

105TH CONGRESS
2D SESSION

S. CON. RES. 82

Expressing the sense of Congress concerning the worldwide trafficking of persons, that has a disproportionate impact on women and girls, and is condemned by the international community as a violation of fundamental human rights.

IN THE SENATE OF THE UNITED STATES

MARCH 10, 1998

Mr. WELLSTONE (for himself and Mrs. FEINSTEIN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Expressing the sense of Congress concerning the worldwide trafficking of persons, that has a disproportionate impact on women and girls, and is condemned by the international community as a violation of fundamental human rights.

Whereas one of the fastest growing international trafficking businesses is the trade in women, whereby women and girls seeking a better life, a good marriage, or a lucrative job abroad, unexpectedly find themselves in situations of forced prostitution, sweatshop labor, exploitative domestic servitude, or battering and extreme cruelty.

Whereas trafficked women are often subjected to rape and other forms of sexual abuse by their traffickers and often

held as virtual prisoners by their exploiters, made to work in slavery-like conditions, in debt bondage without pay and against their will;

Whereas the President, the First Lady, the Secretary of State, and the President's Interagency Council on Women have all identified trafficking in women as a significant problem and are working to mobilize a response;

Whereas the Fourth World Conference on Women (Beijing Conference) called on all governments to take measures, including legislative measures, to provide better protection of the rights of women and girls in trafficking, to address the root factors that put women at risk to traffickers, and to take measures to dismantle the national, regional, and international networks in trafficking;

Whereas the United Nations General Assembly, noting its concern about the increasing number of women and girls who are being victimized by traffickers, passed a resolution in 1996 calling upon all governments to criminalize trafficking in women and girls in all its forms and penalize all those offenders involved, while ensuring that the victims of these practices are not penalized; and

Whereas numerous treaties to which the United States is a party address government obligations to combat trafficking and the abuses inherent in trafficking, including such treaties as the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, which calls for the complete abolition of debt bondage and servile forms of marriage, and the 1957 Abolition of Forced Labor Convention, which undertakes to suppress and not to make use of any form of forced or compulsory labor: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring)*, That it is the sense of Congress that—

3 (1) trafficking consists of all acts involved in
4 the recruitment or transportation of persons within
5 or across borders involving deception, coercion or
6 force, abuse of authority, debt bondage or fraud, for
7 the purpose of placing persons in situations of abuse
8 or exploitation such as forced prostitution, sexual
9 slavery, battering and extreme cruelty, sweatshop
10 labor or exploitative domestic servitude;

11 (2) trafficking also involves one or more forms
12 of kidnapping, false imprisonment, rape, battering,
13 forced labor or slavery-like practices which violate
14 fundamental human rights;

15 (3) to address this problem, the Department of
16 Justice Office of Violence Against Women, with the
17 cooperation of Immigration and Naturalization Serv-
18 ice, should submit a report to Congress on—

19 (A) efforts to identify instances of traffick-
20 ing into the United States within the last 5
21 years;

22 (B) the successes or difficulties experi-
23 enced in promoting interagency cooperation, co-
24 operation between local, State, and Federal au-

1 thorities, and cooperation with nongovernmental
2 organizations;

3 (C) the treatment and services provided,
4 and the disposition of trafficking cases in the
5 criminal justice system; and

6 (D) legal and administrative barriers to
7 more effective governmental responses, includ-
8 ing current statutes on debt bondage and invol-
9 untary servitude;

10 (4) in order to ensure effective prosecution of
11 traffickers and the abuses related to trafficking, vic-
12 tims should be provided with support services and
13 incentives to testify, such as—

14 (A) stays of deportation with an oppor-
15 tunity to apply for permanent residency, wit-
16 ness protection, relocation assistance, and asset
17 forfeiture from trafficking networks with funds
18 set aside to provide compensation due to victims
19 of trafficking; and

20 (B) services such as legal assistance in
21 criminal, administrative, and civil proceedings
22 and confidential health care;

23 (5) the Secretary of State, in consultation with
24 the Department of Justice Office of Violence

1 Against Women, and nongovernmental organizations
2 should—

3 (A) develop curricula and conduct training
4 for consular officers on the prevalence and risks
5 of trafficking and the rights of victims; and

6 (B) develop and disperse to visa seekers
7 written materials describing the potential risks
8 of trafficking, including—

9 (i) information as to the rights of vic-
10 tims in the United States, including legal
11 and civil rights in labor, marriage, and for
12 crime victims under the Violence Against
13 Women Act; and

14 (ii) the names of support and advo-
15 cacy organizations in the United States;

16 (6) the Department of State and the European
17 Union—

18 (A) are commended as to their joint initia-
19 tive to promote awareness of the problem of
20 trafficking throughout countries of origin in
21 Eastern Europe and the independent states of
22 the former Soviet Union; and

23 (B) should continue efforts to engage in
24 similar programs in other regions and to ensure
25 that the dignity and the human rights of traf-

1 ficking victims are protected in destination
2 countries;

3 (7) the State Department's Bureau for Inter-
4 national Narcotics and Law Enforcement Affairs, to-
5 gether with the Department of Justice and the De-
6 partment of the Treasury, should continue to pro-
7 vide and expand funding to support criminal justice
8 training programs, which include trafficking; and

9 (8) the President's Interagency Council on
10 Women should submit a report to Congress, not
11 later than 6 months after the date of the adoption
12 of this resolution, with regard to the implementation
13 by the Secretary of State and the Attorney General
14 of the duties described in this resolution.

15 SEC. 2. The Secretary of the Senate shall transmit
16 a copy of this resolution to the President, the Secretary
17 of State, and the Attorney General.

○