



[USA] COUNTRY PROGRESS CARD

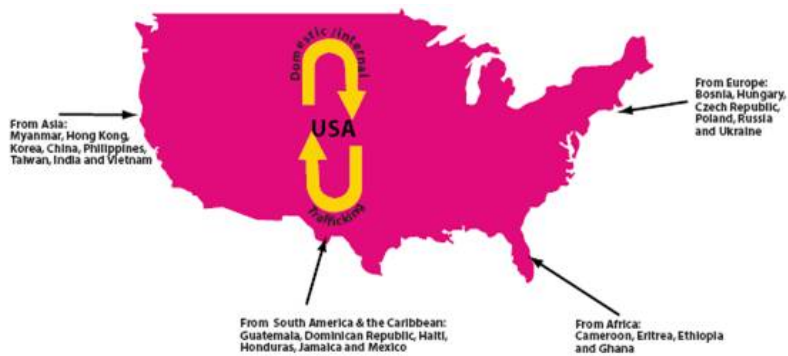




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1. PROGRESS TOWARDS STOPPING SEX TRAFFICKING OF CHILDREN AND YOUNG PEOPLE IN THE USA

The Stop Sex Trafficking of Children and Young People campaign conducted in partnership between The Body Shop and ECPAT seeks to inspire long-term change to strengthen the protection offered to children and young people and guarantee their rights to be protected from all forms of exploitation, including trafficking for sexual purposes.

Through this campaign, The Body Shop and ECPAT are mobilising the public of countries around the world to engage actively to improve child protection against sex trafficking and join in calling on governments to take action to fulfil three specific goals related to the prevention and protection of children against child sex trafficking and for the care of child victims. The goals identified are deemed crucial for the protection of children everywhere. Progress made by the states towards fulfilling these goals is being assessed through an innovative tool which provides information for each country using a 'Progress Card' that summarises the level of achievement on four specific actions that significantly contributes to realisation of the main goals identified in the campaign.

In many countries around the world, civil society and other actors have made significant contributions in combating child sexual exploitation. However, the protection of children from sex trafficking is primarily a state's responsibility. The information provided in this card describes the situation of child trafficking in the USA and presents the key measures implemented by the government to address the problem. Colour coding is used to differentiate the level of action to combat child sex trafficking taken such as: notable efforts (**GREEN** colour representing adequate specialised policy or services for child victims of trafficking); some progress (**YELLOW** colour usually representing some level of activity to prevent and combat trafficking in persons in general with limited focus on children as a specific target group, or services that are not adequately protecting child victims of trafficking); or a low level of progress (**RED** colour, highlighting inexistent or largely inadequate policy or services for child victims of trafficking).¹ The information presented is followed by relevant recommendations assessed as essential to Stop Sex Trafficking of Children and Young People.

¹ A star indicates the work undertaken by NGOs in the related field.

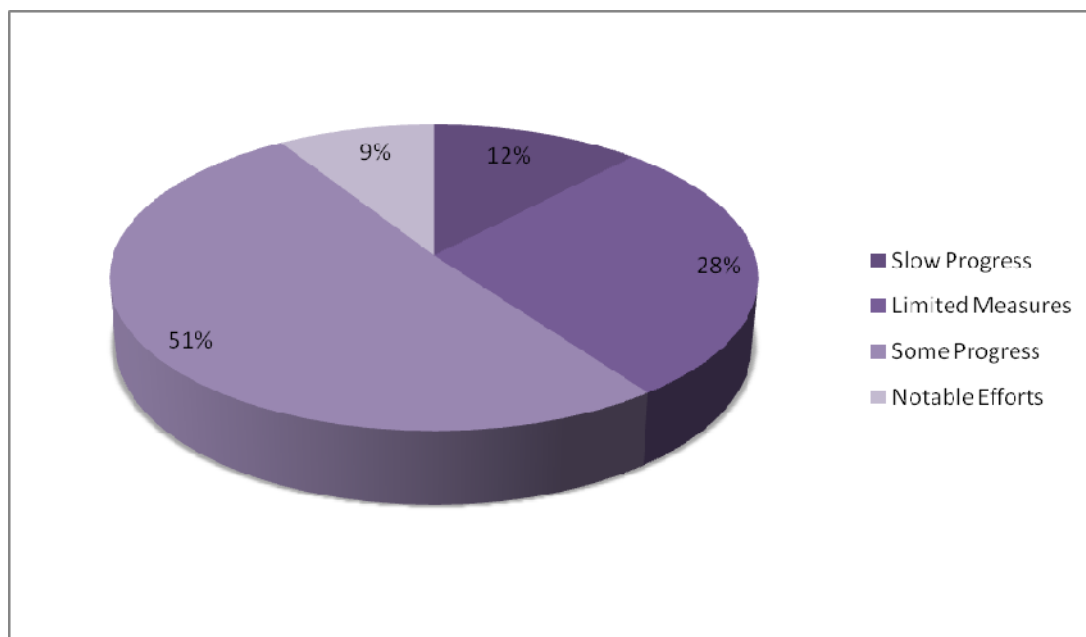


2. GLOBAL OVERVIEW OF STATES' EFFORTS TO COMBAT CHILD TRAFFICKING

Whilst the progress towards stopping sex trafficking of children and young people is monitored and assessed on a country by country basis against specific indicators², this is contributing to the global call to action addressed to all states of the world to uphold the child's right to protection from all forms of sexual exploitation, as reiterated by over 3,000 participants and 137 States at the World Congress III against the Sexual Exploitation of Children and Adolescents held in late 2008 in Brazil. ECPAT International and The Body Shop are calling globally for all states to ensure more accelerated and concerted action on their existing commitments, by 2012, to prevent and stop child trafficking for sexual purposes.

In order to present a general overview of states' efforts to combat child trafficking, figure one shows the percentage of countries for each of the four categories: 'notable efforts,' 'some progress,' 'limited measures' and 'slow progress.' 'Notable efforts' correspond to adequate measures taken by the state to combat child trafficking. 'Some progress' represents that states have taken measures and initiatives against human trafficking in general but these may not adequately protect child victims of trafficking. 'Limited measures' signifies that there is an inadequate effort by the state to combat human trafficking and little or no efforts to combat child trafficking. 'Slow progress' is for states with minimal or no initiatives against human trafficking or child trafficking. Figure two lists the countries that fall into each of the four categories previously mentioned; they are ranked according to the state's actions for each indicator.

FIGURE 1. GLOBAL OVERVIEW OF STATES' EFFORTS TO COMBAT CHILD TRAFFICKING¹



² More information on the research methodology can be found on page 16.



FIGURE 2. STATES' EFFORTS TO COMBAT CHILD TRAFFICKING³

SLOW PROGRESS	LIMITED MEASURES	SOME PROGRESS	NOTABLE EFFORTS
CAMBODIA MEXICO PAKISTAN MALAYSIA SINGAPORE	CYPRUS GREECE INDONESIA PORTUGAL INDIA TURKEY CZECH REPUBLIC HONG KONG RUSSIA SWEDEN USA	BELGIUM NORWAY THAILAND AUSTRALIA CANADA ESTONIA SPAIN SOUTH AFRICA FRANCE ITALY JAPAN NETHERLANDS PHILIPPINES SWITZERLAND AUSTRIA FINLAND IRELAND LUXEMBOURG NEW ZEALAND POLAND SOUTH KOREA GERMANY	ROMANIA TAIWAN DENMARK UK

³ This publication provides an updated grading and ranking of states' efforts to combat child trafficking as of January 2010.



3. THE SITUATION OF THE USA

USA is among the 28% of countries which have taken limited measures to stop sex trafficking of children and young people.

The United States has made important efforts to develop comprehensive policy framework and has enacted legislation to combat child trafficking in the country. However, the implementation of these measures has been hampered due to limited efforts in reducing children’s victimization and poor coordination among federal agencies and between States.

Child Sex Trafficking in the USA

The United States of America is a “destination” country, where both child and adult victims are trafficked from abroad.² It is also a country where thousands of American children are sexually exploited and trafficked. The U.S. government has estimated that thousands of people are trafficked to the U.S. each year. Internal or domestic trafficking, where American children and legal residents are trafficked within the United States also occurs. Although exact numbers are unknown, it is believed that child trafficking is primarily for sexual exploitation.³

Each year, thousands of children, both boys and girls, are trafficked to the US from all over the world for commercial sexual exploitation. The demand for sex drives child sex trafficking globally while poverty, domestic violence and abuse, discrimination and the desire for a better life makes children vulnerable. Children are especially vulnerable to being trafficked because they are often easier to overpower or can be coerced by an adult. Children may also feel obliged to help support their families or be running away from difficult family situations and may be sold or travel abroad in search of livelihood opportunities. Children trafficked to the US are largely from Mexico and East Asia as well as South Asia, Central America, Africa and Europe, for the purpose of sexual and labour exploitation.⁴ Identification of victims is a challenge however. Fewer than 200 international child victims of trafficking have been identified since the U.S. passed federal legislation in 2000. Each year 38,000 children are deported from the US, some of who may be unidentified trafficking victims.⁵

It is important to highlight that, since the enactment of the Trafficking Victims Protection Act in 2000, the concept of trafficking for the US has changed from transportation to exploitation, thus reclassifying child prostitution victims, including American children, as child trafficking victims.⁶ Between 2003 and 2009, 886 American child trafficking victims have been identified and assisted as by US law enforcement agencies.⁷ The number of sexually exploited children in the U.S. is unknown. Estimates range from 100,000 to as high as 500,000 to 600,000.⁸ Furthermore, the National Runaway Switchboard has estimated that there are as many as 2.8 million children living on the streets in the US, making them extremely vulnerable to sexual exploitation.⁹



Case Study: Child Trafficking and the Prostitution of Children

A Maryland man, Shelby Lewis, sold his foster daughter, starting when she was 12 year old, and three other girls for prostitution, aged 13, 15 and 16. He charged rent to the girls and forced them into prostitution as payment. Lewis would transport the girls to clients in Washington DC and other areas. In addition, he tied the girls and forced them into producing child pornography, which was very profitable. Lewis’s foster daughter is now registered as missing with the National Center for Missing and Exploited Children but was previously placed in the foster care system. Many victims of domestic child trafficking in the United States have been in foster care at one point in their lives.

Source:

Kloer, Amanda. “Man Sells Foster Daughter Into Prostitution.” October 2009. Accessed at: http://humantrafficking.change.org/blog/view/man_sells_foster_daughter_into_prostitution
 Klopott, Freeman. “Judge: Pimp was Child’s Foster Father.” The Examiner. October 2009. Accessed at: http://www.washingtonexaminer.com/local/crime/Judge_-Pimp-was-child-prostitute_s-foster-father-8430191-65840457.html

Traffickers prey on children and young people to meet the sexual demands of people who pay for sex and any person who patronises the commercial sex market may end up sexually exploiting a child. Also, traffickers can be a stranger or someone the child knows, such as a relative or an acquaintance. Moreover, they are often part of an organised criminal network that ‘recruits’ children and supplies them with fake identification. There are differences in the level of organization in the trafficking of international victims and domestic victims. Since an issue for foreign victims is the risk of deportation, traffickers are able to keep them enslaved under threat of deportation. On the other hand, domestic victims are often controlled by a decentralized network of pimps and traffickers.¹⁰ Gangs increasingly have been noted to be involved in the trafficking of children, especially American children within the US. Another trend is more organized ethnic groups of criminals victimizing children systematically in ethnically-based brothels and massage parlors.¹¹

There is no common profile of perpetrators who sexually exploit children – they may be young, old, married or single; they come from all types of socio-economic backgrounds and work in all kinds of professions. This lack of information is also due to the low rate of arrest of male perpetrators. In 2002, only 34% of the arrests on solicitation of sex were of male consumers, the other 66% were of women and children involved in prostitution.¹²

Case Study: 700 Arrested by FBI across the Country

In October 2009, the FBI rescued 52 children, mostly teenage girls with the youngest being 10 years old, from prostitution rings during a national raid that led to nearly 700 arrests across 36 cities. Children were being sold for sexual exploitation on the internet, on the street, in casinos and truck stops. Child trafficking charges were given to 60 pimps. Authorities state that pimp-controlled commercial sexual exploitation of children is linked to the escort and massage services, private dancing, drinking and photographic clubs, major sporting and recreational events, major cultural events, conventions and tourist destinations. Nationally organized crime networks traffic children nationally by different means: cars, buses, vans, trucks or planes. Counterfeit identifications are often utilized when arrested. Past investigations have led to 510 convictions of child sex related crimes and rescue of over 900 children.

Source: The Guardian Online. “700 arrests across country as FBI rescues children from sex trade”. October 2009. Accessed at: <http://www.guardian.co.uk/world/2009/oct/27/fbi-rescues-children-from-sextrade>





4. DETAILS OF PROGRESS TO COMBAT CHILD SEX TRAFFICKING IN THE USA

A. Community-Based Prevention Measures on Child Trafficking

Preventing children from falling prey to sex traffickers is the first step that must be taken in the range of comprehensive measures needed to guarantee the protection of children. Prevention encompasses a broad range of multi-dimensional interventions from mobilisation and awareness building among families and the general public to more targeted and specific interventions that reach children at risk and vulnerable due to specific conditions in their lives.

Comprehensive prevention programmes to combat child trafficking have to encompass measures at different levels to address the specific vulnerabilities of children and reinforce the families’ abilities to care for and protect their children; to mobilize all stakeholders in the community and at the State level to establish strong protection systems for children, including social welfare and justice systems, but also to target the traffickers and curb the financial profits they are making through these criminal activities.

The adoption of strategies and policies to address the issue of trafficking in children is essential to ensure that measures are developed in an integrated way, based on the national priorities identified and to provide directives for action to the relevant stakeholders involved in the prevention of child trafficking in the country. The adoption of a National Policy also demonstrates the State’s commitment to prioritize the issue and allocate efforts and resources to guarantee the rights of the child to be protected from sexual exploitation and trafficking.

Community-based prevention programmes in the USA			
1.1. Provision for prevention programs on child trafficking	1.2. Wide multi-stakeholder collaboration	1.3. Implementation of awareness raising programs	1.4. Provision for teacher training curriculum on CSEC
		★	★
The United States has made important efforts to develop a comprehensive policy framework and has enacted substantial legislation to combat child trafficking in the country. However, prevention policies target mainly international trafficking of adults. They are not centered on trafficking within the USA and are not specifically focused on children.	A multi-stakeholder approach is included in the Trafficking Victims Protection Act, requiring consultation with NGOs. There are also multi-disciplinary task forces working on trafficking, even though these do not specifically focus on child trafficking. Furthermore, collaboration between federal and state and local governments is minimal.	Although the US promotes public awareness in other countries, there are no specific and sustained awareness-raising programs implemented by the government to prevent child trafficking across the border and within the US.	There are no initiatives at the federal level to ensure that teachers receive adequate training on preventing child trafficking for sexual purposes.

Having a current national policy on child trafficking outlining key community-based prevention measures (*indicator 1.1*) signals a state’s prioritization of this specific agenda and provides clear and comprehensive directives for action to the relevant implementing bodies to be transformed into fully resourced and accountable national programs or projects. A collaborative approach in designing and implementing these programs specifically addressing child trafficking (*indicator 1.2*) is essential to ensure a greater relevance and wider reach of the prevention measures and would imply that, at a minimum, partnership is established



between two ministerial agencies with at least two other partners (including NGOs, inter-governmental organizations, private sector, children, academia or others). Comprehensive public education and awareness about the existence of child trafficking (*indicator 1.3*) is crucial to engage the public in counteraction and should encompass a multi-media approach using audio-visual products (via various communication channels) to effectively and sustainably reach the largest possible section of the target population. As school is one of the most direct channels to educate children and inform them of the risks of child trafficking, prevention activities in schools need to be integrated through the systematic capacity-building of teachers as part of their training curriculum (*indicator 1.4*). A policy provision ensures that all new teachers have received all essential information for facilitating the implementation of preventive activities to school children.¹³

The United States has no national plan of action to combat the commercial sexual exploitation of children. However, the National Coalition to Prevent Child Sexual Exploitation, supported partially by the National Center on Missing and Exploited Children (NCMEC) Prevention Committee has written a strong and broad national prevention plan that addresses both the commercial and non-commercial sexual exploitation of children.¹⁴ It pays special attention to primary prevention and positive youth development. Despite the fact that the United States is spending millions of dollars on training, services, and prevention of human trafficking, a small portion is allocated specifically for children.¹⁵ Most of the public awareness campaigns have been relatively small-scale efforts initiated by NGOs and have focused on teachers, law enforcement and other professionals.¹⁶

Prevention efforts within the United States aimed at protecting children do not primarily address child trafficking for sexual purposes and treat the issue within the broader context of child safety or trafficking in persons. Furthermore, they are often focused on specific cities or areas and are time-limited. Apart from the initiative by the Department of Education, working to raise awareness and increase victim identification among schools via a network of school officials and after school programs, other government agencies are implementing preventive actions. The Immigration and Customs Enforcement agency (ICE) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) developed and aired public service announcements against human trafficking, sex tourism and sexual exploitation.¹⁷ ICE also launched in 2008 a human trafficking billboard awareness raising campaign and expanded their public service announcement to languages other than English, such as Spanish, Arabic, Chinese, French, Russian and Korean aimed at international victims.¹⁸

The Department of Justice (DOJ) has funded a number of initiatives in the last few years to raise awareness through a number of partners. The Department of Health and Human Services operates a national public awareness campaign against human trafficking in general, entitled Rescue and Restore Victims of Human Trafficking which includes materials on education about child trafficking, particularly of foreign children.¹⁹



CALL TO ACCELERATED ACTION TO PREVENT CHILD TRAFFICKING IN THE USA

- The United States Government must take urgent action to implement community-based prevention programs which will also address the vulnerability to trafficking of American children within the country;
- The US should create a national high profile awareness campaign aimed at countering the normalization of child sexual exploitation reducing the demand for sex services from children (mainly teenagers) encouraging greater public mobilisation and stricter law enforcementⁱ;
- It should also continue to raise public awareness about the negative effects of child trafficking and train professionals working with and for children as well as the general public to combat and prevent trafficking in childrenⁱⁱ.

Sources:

- ECPAT USA. *Alternative Report to the Initial Report of the United States of America to the UN Committee on the Rights of the Child concerning the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography*. 2007.
- UN Committee on the Rights of the Child (CRC), *UN Committee on the Rights of the Child: Concluding Observations, Thailand*, 17 March 2006, CRC/C/THA/CO/2, available at: <http://www.unhcr.org/refworld/docid/45377ed0.html>

B. National Legal Framework Harmonisation with International Standards

Strong laws in line with international instruments, together with effective enforcement procedures which are child sensitive, are of crucial importance to protect children from all forms of sexual exploitation including child trafficking for sexual purposes. Progress made towards this goal is assessed through a tripartite framework of international/national standards and their enforcement through a child and gender sensitive process which avoids any possible re-traumatisation or re-victimisation of the child.

International and Regional Conventions/Laws	Date of Ratification - USA
Convention on the Rights of the Child (CRC)	Not ratified
Optional Protocol on the sale of children, child prostitution and child pornography (to the CRC; Optional Protocol)	2002 with reservations
The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2005
ILO Convention No. 182 on the Worst Child Labour	1999



Legal Framework in the USA			
2.1. Ratification of the Optional Protocol on the Sale of Children	2.2. Ratification of the Trafficking Protocol	2.3. Harmonisation of the national legislation	2.4. Special Police Units to combat crimes against children
Even though the US has not ratified the Convention on the Rights of the Child, the Optional Protocol on the sale of children has been ratified in 2002.	The Trafficking Protocol was ratified in 2005 by the United States.	The US law appears to meet international standards, as set out in the Trafficking Protocol. However, State laws have not been fully harmonized with the federal laws on trafficking and therefore do not ensure protection to all children up to the age of 18 across the country.	There are many agencies and departments within the federal government in place to investigate and prosecute crimes against children as well as to provide services to child victims. However, coordination among them is minimal.

Once an international convention has been ratified by a state, it becomes a legally-binding instrument for that state. When a state has ratified the Optional Protocol on the sale of children, child prostitution and child pornography (*indicator 2.1*) it is required to fully cover under its criminal or penal law the necessary obligations set forth in the Optional Protocol and to submit within 2 years a comprehensive report detailing its implementation reviewed by the independent UN Committee on the Rights of the Child which publishes its recommendations and suggestions on how to improve the condition of children within the country. Once a state has ratified the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (*indicator 2.2*) it is obliged by its provisions to criminalize all acts related to the trafficking process (*indicator 2.3*). This creates a common ground for counter-trafficking activities among ratifying states and provides an essential international framework to guide national action on the issue. In order to support adequate enforcement of the national legislation, states are obliged to establish special police units with trained officers (*indicator 2.4*) to investigate and prosecute sexual and trafficking crimes against children with a child-sensitive approach which will minimize the traumatic experience of judicial proceedings for the child victim.²⁰

The federal Trafficking Victims Protection Act (TVPA) brought into force in 2000 provides a comprehensive legal framework for criminalizing human trafficking. It includes stiff penalties for traffickers; authorization for federal prevention and protection programs, public awareness, training and technical assistance and visa protection for international victims.²¹ However, the Act defines anyone under the age of 18 years old involved in a commercial sex act as a victim of a “severe form of trafficking.” In effect this extends the protection of federal law to all children who are sexually exploited. Despite laws and policies, the criminal justice system often penalizes child victims of prostitution and internal trafficking. State laws criminalize prostitution and define sexual exploitation victims differently from Federal laws. Furthermore, state laws do not always grant protection to child victims placing them at risk of prosecution. Legislation on trafficking in children is comprehensive but enforcement is inconsistent particularly for domestic child victims who are trafficked within the United States.²²

The enforcement of the laws and prosecution of offenders is one crucial aspect of the fight against child trafficking. However, investigating and prosecuting crimes against children still pose a number of difficulties in the United States in gathering evidence and testimonies for instance or in identifying victims and ensuring their protection. This is why special police units with trained officers on child-sensitive approaches are particularly essential and required in international standards.



CALL TO ACCELERATED ACTION TO ENSURE PROSECUTION OF CHILD TRAFFICKING IN THE USA

- It is urgent for the Government of the United States to ensure full harmonization of state and federal laws for adequate implementation of the anti-trafficking legislation throughout the country and to afford protection to all children up to the age of 18 and to ensure that child victims are never criminalized regardless of their nationality.
- Efforts should be undertaken to develop and implement more effective police and prosecution policies, and practices specifically devoted to preventing, identifying and responding to trafficking of both international and domestic victimsⁱ.
- To complete its legal framework for combating child rights violations, the United States must also ratify the UN Convention on the Rights of the Child.

Sources:

- iii. ECPAT USA. *Alternative Report to the Initial Report of the United States of America to the UN Committee on the Rights of the Child concerning the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography*. 2007.

C. Specialised Support Services for Child Victims of Trafficking

Child victims of trafficking for sexual purposes require specific rights to protection from sexual exploitation which entails receiving appropriate care and assistance to provide for their special needs and requires. States are obligated to take a systematic integrated approach for the delivery of comprehensive and specialised services to restore the rights of the victims and support a long-term and effective recovery.

Children who have been trafficked have suffered a number of abuses and violations of their rights and the State is responsible to provide them with adequate care and protection delivered in the best interest of the child, in respect of the child’s specific needs and without any discrimination based on their origin or immigration status.

States parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

-Convention on the Rights of the Child, Art. 39

Specialised services for child victims of trafficking			
3.1. State-established Helpline	3.2. State established Shelters	3.3. Medical Services offered to child victims of trafficking	3.4. Psychological Counseling Services
Several hotlines have been established to report crimes against children. The National Human Trafficking Resource Center also operates a 24-hour hotline, but these support services have limited scope to offer adequate services to child victims of trafficking.	Specialized shelters to provide immediate care and assistance to both foreign and US child victims of trafficking are seriously lacking in the USA and are not able to ensure that all child victims of trafficking can receive adequate protection. ²³	The TVPA provides for federally funded or administered health and other benefits and services for child victims of trafficking. However, sometimes it is difficult for children to access these services. ²⁴ Also, most clinics and hospitals would not be able to identify a trafficked child.	While some counseling services exist in the US, these are not widely available. Considering the type of abuse suffered by child victims of trafficking, it is essential that efforts are made to offer specialized psychological support to all victims.



A state-operated helpline for child victims of trafficking (*indicator 3.1*) accessible by all children at risk or victims of trafficking for free and staffed by trained personnel is essential to provide assistance and facilitate access to other relevant services for child victims of trafficking. Ideally it should be able to operate in the main languages of countries from where the child trafficked victims originate in cases of transnational trafficking and be promoted nationwide. Children’s shelters for trafficking victims (*indicator 3.2*) should be separated from adult shelter and provide a place of safety where specialized care and support services can be given in a structured way. Child trafficked victims have suffered various forms of physical and sexual abuse and require specialized support including comprehensive medical services (*indicator 3.3*) freely offered and available to all child victims of trafficking and sustained counseling services (*indicator 3.4*) delivered by trained and experienced professionals to assist the child in the full recovery process.²⁵

In the United States, bureaucratic requirements and narrow mandates often impede coordination and pose difficulties to reaching out and assisting child victims. For example, the way agencies operate has denied children who are international victims of trafficking the rapid support and assistance they need to minimize the trauma suffered. Recognizing the vulnerable status of child victims, the TVPA excluded children from the requirements for immediate cooperation with law enforcement as a condition for receiving assistance. However, until recently, in implementing the law, DHHS, the Department of Justice and the Department of Homeland Security have had a Memorandum of Understanding which prevents DHHS from issuing a letter of eligibility to all child trafficking victims without a signed request from the federal law enforcement system.²⁶ While this law was recently revised, there is not yet a record to ensure its full implementation. This requirement stands in the way of prompt delivery of services to these victims. In addition, at the state level often there are regulations requiring that State run Child Protective Services can only become involved in situations where a parent or guardian is abusing children.

In addition to the services provided by the National Committee for Missing and Exploited Children (NCMEC) for domestic child victims of the sex trade, services may be offered through the state CPS systems, the juvenile justice systems, the runaway/homeless youth system. However, there are a variety of challenges involved in accessing these services, including a lack of adequate understanding of trafficking on the part of overburdened state and local service delivery systems. Additionally, if a child has participated in the crime of prostitution, they are frequently dealt with as a juvenile delinquent first, and state juvenile systems vary in their ability to offer appropriate services.²⁷

Group homes and foster care in particular often do not provide the necessary rehabilitation and education services. Placed in group living settings with other juveniles arrested for drugs, assault, theft or other categories of delinquent behavior or for status offenders, sexually exploited girls keep their prostitution hidden to avoid stigma, even abuse, from the other girls or staff. Mental health services are largely geared to juvenile inmates in what they describe as “severe crisis,” such as suicide attempts, while the trauma and pain of girls who “numb out,” such as many prostituted girls, are ignored as non-crises.²⁸



International child victims of human trafficking are eligible for the Unaccompanied Refugee Minor Program funded by the federal government. Children identified and determined eligible for trafficking benefits are placed in foster care, group homes or independent living arrangements, appropriate to the youth's developmental needs. Although their problems may differ, children who are victims of trafficking are accessing services at a very low rate, whatever their country of origin. The low rate of access to trafficking services for international child victims is consistent with the low rate of official victim identification. When an international victim is officially recognized as such and concurs with the terms of the TVPA for certification or eligibility, s/he receives services rather expeditiously and effectively. In five years, however, this includes only about 136 children.²⁹

CALL TO ACCELERATED ACTION TO DELIVER ADEQUATE CARE AND SUPPORT TO CHILD VICTIMS OF TRAFFICKING IN THE USA

- The United States Government should analyze the barriers to and improve services for all child victims of trafficking and prostitution, both within the US and Internationally. Special focus must be put on appropriate shelters and housing.



5. CAMPAIGN PETITION IN THE USA

Since the Stop Sex Trafficking of Children and Young People campaign was launched in August 2009, thousands of customers have already demonstrated their commitment in contributing to this social change to secure a safe world for children. Based on the findings from this USA Progress Card, we are calling for immediate action in the USA to give children and young people the protection that they deserve.

In the USA we call for greater protection of children and young people against child sex trafficking through urgent proactive implementation and enforcement of protective measures.

Specifically we call for:

- The United States Government to take urgent action to implement community-based prevention programs which will also address the vulnerability to trafficking of American children within the country.
- The ratification of the UN Convention on the Rights of the Child to ensure a comprehensive framework for child protection in the US.
- The Government of the United States must ensure full harmonization of state and federal laws for adequate implementation of the anti-trafficking legislation throughout the country and to afford protection to all children in order to ensure that child victims are never criminalized regardless of their nationality.
- The development and implementation of more effective policing and prosecution policies, and practices including cooperation to prevent, identify and respond to child trafficking of international and domestic victims.
- Services for child victims of trafficking that are easily accessible and include a special focus on appropriate shelters and housing.

Note: Whilst the national campaign petition is focusing on the specific needs and priorities for the USA, it is directly contributing to the global ECPAT /The Body Shop call for all states to ensure more accelerated and concerted action on their existing commitments, by 2012, to prevent and stop child trafficking for sexual purposes.



6. RESEARCH METHODOLOGY

This campaign utilises an innovative method to analyse the progress of 42 states' efforts to combat child sex trafficking by tracking three key goals and 12 specific indicators for each goal as the campaign progresses. Data for the Progress Card Booklets was collected through various sources, focusing mainly on ECPAT's experiences in monitoring progress on the implementation of the Agenda for Action against commercial sexual exploitation of children³⁰. Data was also sourced from UN bodies, governmental, non-governmental organisations and other stakeholders involved in anti-trafficking measures. It should be noted that the availability and quality of data in each of the 42 countries included under the monitoring initiative of the campaign is in places uneven. In many countries data on sexual exploitation of children and trafficking are not systematically collected, are localised to project areas rather than having national scope, or fall outside an established management information system and are thus inconsistent. However, every effort to define parameters to minimise differences has been made and ECPAT works with its partners in each of the countries to identify the optimal data sources. Taking these factors into consideration, indicators have been selected on the basis of the following criteria: availability and ease of access to information and level of relevance of the action for achievement of the goal. It is also necessary to note that these indicators are assessing measures directly undertaken or supported by states and do not necessarily reflect the large amount of work undertaken by many NGOs around the world, often in order to compensate for a lack of adequate action on the part of government. The decision to assess only state-supported measures is based on the fundamental principle that, while the protection of children is a shared responsibility of all actors of society, the obligation to guarantee that children can fully enjoy their fundamental rights is borne by the state.

Due to limited data collection and disaggregation of information on child trafficking for sexual purposes, accurate estimates of the number of children affected worldwide are impossible. This booklet thus assesses the country's progress only in relation to the policies that the government has enacted and not on the basis of estimates of the scale of the problem. As such the ranking does not factor in the extent to which the country is a place of origin, transit or destination for child sex trafficking. The existence of policies to combat child trafficking within any given country is considered to be the first fundamental step to trigger allocation of human and financial resources for concrete action as well as providing a tool for the public to call for accountability. Thus it is judged to be a robust base indicator of progress.

A more in-depth explanation of each of the goals and corresponding indicators is provided in Chapter 3 of the official campaign report, "Their Protection is in Our Hands: The State of Global Child Trafficking for Sexual Purposes."

This booklet was produced by ECPAT International and ECPAT USA.



7. ENDNOTES

- ¹ ECPAT International/ The Body Shop, *Global Progress Cards*, September 2009. Available at http://www.ecpat.net/TBS/en/Campaign_Resources.html
- ² US Department of State. *Trafficking in Persons Report*. 2009
- ³ Estes Weiner. *The commercial sexual exploitation of children in the US, Canada and Mexico*. 2001
- ⁴ US Department of State. *Trafficking in Persons Report*. 2009
- ⁵ Ibid
- ⁶ Shared Hope, ECPAT USA and Protection Project. *Report from the US Mid-Term Review on the Commercial Sexual Exploitation of Children in America*. September 2006
- ⁷ Federal Bureau of Investigation – Innocence Lost. Accessed on November 2009 at: <http://www.fbi.gov/innolost/innolost.htm>
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