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Senate Committee on the Judiciary
Subcommittee on Human Rights and the Law
“In Our Own Backyard: Child Prostitution and Sex Trafficking in the United States”
February 24, 2010

Good morning. I would like to thank Chairman Durbin, Ranking Member Coburn, and Members of the Committee for convening this critical briefing on the sexual exploitation of children. And I thank you for inviting me to speak to what the State Department is doing to fight these crimes.

As President Obama’s Ambassador-at-Large to Combat Human Trafficking, I am responsible for coordinating our efforts in the global fight against contemporary forms of slavery. Prior to directing the Office to Monitor and Combat Trafficking in Persons, I served as a federal prosecutor, and have seen the real harm, violence, and trauma perpetrated on trafficking victims, and the greed and cruelty of the traffickers. I have witnessed children exploited and preyed upon. In these roles I have experienced firsthand how our international objectives are furthered by a strong domestic response on this issue.

Today, I will speak about trends and policies, and our international efforts. The Attorney General’s Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons sets forth many policies and accomplishments, but, this issue—like all important ones—is best thought about not just on the bases of a report or data, but in terms of people and principles; not just legal structures or programs, but what we stand for as a nation.

We have a long way to go both here and abroad to recognize victims and bring their perpetrators to justice, and provide for the compassionate care mandated by law and our common ethic; to raise awareness and combat the demand that traffickers rush to meet through violence and exploitation.

Our domestic response to this issue falls primarily to the able hands of the Justice Department and the Department of Health and Human Services, and I believe you will see through U.S. Attorney Beth Phillips' testimony, the incredible commitment and progress DOJ brings to fighting these heinous crimes. Still, I don't think any of us will sit before you and argue that our governmental response has been perfect or that there is not more that can—indeed, should—be done. Sadly, in our day, we find children enslaved not just in commercial sex, but in agricultural work, factories, and private homes. We recognize that a comprehensive child protection approach addresses all vulnerabilities and all forms of suffering.

And so in our legal and diplomatic efforts, as reflected in the annual Trafficking in Persons Report, we are very clear:

- It does not matter if a victim once consented to work for their trafficker;
- It does not matter if the victim returned to their trafficker after he or she was freed;
- It does not matter if the victim's enslavement was through chains of mental dependency or psychological manipulation as opposed to being physically locked up;
- It does not matter if their trafficker was at times nice to them or gave them presents or if they veered between feelings of love and fear for their pimp.

If that adult was held for labor or sex through force, fraud, or coercion, they're a trafficking victim. In the case of minors in sex trafficking, there is no requirement to show force, fraud, or coercion. No child can consent to being sold into commercial sex. If a pimp used a child for commercial sex that child should be treated as a victim, not a criminal. Frankly that's all that matters.

Historically, countries worldwide have confronted the issue with too much judgment and too little compassion. However that judgment of who is most deserving and who makes a more sympathetic victim clouds our ability to properly identify and care for victims. The consequences have been borne by the most vulnerable:

- the trafficking victim who is locked up for prostitution or immigration offenses even where there is evidence they were enslaved;
- the woman forced into prostitution whose violation is compounded by a government unwilling to accept her back as their national, or only willing to recognize her citizenship through her relationship to a man, be it father or husband, neither of whom will acknowledge her now;
- and the boys, too often so stigmatized by society's refusal to acknowledge that they too could be victims, and that they suffer in silence.

If we're honest with ourselves, we echo some of those judgments here in the U.S. in more subtle but equally damaging ways. As we look to monitor and combat trafficking around the world, we know that sex trafficking victims may not all be saints, may not understand that they are victims, and may consider our help unwanted interference – but that does not make them any less deserving of a compassionate response.

As President Obama has repeatedly emphasized about our general approach to the promotion of human rights, our ability to help other governments combat trafficking is only as strong as the example we provide through the strength of our domestic response. As the chairman of the Senior Policy Operating Group which coordinates interagency policy and supports the President's Interagency Task Force to combat human trafficking, I'm proud to support the Department of Justice as it continues to lead the world in its prosecutions of all forms of traffickers and

work with its staff at home and abroad on our collective mandate to stop child sex trafficking.

The State Department, along with significant contributions from the Department of Justice, recently compiled information provided from numerous federal agencies on the U.S. Government's efforts to protect children from sexual exploitation. As part of our larger initiatives to protect children both here and abroad, and to report in a timely way on the implementation of our treaty obligations, the United States on January 22 submitted to the U.N. Committee on the Rights of the Child its periodic reports on U.S. implementation of the two Optional Protocols to the Convention on the Rights of the Child. One report was submitted pursuant to the Optional Protocol on the sale of children, child prostitution and child pornography. The other report was submitted pursuant to the Optional Protocol on the involvement of children in armed conflict. These reports, in particular the one addressing the Optional Protocol on the Sale of Children, document the extensive legal, policy, and programmatic efforts at the Federal and State levels aimed at preventing various forms of child exploitation and holding accountable individuals who victimize children. Each of these reports represents an ambitious undertaking, involving contributions by and coordination among many departments and agencies within the U.S. government, as well as information about state efforts, as well as input from non-governmental organizations. In the next year or so, the U.S. expects to reappear before the Committee on the Rights of the Child to discuss these two reports and answer questions.

In the multilateral context, the U.S. Government has engaged with the United Nations, the Group of Eight (G-8), and the Organization for Security and Cooperation in Europe to introduce and support resolutions, to host side events focused on combating commercial sexual exploitation of children, and to produce a

“best practices” document on effective law enforcement measures to address child sex tourism. Additionally, a large interagency U.S. delegation participated in the World Congress III against Sexual Exploitation of Children and Adolescents, and its preparatory regional conferences to share U.S. Government efforts and guide future global initiatives. The U.S. is currently working with other member states of the Organization for American States to develop a regional plan of action on trafficking in persons, which will include actions to assist and protect children.

We recognize that combating child sex trafficking whether at home or abroad requires many partners in the public and private sector. It is through our colleagues and foreign partners that we have learned about new and evolving forms of child sex trafficking—both the new ways that offenders are using chat rooms, message boards, and specialized Web sites to obtain information about where young victims can be found, but also how new technologies can be harnessed for the good of identifying traffickers, pimps, and customers, and to facilitate arrests, prosecutions, and convictions of exploiters.

We have learned that across the globe, the most vulnerable are often runaways, so-called throwaways, and street children, with a history of child physical and sexual abuse in the home or the extended family. In addition to sexual exploitation, many children are forced to steal or sell drugs by adult street gangs or beg—often making their first interactions with law enforcement about the smaller crime rather than the larger ones just beneath the surface.

As I mentioned earlier, though often unreported due to social stigmas, boys around the world also face the trauma of commercial sexual exploitation. The sexual exploitation of boys frequently takes place in informal, unorganized settings, making them vulnerable to abuse and less likely to be identified by authorities. Young street boys form relationships with older boys for protection, and are sometimes forced by these boys to have sex with older men for profit as

part of the relationship. These young boys may also be prostituted at public meeting places such as parks, bus terminals, rail stations, markets, hotels, or beaches. Armed with the knowledge that street children and runaways are among the most vulnerable, and that boys have long been an under-reported and unrecognized population, we must redouble our efforts to focus attention and resources on these often forgotten children.

As I imagine the grim news of late has reminded you, in the aftermath of natural disasters, where people are displaced and separated, children are at higher risk and vulnerable to sex trafficking. We know that partnerships are critical in protecting vulnerable children, registering unaccompanied and separated children, educating citizens about the risks of giving away children in times of crisis, rebuilding the capacity of local NGOs, and tracing and reuniting families.

The U.S. Government has worked to foster good working relations with civil society, recognizing their expertise and resources. Whether at home or abroad, we know that civil society partners often provide victim identification training to first responders, such as law enforcement, medical professionals, and teachers; critical information on the special needs of trafficked minors; and the provision of direct services. We urge foreign government officials to engage social service providers in direct outreach to vulnerable populations, for example teenage runaways, and refer potential victims to hotlines or assistance programs. We encourage foreign governments to fully support NGOs that provide care and immediate-need assistance, such as medical care, food, and clothing, as well as long-term rehabilitation of the victims, including education, vocational training, medical and psychological care. Much of our assistance is provided through grants to NGO service providers abroad. We also press other governments to have investigators, prosecutors, law enforcement victim-witness coordinators, and non-governmental

victim advocates collaborate so that investigations proceed in an appropriately child-friendly manner.

As is set forth in the Trafficking Victims Protection Act's minimum standards for assessing foreign government efforts to combat trafficking, we also press foreign governments to address demand, recognizing that demand for children in prostitution provides the profit-motive for the pimps and traffickers. With government support, NGOs have collaborated with law enforcement to address demand for exploited children in prostitution and to develop public awareness campaigns aimed at deterring Americans from traveling abroad and engaging in child sex tourism. Echoing the President's words in Tokyo when he stated our resolve to ensure "that a young girl can be valued not for her body but for her mind; and so that young people everywhere can go as far as their talent and their drive and their choices will take them," I will continue to speak out on the need for men to stand up and reject the notion that women and girls are commodities.

The Trafficking in Persons (TIP) Report is the most comprehensive worldwide report on governments' efforts to combat trafficking in persons in all of its forms –for labor and sex, of children and adults, and of foreign born victims and citizen victims. It represents an updated, global look at the nature and scope of trafficking in persons and the broad range of government actions to confront and eliminate it. Child sex trafficking is an issue addressed by the TIP Report and in our subsequent foreign government engagement.

This year, our public diplomacy will be strengthened by incorporating in the TIP Report a self-assessment of the United States' anti-trafficking efforts. We take very seriously our role as a global leader in the fight against human trafficking and understand that if we are assessing the world that we, too, must be assessed. Moreover, the United States gains a great deal of credibility by acknowledging and

being transparent about our own challenges. We are currently working together with our interagency colleagues government-wide to carry out a collaborative self-assessment.

America has been a leader on the human trafficking issue and foreign governments will continue to press us for progressive answers and innovative solutions. Most importantly, trafficking victims and survivors are counting on us not to fail them.

When I was a prosecutor, a girl told me that she had felt so scared and alone when she was being turned out to the “clients.” With all of us, and those who we will touch, young people need to know that they are not alone: that we will not turn a blind eye to their abuse. Thank you.