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Children's Studies Announcement

United States Treaty Report Highlights the Central Role of the
Children's Studies Center, Brooklyn College of The City University of New York
Released January 22, 2010

Under its human rights treaty obligations, the United States released its *First Periodic Report Concerning the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography and U.S. Response to Recommendations in Committee Concluding Observations of June 25, 2008*. References to the Children's Studies Center are in paragraphs 102 and 103, p. 24 and in the U.S. Response to Committee Recommendation paragraph 38 on pages 131-132:

<http://www.state.gov/documents/organization/136023.pdf>

Full report: <http://www.state.gov/g/drl/hr/treaties/index.htm>

Excerpts:

Page 24, paragraph 102. The interdisciplinary Children's Studies Center of Brooklyn College of The City University of New York is one example of the essential role of academic and non-profit institutions in developments in this area. Prompted by the Concluding Observations of the Committee, on February 6, 2009, the Center convened its Third Child Policy Forum of New York: Implementation and Monitoring of the Optional Protocol to the U.N. Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. The Proceedings, together with the text of the Optional Protocol and the Committee's Concluding Observations have been published and are also available online at <http://www.brooklyn.cuny.edu/pub/departments/childrenstudies/>. The Forum reviewed the degree to which statutes, regulations, and programs of New York State serve to protect children and adolescents from sexual exploitation with a focus upon necessary law reform and mechanisms to implement and monitor the articles of the Optional Protocol.

Page 24, paragraph 103. The work of the Center, along with other non-governmental advocates, has been crucial in the adoption of new laws in the state of New York. The Safe Harbor for Sexually Exploited Youth Act, enacted September 25, 2008, made New York the first state in the nation to provide specialized services and safe housing for children who have been sexually exploited. Effective April 1, 2010, the Safe Harbor law allows for child victims of prostitution to defer criminal prosecution and instead petition for consideration as a person in need of supervision; the act also provides critical support and social services to child victims of prostitution. The New York Anti-Human Trafficking Act of 2007 (Ch. 74 of The Laws of 2007) created new crimes of sex and labor trafficking and facilitation of sex tourism, and established services for human trafficking victims. The Center's 2004 policy symposium *Children and the Law in New York* led directly to the drafting of legislation for an independent New York State Office of the Child Advocate; the legislation has passed the New York Assembly annually but has yet to be enacted. Most recently the Center has assembled a full-text compilation of New York statutes relevant to the obligations in the Optional Protocol.

Pages 131-132, U.S. Response to Paragraph 38. The Committee notes its concern that state laws in the United States have not yet uniformly exempted children used in prostitution from arrest and prosecution. Due to our federal system, the U.S. federal government cannot effect changes directly in state criminal laws although it can encourage such efforts. As discussed in ¶¶ 102-103 of the Periodic Report, the state of New York has taken major strides in recent years, including the adoption of the Safe Harbor for Sexually Exploited Youth Act in September 2008. The Children's Studies Center of the City University of New York convened the *Third Child Policy Forum of New York: Implementation and Monitoring of the Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography* in February 2009. In an address to the forum, William A. Scarborough, Chairperson of the Standing Committee on Children and Families, New York State Assembly, described the legislation as follows:

[S]exually exploited youth should not be prosecuted under the penal law for acts of prostitution; instead, services should be created to meet the needs of these youths outside of the justice system. Sexually exploited youth deserve the protection and services of the family court, with processes in place for persons in need of supervision, including diversion, crisis intervention, counseling, and emergency and long-term housing services. In a nutshell, this is what we've tried to do.

The Children's Studies Center published the Proceedings of the Third Child Policy Forum, including the text of the Optional Protocol and the Committee's Concluding Observations, available at <http://www.brooklyn.cuny.edu/pub/departments/childrenstudies/>.

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