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Sex Trafficking of Minors as a Human Rights Issue

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Who is to blame for the sexual trafficking of minors in this country? To blame are both those who commit it and the American public that remains ignorant of and silent about it on a daily basis.

It is incomprehensible that our country and our culture can tolerate even one child being trafficked. As Phil Keith, Director of the Department of Justice's AMBER Alert Training and Technical Assistance Initiative, has recently explained: "The United States knows how to track stolen cars; we have no idea how to track stolen children."¹ How can this be so?

Part of the reason is that, until recently, the crime has been out of sight and out of the minds of most people, including law enforcement and the judicial system. *Sex Trafficking of Minors in the U.S.: Implications for Policy, Prevention and Research* provides a badly-needed piece of the puzzle of how to make this invisible slavery visible—specifically, how to understand and begin to quantify important aspects of the crime. Although it is based on a limited number of cases, it amplifies our knowledge of both the kinds of exploitation children are enduring and the ways in which they are recruited, and thereby makes the crime all the more horrifyingly concrete.

In addition to the issue of invisibility, however, there are also two other problems that underlie America's inability to come to grips with this form of exploitation: a lack of knowledge about human rights and a lack of discourse about the human rights issues involved in sexual trafficking.

The U.S. Department of State has proclaimed trafficking in persons, both for labor and sexual exploitation, to be "modern slavery."² The cornerstone of the Universal Declaration of Human Rights (UDHR), the founding document of the human rights movement, is the principle of the dignity and worth of all human persons.³ Article 4 of the UDHR proclaims, "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."³

As the article shows, minors, both domestic and international, are being defrauded, kidnapped, coerced, smuggled, and sold into slavery in alarming numbers in the United States.⁴ A recent study funded by the Dallas Women's Foundation estimates that 118 girls under age 18 are exploited through Internet ads and escort services in Texas alone every weekend night.⁵

Despite these studies and findings, many who hear about the problem blame the victims. "They are bad kids who shouldn't have put themselves in this situation." "Only the worst kinds of kids would be caught up in this." "They have chosen to sell their bodies and flaunt the law and society," or even, "They are destroying our communities and

should be locked up.” This fundamental misunderstanding and ignorance about the nature of trafficking or sexual slavery is dangerous and often lethal to the victims, and gives a distinct advantage to the perpetrators.

In addition to the problem of people failing to realize that sexual trafficking is a human rights violation, there is the problem that trafficking itself is misunderstood. A first step towards an informed dialogue about trafficking is the realization that sexual slavery is not a new problem in this country. The United States has been dealing with the issue of human trafficking since the first years of the American colonies. The U.S. Congress has been dealing with it legislatively for over a century; since the early days of the twentieth century, sex trafficking has been legally defined as a crime of coercion and exploitation and as a violation of common moral standards.

The first effort by Congress to recognize and combat slave trafficking was the ratification of the 1904 International Convention for the Suppression of White Slave Trafficking in 1910.⁶ This Act was the first to establish exploitation as one of the criteria for defining victim status.⁷ In the same year Congress also enacted the Mann Act, which prohibited white slavery and other interstate transportation of women and girls for “immoral purposes”⁸ Both of these precursor laws to TVPA dealt specifically with women and girls as victims, and both assumed that women and girls who were being trafficked were not criminals.

In the current day, the recognition that women and girls who are sexually exploited by traffickers are victims has seemingly been forgotten. This situation is made more difficult by the fact that our culture glamorizes both pornography and prostitution at the same time that it pretends to abhor them.

Our culture inflicts a sexualized sense of beauty and objectification and dehumanization on females (even at very young ages) to the effect that we are all too often numbed to violent offenses inflicted upon them. Not many among us contemplate the deleterious and far-reaching effects of pornography and the sex industries (prostitution and the other means of exploitation for money mentioned in the article), not just on those women and children who are victims of exploitation, but on all women in this culture. The real issue underlying sexual slavery is the ongoing violence against women among us, in our communities, and even in our families, with little or no protest.

This article is a valuable reminder of the broader issues that are at play in the issue of sexual slavery, those that many Americans choose

willfully to ignore. It raises disturbing questions not only about what is happening in America with this crime, but also about our responsibility.

Our job, as citizens, professionals, and human rights activists is to continue fighting deadly misperceptions about the victims, to educate others about this lethal human rights violation, and to find ways to care for those victims who are rescued. In addition, it is crucial to train law enforcement, prosecutors, the media, and the public to recognize this evil, to find and prosecute those who are guilty, and to prevent it from continuing. Research such as this gives us no excuse; we can no longer say, "We didn't know."

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