

Statement of

# **The Honorable Richard J. Durbin**

United States Senator  
Illinois  
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Senate Judiciary Committee  
Subcommittee on Human Rights and the Law  
"Legal Options to Stop Human Trafficking"

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Good afternoon, and welcome to the second hearing of our new Subcommittee on Human Rights and the Law. Unfortunately, our ranking member, Senator Coburn, is not able to be here today. But I know he feels as strongly as I do about the issue we will discuss today, and about the mission of this subcommittee.

This is the first time in Senate history there has been a subcommittee focused on human rights. At this moment in time, it is crucial to our national interest to promote greater respect for human rights around the world. Repressive regimes that violate human rights create fertile breeding grounds for terrorism, war, poverty, and instability. Our nation and our world will never be fully secure as long as fundamental human rights are not honored.

Our first hearing, last month, addressed the issue of genocide and the rule of law, focusing on the mass killings in Darfur. As a result of that hearing, I introduced bipartisan legislation to promote divestment in Sudan and to expand the reach of U.S. law so we can prosecute non-U.S. nationals who are in this country for crimes of genocide they committed abroad. We will continue to focus this subcommittee on legislation, not lamentations.

At today's hearing, we will consider the issue of human trafficking. This issue is as old as mankind. From the beginning of time there has been evidence of exploitation and slavery, and we have not been spared in our time.

Few issues in the world today raise as many human rights implications as the insidious practice of trafficking in human beings. It is estimated that a million people are trafficked across international borders each year and pressed into labor or servitude by the use of force, fraud, or coercion. Human trafficking represents the commerce in human misery.

As an introduction to today's hearing, I would like to show a brief video on human trafficking. It begins with a short public service announcement put together by the United Nations to help raise awareness of the trafficking issue. The second part of the video is an interview with a trafficking victim in Cambodia. It will help put a human face on this global tragedy.

[SHOW VIDEO]

Former U.N. Secretary-General Kofi Annan has said: "The world is now wrestling with a new form of slavery - trafficking in human beings, in which many vulnerable people are virtually abandoned by legal and social systems into a sordid realm of exploitation and abuse."

If there is any silver lining to this tragic problem, it is that the world has now opened its eyes. There are 117 signatories to the United Nations trafficking protocol, and many of these countries have passed tough anti-trafficking laws in the past few years. The United States passed its first major anti-trafficking law in 2000.

It is impossible to discuss the issue of human trafficking here in the United States Senate without mentioning the visionary leadership of the late Senator Paul Wellstone. Senator Wellstone called the trafficking of human beings "one of the most horrendous human rights violations of our time."

On the day Congress passed the Trafficking Victims Protection Act on October 11, 2000, Senator Wellstone went to the floor of the Senate. He was very happy that day. He praised his lead co-sponsor, Senator Sam Brownback, who has been a great champion of human rights for years. Senator Wellstone praised the broad coalition of groups that had come together to work on the bill - human rights groups, women's rights groups, Evangelical and Jewish groups, and members of the Clinton Administration. And he said this:

"I believe with passage of this legislation...we are lighting a candle. We are lighting a candle for these women and girls and sometimes men forced into forced labor.... This is the beginning of an international effort to go after this trafficking, to go after this major, god-awful human rights abuse."

Senator Wellstone's commitment to stopping human trafficking and other human rights abuses stands as one of his most enduring legacies. Despite his untimely passing, the candle Senator Wellstone lit nearly seven years ago is still burning bright, and we rekindle it again today.

Thanks to passage of the Trafficking Victims Protection Act of 2000, and the legal tools that Paul Wellstone gave the U.S. government, we have made progress in combating this major human rights abuse.

The State Department - under the leadership of my friend and former colleague in the U.S. House of Representatives, John Miller - has pushed recalcitrant countries around the globe to pass anti-trafficking laws and to help victims.

Of course, human trafficking is not just a phenomenon happening in far off lands, but here at home as well. The Department of Justice has done an admirable job of investigating and prosecuting trafficking cases in the United States. These cases are often very difficult to bring because trafficking victims are isolated and trapped. If victims are able to break free, they are often reluctant to talk to law enforcement out of fear of deportation or prison.

For this reason, the role of victim and legal service providers is especially important in the fight against human trafficking. Organizations like the National Immigrant Justice Center in Chicago are trusted sources of aid for trafficking victims, and these groups work closely with prosecutors to gain the trust of victims and make the case.

At today's hearing, we will ask: Seven years after passage of the Trafficking Victims Protection Act, what progress has the U.S. government made in combating human trafficking in the United States and abroad? What are we doing right, and what do we need to do better?

What aspects of the Trafficking Victims Protection Act and its 2003 and 2005 re-authorizations should be strengthened or changed?

Should Congress amend U.S. law to make it easier and quicker for trafficking victims in the U.S. and their family members to receive a "T visa" and other government benefits?

We will also ask: Why hasn't the U.S. government done more to punish U.S. contractors in Iraq and other foreign countries who engage in human trafficking?

And how can we hold foreign diplomats in the U.S. responsible for trafficking despite the existence of diplomatic immunity?

I intend to introduce legislation that will help address some of the problems that are identified at today's hearing. Several parts of the Trafficking Victims Protection Act are set to expire at the end of 2007, so it is time to look carefully at this law and figure out what more needs to be done to further the fight against human trafficking.