

**ADVANCE UNEDITED VERSION**

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**Committee on the Rights of the Child****List of issues in relation to the report submitted by the United States of America under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict\***

1. The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 February 2026. The Committee may take up all aspects of children's rights set out in the Optional Protocol during the dialogue with the State party.
2. Please clarify if the State party intends:
  - (a) To reconsider its position regarding the prohibition of recruitment of children below the age of 18 years into its armed forces. Please provide updated data on the number of children below the age of 18 years recruited in its armed forces.
  - (b) To consider withdrawing its declaration to the Optional Protocol, in particular with regard to its understandings of "direct participation in hostilities" and "minimum age of voluntary recruitment".
3. Please clarify how the criteria of "national interests of the United States", as mentioned in paragraph 7 of the State party report, is interpreted in granting presidential waivers to countries involved in recruitment/use of children in armed conflict and/or hostilities as per Child Soldiers Prevention Act 2018.
4. Please inform the Committee if the State party plans to establish a national independent mechanism in line with the Paris Principles to monitor the situation of children's rights, including the rights covered under the Optional Protocol.
5. Please provide additional information on the measures taken to disseminate the Optional Protocol among the general public, children and their families, in particular by including it in the school curriculum at the relevant levels and in the information package received by recruits.
6. Please inform the Committee of the measures taken to identify children who enter or are already in the State party's territory who may have been recruited or used in hostilities abroad with the aim of rehabilitation and social reintegration of such children and provide relevant data.
7. In light of the information provided in paragraphs 13 and 14 of the State party report, please clarify:
  - (a) How many children have been injured and killed in military operations conducted by the State Party or with its support, and whether any steps have been taken to ensure that perpetrators of violations against children, in particular the deaths of children

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\* Adopted by the pre-sessional working group on 29 September 2025.

killed as a result of airstrikes, by its armed forces or foreign forces backed by the State party, are brought to justice and receive sanctions commensurate to the gravity of the crimes committed;

(b) Measures undertaken or foreseen to prevent such violations and to provide compensation to all victims and their families;

(c) Arrests and secret detention of children in connection with operations following the terrorist attacks of September 11, 2001, in particular regarding the conditions of their detention as well as measures to provide them with rehabilitation services and reparation.

8. Please inform the Committee on the intention of the State party to amend the Elementary and Secondary Education Act of 1965 and 10 U.S.C. §503 which permit military recruiters to have access to personal information of secondary school students. Please also provide information on the steps taken:

(a) To ensure that recruitment policies and practices do not target persons under the age of 18 years and abolish recruiter quota;

(b) To implement the law obliging educational institutions to inform parents of the possibility to opt out of the list to be provided to recruiters;

(c) To investigate allegations of falsification of documents, including parental consent, and of threats and harassment used during the recruitment.

9. Please clarify whether the State party has taken measures:

(a) To investigate cases of coercion of children to participate in Junior Reserve Officer Training Corps program (JROTC) and allegations of sexual abuse therein;

(b) To ban training on the use of firearms for children, including within the course of the JROTC and other courses;

(c) To monitor the Army Cadet Corps and the activities undertaken in the Corps;

(d) To address the racial, economic, and gender-based dynamics in the recruitment practices and the functioning of the programs such as JROTC, especially considering the 2025 Executive Order by the US administration eliminating diversity, equity, and inclusion programs within the Armed Forces.

10. Noting that the State party's legislation criminalizes only the recruitment of children under the age of 15 years, please provide updated information on the efforts made to prohibit explicitly and criminalize the recruitment and use of children between the ages of 15 and 18 years in hostilities by armed forces or by private military and security companies abroad. Please also inform the Committee on updated measures taken to prohibit the recruitment and use of children under the age of 18 years by non-State armed groups, including private military companies.

11. Please clarify how the Dignity Act of 2025 can impact the rights of children who were engaged in armed conflict abroad, considering them as victims first and foremost, and who are otherwise eligible for protection, to seek asylum in the State party. Please also inform if measures have been taken to prioritize the best interests of children in its migration and asylum related policies.

12. Please provide further information on:

(a) How the presidential waivers on arms export to countries where children are known to be, or may potentially be, recruited or used in armed conflict and /or hostilities, have contribute to the prevention of such practices, including in Democratic Republic of Congo, Somalia and Yemen, among others. Please also inform the Committee of measures taken to ensure that no arms are transferred to a country which commits serious violations of international human rights law and international humanitarian law;

(b) Measures taken to cooperate internationally in implementing the Optional Protocol, including in the prevention of activities contrary to the Protocol and in the

rehabilitation and social reintegration of children who are victims of such acts, including through technical cooperation and financial assistance;

(c) Measures taken to ensure that its funding cuts in international cooperation do not affect children protected by this Optional Protocol.

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