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The Call for a 21st Century Abolitionist Movement

John R. Miller

U.S. State Department's Office to Monitor and Combat Trafficking in Persons

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THE CALL FOR A 21ST CENTURY ABOLITIONIST MOVEMENT

AMBASSADOR JOHN R. MILLER*

Thank all of you for coming. I have been to quite a few conferences, but this is a remarkable conference because it brings together survivors and victims, as well as many who were involved in this struggle long before I got involved--such as Ambassador Nicholson and Sister Eugenia Bonetti. I think it is very appropriate that a close examination of human trafficking is taking place here at St. Thomas Law School--a law school that has devoted itself to human rights--because this is the emerging human rights issue of the twenty-first century.

I have been working with human rights in Congress and other places. A couple of years ago, if I heard about slavery, I would have said, "Didn't that end with the American Civil War?" But, as we have heard, it is still very much with us. What are some of the figures involved? Actually, before I get into that, let me say that the figures I am going to give are estimates. Victims do not stand in line and raise their hands to be counted. The U.S. government believes that up to 800,000 men, women, and children are trafficked across international borders into slavery every year.¹ There are non-

* Director of the U.S. State Department's Office to Monitor and Combat Trafficking in Persons and Senior Advisor to Secretary of State Condoleezza Rice on human trafficking. Ambassador Miller served in the U.S. House of Representatives from 1985 to 1993. While in Congress, Ambassador Miller held a seat on the House Committee on International Relations and was a member of the Congressional Human Rights Caucus.

¹ OFF. OF THE UNDER SEC'Y OF GLOBAL AFF., U.S. DEP'T OF STATE, PUB. NO. 11150, TRAFFICKING IN PERSONS REP. 1-2 (2004) *available at* <http://www.state.gov/g/tip/rls/tiprpt/2004/>. This report is issued yearly by the Department of State pursuant to PUB L. 106-386. The Trafficking in Persons Report informs Congress on foreign government efforts to meet the minimum efforts to eliminate severe forms of trafficking in person as set forth in the Trafficking in Victims Protection Act, 22 USC § 7106(b)(1) (2005) (complete citation *infra* note 12). For the 2005 Trafficking in Persons Report, *see* <http://www.state.gov/g/tip/rls/tiprpt/2005/>.

governmental organizations (NGOs) that put the figure significantly higher.² These figures are merely counting across international borders in a year, which does not include a count for internal slavery.³

Our government believes that close to 18,000 men, women and children are trafficked across the border into slavery each year.⁴ We believe that when we look at victims of the world today--unlike the slavery of preceding centuries where the chief criterion was race --we look at the victims of all races, and sadly as many as 80% are of the female gender, and as many as one-third are children.⁵ This slavery extends to every country in the world. I have visited countries where an official says, "Oh, that only goes on in poor African and Asian countries." Not so. It goes on everywhere, across the world, in the U.S., and even right here in Florida.⁶

I will list a few of the causes of human trafficking. Poverty is a tremendous push factor, and when coupled with the attraction for a more materialistic society, a pull factor, it forms one of the major foundations for human trafficking.⁷ Greed is a second cause. We have all heard about organized crime. We now talk about the big sources of revenue for organized crime: the drug trade, the arms trade, the people trade.⁸ Greed, coupled with the attitude in many cultures of men towards women, imposes a higher toll on sex trade.

² See, e.g., WomenAid International which is a humanitarian aid and development agency, which cites figures that indicate well over 100 million people globally are held in various forms of slavery, at <http://www.womenaid.org/ukat/> (last visited June 8, 2005).

³ U.S. DEP'T. OF JUST., ASSESSMENT OF U.S. ACTIVITIES TO COMBAT TRAFFICKING IN PERSONS (2003), available at http://www.usdoj.gov/crt/crim/wetf/us_assessment.pdf.

⁴ *Id.* at 1.

⁵ FRANCIS BOK, *ESCAPE FROM SLAVERY: THE TRUE STORY OF MY TEN YEARS IN CAPTIVITY – AND MY JOURNEY TO FREEDOM IN AMERICA* 8 (St. Martin's Press 2003).

⁶ E.g., FLA. DEP'T. OF CHILD. AND FAM.; OFF. OF REFUGEE SERV., FLORIDA RESPONDS TO HUMAN TRAFFICKING (2003). This report addresses trafficking cases in Florida, the responses of social services and law enforcement, and other human trafficking issues as they may be found in or related to the state, available at <http://www.cahr.fsu.edu/report.html>.

⁷ See TRAFFICKING IN PERSONS REPORT, *supra* note 1, at 11.

⁸ See *id.* at 7.

Greed generates many categories of slavery, such as domestic servitude, child soldiers, factory, and farm labor slavery. There are exotic forms of slavery--such as child camel jockey slavery--in many of these countries. Then there is what is probably the largest category in the world: sex slavery.⁹ The challenges that these kinds of slavery pose for all nations are threefold. First and foremost, there is the challenge to human rights and dignity. Second, there is the health challenge. When you deal with sex slavery, you are dealing with HIV/AIDS and sexually transmitted diseases. Finally, there is the challenge to national security and stability. This challenge affects the stability of many countries, especially in how the slave trade is connected to organized crime.

What do I do? I have the honor of being appointed by President Bush to go out to countries around the world and do everything the United States can do to try to stop the slave trade. I also have the honor to chair the Council of U.S. Agencies Domestic and Abroad, where we work to try to address slavery both at home and abroad. Most of what I do comes about because of a law that Congress passed with overwhelming bipartisan support--a tremendous coalition of Republicans and Democrats, of NGOs ranging from Evangelical Christians to feminists.¹⁰ First, we put out a report at the end of the year to the Secretary of State. We then discuss the issues and evaluate almost every country in the world.¹¹ Although we do not evaluate the United States, there is a separate report that evaluates

⁹ See *id.* at 8.

¹⁰ The law referred to is the Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, Division A, 114 Stat. 1464 (October 28, 2000) (Codified as amended at 22 U.S.C. §§ 7101-7110 and as it amended 18 U.S.C. §§ 1589-1594 (2005)), available at <http://www.state.gov/documents/organization/10492.pdf> [hereinafter TVPA].

¹¹ TRAFFICKING IN PERSONS REPORT, *supra* note 1 (includes an analysis of 140 countries' efforts to combat trafficking, best practices worldwide, a summary of U.S. action to fight human trafficking at home, and new data on the scope of this tragic phenomenon).

the United States put out by the Department of Justice,¹² which you can get on the Justice Department website.¹³

We try to put a spotlight on this issue, to bring countries' attention to it, and to help NGOs in those countries fight this problem. Our report brings with it the factors of publicity, embarrassment and shame. There are some teeth here, because if a country is not making significant efforts, the law provides that the President can threaten to impose, and even impose sanctions, such as reducing or eliminating certain kinds of United States aid.¹⁴ In addition to this report, we also have programs around the world.¹⁵ Our programs are in three categories.¹⁶ The first category of programs is law enforcement and prosecution; the second category, programs toward retraining and protecting the victims; and third, programs for prevention and education.¹⁷ Education programs exist not just for warning potential victims, but for educating the general society that is creating a market for these victims.¹⁸ If you look at all the agencies involved in these programs around the world--the State Department, USAID, and the Department of Justice--the United States spends \$60 million per year on this effort.¹⁹ A year ago at the United Nations General Assembly, President Bush announced a special initiative to work with NGOs around the world sheltering victims of human trafficking.²⁰ This is a 50 million dollar initiative that we are in the process of implementing.

There is so much more to do. Over the last few years, the Justice Department has tripled its number of domestic prosecutions.

¹² ASSESSMENT OF U.S. ACTIVITIES TO COMBAT TRAFFICKING IN PERSONS, *supra* note 3.

¹³ The Justice Department website is at <http://www.usdoj.gov/trafficking.htm> (last visited July 12, 2005).

¹⁴ TVPA, *supra* note 10, at § 110.

¹⁵ OFF. OF THE UNDER SEC'Y OF GLOBAL AFF., U.S. DEP'T OF STATE *supra* note 1.

¹⁶ U.S. DEP'T OF JUSTICE, *supra* note 3.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ TRAFFICKING IN PERSONS REPORT, *supra* note 1, at 21.

²⁰ President George W. Bush, Address to the United Nations (Sept. 23, 2003), available at <http://www.whitehouse.gov/news/releases/2003/09/20030923-4.html>.

We now have got over 100 convictions of traffickers.²¹ Because victims were not coming forward on their own, Health and Human Services now has a pilot program in ten American cities working with NGOs and shelters.²² This program works through foreign migrant communities, trying to get out foreign language brochures that encourage victims to come forward.

I do not want to paint an entirely bleak picture with all the gruesome things you are going to hear; there is some good news. If you look around the world today, more and more NGOs, more and more faith-based groups, more and more civic groups are working on this issue.²³ Last year there were about 3,000 convictions of traffickers worldwide;²⁴ a couple of years ago it was in the hundreds.²⁵ Last year alone, hundreds of new shelters were set up, and education programs were started.²⁶ There are some positive things happening, but we need to do so much more.

What can we, as individuals, do? I hope that after today's conference you will talk in your church, you will talk in your mosque, you will talk in your synagogue, you will talk with your local police, you will talk with the news media, and you will talk with civic groups. You will talk with your public officials, so that your state officials will look at anti-trafficking and be more aware of this issue. As you talk--as we talk--we have to make sure that we get our language straight. There are a lot of euphemisms. I head up an office that is called the Office of Monitoring and Combating Trafficking in Persons.²⁷ Trafficking in persons is the euphemism; what we are really talking about is the slave trade. Back in the nineteenth century, when people talked about slavery, they did not talk about slaves. They talked about field hands or house boys. It made it sound better. Today we talk about forced laborers or sometimes the

²¹ U.S. DEP'T OF JUSTICE, *supra* note 3.

²² *Id.*

²³ OFF. OF THE UNDER SECRETARY OF GLOBAL AFF., U.S. DEP'T OF STATE, *supra* note 1.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ The Office of Monitoring and Combating Trafficking in Persons is part of the U.S. Department of State, available at <http://www.state.gov/g/tip/>.

phrase sex worker--as if one could describe it as a normal form of work--a work that research shows 80 to 90% of people want to escape from.²⁸ It is important to call it by its real name: slavery.

It is going to be a long fight. As Frederick Douglass famously said, "Without struggle, there is no progress."²⁹ This will be a struggle. Ambassador Nicholson mentioned William Wilberforce. Wilberforce spent thirty years in British Parliament trying to abolish slavery in the British Empire and end the slave trade, but he eventually succeeded.³⁰ He, Fredrick Douglass, and Harriet Beecher Stowe³¹ prevailed. Today, not only do we need their perseverance, but we also need a twenty-first century abolitionist movement. I hope after today that all of you will join President Bush, Colin Powell, hundreds of NGOs, and thousands of former victims, and become part of this twenty-first century abolitionist movement. Thank you.

²⁸ OFF. OF THE UNDER SECRETARY OF GLOBAL AFF., U.S. DEP'T OF STATE, *supra* note 1.

²⁹ Frederick Douglass, *West India Emancipation Speech*, Canandaigua, New York (August 4, 1857), in 2 *THE LIFE AND WRITINGS OF FREDERICK DOUGLASS* 437 (Philip S. Foner ed., 1950), cited at <http://www.bartleby.com/73/443.html>.

³⁰ Cf. Brycchan Carey, *William Wilberforce's Sentimental Rhetoric: Parliamentary Reportage and the Abolition Speech of 1789*, 14 *THE AGE OF JOHNSON: A SCHOLARLY ANNUAL* 281-305 (2003).

³¹ HARRIET BEECHER STOWE, *UNCLE TOM'S CABIN* (1852); *ID.*, *DRED* (1856). See also ELIZABETH YOUNG., *DISARMING THE NATION: WOMEN'S WRITING AND THE AMERICAN CIVIL WAR* (1999).