



**United Nations Human Rights Council
Universal Periodic Review
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UPR of the United States of America**

Introduction

1. This stakeholders report is a joint submission of Edmund Rice International and Salesian Missions. It is endorsed by the following organisations:

Congregation of Our Lady of Charity of the Good Shepherd
Congregation of Our Lady of Mount Carmel - Carmelite NGO
Congregations of Saint Joseph
International Presentation Association of the Sisters of the Presentation of the Blessed Virgin Mary
Loretto Community
Medical Mission Sisters
Mercy International Association
National Council of Jewish Women Inc.
National Council of Women, USA
Noi per Loro
Pan Pacific and South East Asia Women Associations
Sisters of Charity Federation
Sisters of Mercy of the Americas
Sisters of Notre Dame de Namur
The Grail
U.S. Fund for UNICEF
UNANIMA International
Women Graduates-USA.

Background

2. This submission arises from a growing awareness of the issue of human trafficking, particularly of children, in the United States. The signatories have been engaged in advocacy on this issue in various venues over many years and are active members at UN Headquarters in NY with the NGO Committee to Stop Trafficking in Persons. The modern day slavery of human trafficking dramatically infringes on the fundamental human rights of the individual. The scope of the issue is vast, and although there are efforts being made to address the problem, there is yet to be a

comprehensive solution. Below are descriptions of specific concerns needing urgent attention. This listing is followed by recommendations for the United States to address this disturbing reality.

3. While the United States has ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography in December 2002, we have a fundamental concern that the United States has yet to ratify the full United Nations Convention on Rights of the Child which would further protect children from exploitation.

4. The United Nations has expressed its commitment and determination to end the crime of trafficking in persons.¹ As noted by the Special Rapporteur on Trafficking in Persons, the world community must commit itself to the prevention of trafficking of persons, the protection and assistance of its victims, and the prosecution of the perpetrators of this crime. All of this is achieved through a global partnership to combat trafficking in persons. We encourage the United States to continue to lead in this struggle against trafficking in persons in particularly of women and children domestically and worldwide.

Public Awareness

5. According to the annual US State Department Trafficking in Persons Report, “The United States is a source, transit, and destination country for men, women, and children - both U.S. citizens and foreign nationals -subjected to forced labor, debt bondage, involuntary servitude, and sex trafficking.” Due to the criminal nature of this activity, the actual number of victims of this crime is difficult to determine, but ECPAT-USA reports that at least 100,000 children in the US are sexually exploited, and an estimated 300,000 are at risk for commercial sexual exploitation.² According to the National Center for Missing and Exploited Children, “Pimps market and sell children for sex - openly - at popular online classified sites... They sell them at truck stops. They sell them on streets in every city in America.”³ It is important that legislation is passed to include an allotment for a massive media and community outreach & education campaign to raise awareness on this pervasive problem, and empower citizens to get involved in eradicating it.

Victim Identification Training

6. Victims of trafficking are often visible but unnoticed. Legislation that requires comprehensive and consistent Victim Identification Training for those most likely to come in contact with victims (e.g. law enforcement, first responders and emergency medical personnel) will empower these professionals to know the signs and the steps to assist victims.

Commitment to Care for Victims

¹ United Nations Global Plan of Action to Combat Trafficking in Persons. July 30, 2010.

² Source: Testimony of Ernie Allen, President and CEO of the National Center for Missing and Exploited children, at the Subcommittee on Crime, Terrorism and Homeland Security Committee on the Judiciary, U.S. House of Representatives, September 15, 2010

³ <http://love146.org/slavery/>

7. Love146, a non-profit agency that provides care for survivors of child sexual exploitation, reports that the after-effects of children who have been victims of trafficking can include: Depression and Anxiety; Drug and Alcohol Dependencies; HIV and other STDs; Re-Victimization; PTSD and/or Complex Stress Disorders; Unplanned Pregnancy; Addiction to Money; Health Complications; Shame and Humiliation; Complex Issues of Self-worth; Trauma bonds and Stockholm Syndrome; Suicide Attempts and Self Injury; Guilt and Self-Blame; Mental Illness; and Prostitution in Adulthood.

8. This list of traumatic outcomes highlights the need for victim services. It is important that once victims are identified, they need a safe place to live, one that will protect them from their captors and provide resources such as a long-term safe house, medical attention, psychiatric treatment, assistance in transitioning to day to day living. As of 2012, there were fewer than 250 shelter beds for commercially sexually exploited children in the U.S.⁴. Legislation should directly address this need and provide an allotment for services for these child victims.

Creation of a Federal Safe Harbor Law

9. Safe Harbor legislation should exempt children from prosecution for prostitution, increase the penalties for traffickers and purchasers of sex and prompt the collaboration of a multidisciplinary team to develop a nation-wide system of care.⁵

This legislation should include:

- Comprehensive training for those assisting victims
- Monetary allotment for each state to develop programs
- Consistent and comprehensive guidance and monitoring by professionals

Direct Intervention in the Hospitality Industry

10. In New York City 45% of child commercial sexual exploitation victims were exploited in hotels.⁶ The hospitality industry is a prime industry for human trafficking, and intervening in this area would be a significant and necessary first step in protecting children.⁷ Twenty-seven per cent of all victims detected globally are children. Of every three child victims, two are girls and one is a boy.⁸ A code of conduct, similar to that developed by ECPAT USA, to protect children who are trafficked by creating zero tolerance policies, staff training and identification of child victims is a vital feature of any comprehensive effort. Incentives encouraging corporations in the hospitality industry to sign a code of conduct that protects children who are trafficked should be implemented.⁹

Summary of Proposed Recommendations

⁴ ECPAT-USA, Shared Hope International and the Protection Project of Johns Hopkins University, "Colloquium Report: An Inventory and Evaluation of the Current Shelter and Services Response to Domestic Minor Sex Trafficking," 2012

⁵ <http://www.ecpatusa.org/advocate-for-protective-laws-and-policies>

⁶ Ric Curtis, et al., "The Commercial Sexual Exploitation of Children in New York City", The Center for Court Innovation, New York City, 2008

⁷ 2010 Congressional Testimony, Congressman Christopher Smith, R, NJ. "The airline and hotel industries should be on the front lines of the fight."

⁸ UN Office of Drugs and Crime 2012

⁹ Tourism Child-Protection Code of Conduct

11. We recommend that the United States Government:

- 1. Ratify the Convention on the Rights the Child.**
- 2. Legislate for a Federal Safe Harbor Law exempting children from prosecution for prostitution, and increasing penalties for traffickers of children and purchasing of sex with children,**
- 3. Establish a nation-wide system of care for trafficked children and ensure comprehensive and consistent monitoring and review of this system.**
- 4. Legislate for comprehensive and consistent Victim Identification Training for those most likely to encounter victims of trafficking (e.g. law enforcement personnel and first responders, medical personnel and hospitality workers).**
- 5. Legislate for an increase of allotments for comprehensive services for trafficked children, inter alia, medical assistance, psychiatric treatment, safe accommodation, and assistance in transitioning to everyday life.**
- 6. Develop incentives encouraging companies in the hospitality industry to sign a code of conduct protecting trafficked children.**
- 7. Legislate and ensure funding for an extensive media and community outreach and education campaign to raise awareness about trafficking of children.**
- 8. Work to empower citizens to cooperate with government initiatives to eradicate trafficking of children.**

The support of these efforts is consistent with the United Nations Global Plan of Action to Combat Trafficking in Persons and its resolution to “Prevent, suppress, and punish trafficking in persons, especially women and children.”¹⁰

¹⁰ United Nations Global Plan of Action to Combat Trafficking in Persons. Resolution Adopted by the General Assembly, 64/293, August 2010