

United States Senate

WASHINGTON, DC 20510-0908

April 21, 2023

The Honorable Linda Thomas-Greenfield
U.S. Representative to the United Nations
U.S. Mission to the United Nations
799 United Nations Plaza
New York, NY 10017

Dear Ambassador Thomas-Greenfield:

We write with grave concern regarding a report presented at the 52nd Session of the United Nations (UN) Human Rights Council that explicitly undermines the safeguards our society has established to protect our children from the sexual predations of pedophiles and other sexual criminals. We stand firmly against any foreign effort that seeks to undermine the well-established legal principle that children do not possess the emotional or mental maturity required to consent to sexual relations. We, therefore, request your immediate opposition to these efforts and to rescind any U.S. taxpayer money that may have directly or indirectly supported United Nations activities related to the report.

As you are likely aware, on March 8, 2023, the International Commission of Jurists (ICJ) published a report titled, “The 8 March Principles for a Human Rights-based Approach to Criminal Law Proscribing Conduct Associated with Sex, Reproduction, Drug Use, HIV, Homelessness and Poverty.” In addition to condemning laws, such as those in the United States, that prohibit socially deleterious industries and behaviors, including prostitution and narcotics use, the report also contains a recommendation on consensual sexual conduct. That recommendation states “sexual conduct involving persons below the domestically prescribed minimum age of consent to sex may be consensual in fact, if not in law” and that “enforcement of criminal law should reflect the rights and capacity of persons under 18 years of age to make decision about engaging in consensual sexual conduct.”¹

This flies in the face of laws across the United States, and much of the world affirms that all manners of sex between children and adults are coercive. It also contradicts Article 34 of the United Nations’ own Convention on the Rights of the Child that obligates nations to protect children from all forms of sexual exploitation and sexual abuse.² In contrast, there is a growing recognition for the need to protect children from sexual exploitation and has led to numerous nations raising the legal age of consent. This accurately reflects that children do not have the mental capacity to recognize the consequences of sexual intercourse and, given this understanding, the ability to make a knowing choice. For example, in 2008, Canada raised the age of consent from 14 to 16, following similar actions in Iceland in 2007, in Lithuania in 2010, Croatia in 2013, Spain in 2015, and Estonia in 2022.

¹ <https://icj2.wpenginepowered.com/wp-content/uploads/2023/03/8-MARCH-Principles-FINAL-printer-version-1-MARCH-2023.pdf>

² <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

As members of Congress, it is our responsibility to oversee government spending to ensure that taxpayer dollars are not misspent. As such, we request that you provide us answers to the following questions regarding the ICJ report:

1. Did the United States, or other member countries of the UN Human Rights Council, have the opportunity to review the report before it was published on March 8, 2023? If so, did the United States express disagreements or reservations with any part of the report?
2. Does the United Nations support the conclusions of the ICJ's March 8, 2023 Principles report, including the recommendation that children should be recognized as capable of providing informed consent to engage in sexual intercourse with adults?
3. Did United Nations funding contribute directly to the drafting and publication of the ICJ's 8 March Principles report? If so, were U.S. contributions to the United Nations involved in this effort?
4. How much U.S. taxpayer funding was devoted to supporting UNAIDS and UN OHCHR operations involved in the meetings mentioned in the ICJ report?
5. How much U.S. taxpayer funding was devoted to supporting the launch event in Geneva for the report?
6. If not, did the United States express its opposition to the report's recommendations after its publication on March 8?

The ICJ report gives credence to abhorrent pedophiles and sexual predators who claim that their vile acts should be decriminalized because children would be able to consent to sex. It is imperative that we stand against any effort that undermines the existing legal protections that safeguard children from sexual predators. We hope you share these concerns and we look forward to your swift cooperation and response. Thank you in advance for your attention to this matter.

Sincerely,



Marco Rubio
U.S. Senator



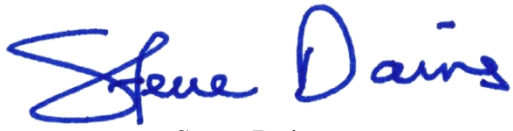
Mike Braun
U.S. Senator



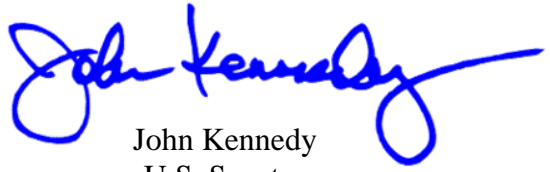
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