO/3-4, paras 35 and 55, 2010), the Committee urges the State party to:

(c) Adopt a comprehensive and targeted approach which studies and addresses the relevant root causes and risk factors of offences under the Optional Protocol, including poverty and absence of parental care, and targets children in the most vulnerable situations;

VI. Prohibition of the sale of children, child pornography and child prostitution and related matters (arts. 3; 4, paras. 2 and 3; 5; 6 and 7)

Existing criminal or penal law and regulations
### 26. While noting that the State party’s anti-trafficking legislation and the Labour Code prohibit some of the acts covered by the Optional Protocol, the Committee is concerned that the State party’s criminal law does not specifically penalize all the offences covered by the Optional Protocol, including acting as an intermediary for the adoption of a child.

**27. The Committee recommends that the State party bring its legislation into compliance with articles 2 and 3 of the Optional Protocol by ensuring that the draft law defining and criminalizing the sale of children, child prostitution and child pornography fully includes:**

(a) The sale of children by offering, delivering or accepting, by whatever means, a child for the purpose of sexual exploitation, transfer of organs of the child for profit, or engagement of the child in forced labour or improperly inducing consent, as an intermediary, for the adoption of a child in violation of the applicable legal instrument on adoption;

### VII. Protection of the rights of child victims (arts. 8 and 9, paras. 3 and 4)

#### Recovery and reintegration of victims

36. While noting the existence of a procedural guide for the care, rehabilitation and reintegration of child victims of trafficking, as well as transit centres for such victims, the Committee is concerned that the State party’s recovery and reintegration measures are limited to victims of trafficking and that existing child protection programmes do not adequately take into account the needs of children victims of sale, prostitution and pornography.

37. The Committee recommends that the State party ensure that adequate human, financial and technical resources, as well as high quality services, are available for the assistance of all child victims, their physical and psychological recovery and their full social reintegration, in accordance with article 9 (3) of the Optional Protocol.
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**Acronyms and Abbreviations:**

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