

“You are more eager for progress that comes not by holding down any segment of society, but by holding up the rights of every human being, regardless of what we look like or how we pray or who we love”

*U.S. President Barack Obama*

## **LGBTI Youth in the Americas: Advancing a Commitment to Address Victims of Trafficking in Persons**

### *Background:*

Trafficking in persons is a serious criminal activity and a pressing problem for the Western Hemisphere. This crime, which clearly violates basic human rights, involves the exploitation of victims generally through the use of forced labor or commercial sexual exploitation.

Often times LGBTI youth of the Americas become homeless because they are rejected by family members on account of their real or perceived sexual orientation or gender identity and/or are victims of physical, emotional, or sexual abuse at home. Once on the streets, these children face beatings, mutilations, rapes, and a host of other crimes that no child should ever live through. Whether they choose to leave their homes or are thrown out by their families, caretakers or a foster care system, they find themselves with little or no access to food, shelter, clothing, or other basic necessities. On the streets, traffickers prey on their desperation to escape social alienation and maltreatment engaging them in survival sex. Many youth seem to accept survival sex and often violent experiences as part of a dark, but normal route to acceptance, whether this is on their own journey, or due to feelings of being unable to expose abuse for fear of retribution from family and society.

Sexual exploitation can be connected to human trafficking and LGBTI youth are at greater risk to become victims of trafficking in persons. LGBTI rights are human rights and, to raise awareness of this crime, it requires direct engagement and participation from all sectors of society. In 2015, UNHCR reported that 76 countries criminalize consensual same-sex sexual conduct, with seven countries providing for the death penalty for certain offenses. These discriminatory laws persecute and stigmatize LGBTI persons; even when not enforced, they validate discrimination and can lead to an increase in violence and harassment. This is particularly true when authorities do not act to protect all of their citizens and when they fail to investigate and prosecute crimes committed against members of particular groups. In several cases in countries that criminalize same-sex conduct, vigilante groups have carried out violent acts against LGBTI persons.

More than a dozen countries have enacted anti-discrimination laws or conducted sensitivity training for law enforcement to protect LGBTI rights. Law enforcement agencies and service providers have benefitted from partnerships with organizations that have expertise on LGBTI issues to expand their service referral networks and learn how to develop inclusive environments for LGBTI victims. Governments can further

strengthen their efforts by enhancing partnerships, especially with LGBTI survivors of trafficking, whose input is invaluable for trainings and discussions to strengthen understanding and improve support services.

Governments and NGOs have made progress in identifying LGBT trafficking victims and highlighting the vulnerability of LGBTI persons to crimes such as human trafficking. For example, in 2013, NGOs working on issues impacting LGBTI persons in Argentina identified traffickers who promised transgender women job opportunities in Europe, but instead confiscated their passports and forced them into prostitution. As part of the *Federal Strategic Action Plan on Services for Victims of Trafficking in the United States 2013-2017*, U.S. agencies have also committed to gathering information on the needs of LGBTI victims of human trafficking. NGOs in the United States estimate LGBTI homeless youth comprise 20 to 40 percent of the homeless youth population; these youth are at particularly high risk of being forced into prostitution.

Within the Inter-American System, the Governments of Argentina, Brazil, Canada, Chile, Colombia, Mexico, the United States, and Uruguay -- the founding members of the OAS LGBTI Core Group -- are committed to deepening collaboration at the OAS on issues impacting LGBTI persons so as to enhance dialogue, cooperation, and the sharing of best practices at regional and international levels, recognizing also the various efforts and developments undertaken by and in member states.

Working together with the Inter-American Commission on Human Rights (IACHR) and the OAS General Secretariat, the Core Group is also committed to working together to eradicate trafficking in persons -- and joins other OAS member states in advancing collaborative efforts to prevent and combat this crime in all its manifestations and in all communities.

On December 10, the world commemorates Human Rights Day and the OAS LGBTI Core Group will convene – in partnership with other interested stakeholders - a half-day session on December 12 to give visibility to the hardships many LGBTI youth face as survivors of trafficking in persons and to raise awareness about how we may all contribute to eradicate this crime.