

## HUMAN TRAFFICKING

*Trends*

The Commission observed some positive legal developments in the area of human trafficking during the 2015 reporting year. Nevertheless, China remains a country of origin<sup>1</sup> and destination<sup>2</sup> for the trafficking of men, women, and children, as defined under the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN TIP Protocol).<sup>3</sup> Men, women, and children are reportedly trafficked within China's borders for forced labor, including in the construction, manufacturing, brick-making, and home care industries.<sup>4</sup> Women and girls also are reportedly trafficked for forced marriage and sexual exploitation.<sup>5</sup> People with disabilities and children reportedly are particularly vulnerable to trafficking for the purposes of forced begging.<sup>6</sup>

The Chinese and Southeast Asian governments,<sup>7</sup> non-governmental organizations (NGOs),<sup>8</sup> and the United Nations report that cross-border trafficking into China for forced marriage and sexual exploitation appears to be increasing.<sup>9</sup> A spokesperson for China's Supreme People's Court said the crime of trafficking for commercial sexual exploitation is "increasingly prominent," and that trafficking of foreign women is increasing in some regions of China.<sup>10</sup> Cambodian and international media reported a growing trend of Cambodian women being trafficked into China for forced marriage.<sup>11</sup> The Vietnamese government reported a rise in trafficking of Vietnamese citizens, saying 85 percent of victims were women and children, and 70 percent were trafficked to China.<sup>12</sup> The Vietnam-based NGO Pacific Links Foundation also reported an increase in trafficking from Vietnam to China for forced marriage.<sup>13</sup> Burmese media reported that police in Burma handled more trafficking cases in 2014 compared to 2013, with the majority of these cases involving trafficking to China for forced marriage.<sup>14</sup>

*Risk Factors*

China's ongoing human trafficking problem stems from a variety of economic, demographic, and political factors. The United Nations Office on Drugs and Crime reports that China is a major country of origin for migrants smuggled to other parts of Asia, North America, and Europe.<sup>15</sup> Primarily driven by socio-economic factors, these migrants are vulnerable to human trafficking.<sup>16</sup> Within China, domestic migrant workers are reportedly vulnerable to being trafficked for forced labor.<sup>17</sup> The children of domestic migrant workers, who are in some cases unable to migrate with their parents, are at risk of forced labor, forced marriage, and sexual exploitation.<sup>18</sup> Poverty and regional instability<sup>19</sup> contribute to trafficking from Southeast Asia into China for forced labor and sexual exploitation.<sup>20</sup> Amid wage increases and labor shortages,<sup>21</sup> some Chinese factories employ illegal foreign migrant workers<sup>22</sup> who reportedly face exploitative conditions<sup>23</sup> and are at risk of trafficking for forced labor.<sup>24</sup>

China's sex ratio imbalance—exacerbated by government-imposed birth limits and in keeping with a traditional bias toward sons<sup>25</sup>—has created a demand for marriageable women and may

contribute to human trafficking for forced marriage.<sup>26</sup> According to estimates by the National Bureau of Statistics of China, in 2014, China had nearly 34 million more men than women.<sup>27</sup> The sex ratio at birth, while lower than previous years,<sup>28</sup> remained high at roughly 116 boys born for every 100 girls.<sup>29</sup> According to demographers, a normal sex ratio at birth is within the range of 103 to 106 boys born for every 100 girls.<sup>30</sup>

Some Uyghurs from the Xinjiang Uyghur Autonomous Region reportedly attempt to flee religious and other forms of persecution in China with the help of smugglers in China and Southeast Asia,<sup>31</sup> putting them at risk of human trafficking.<sup>32</sup> According to Reuters, in March 2014, Thai authorities intercepted more than 200 Uyghurs held in camps run by suspected human traffickers in Thailand.<sup>33</sup> Thai authorities subsequently held many of the Uyghurs in reportedly poor conditions in detention facilities.<sup>34</sup> In late June 2015, Thai authorities reportedly allowed 173 of the refugees to leave Thailand and go to Turkey,<sup>35</sup> but forcibly returned another 109 refugees to China, where many reportedly remained in detention as of August 2015.<sup>36</sup> [For more information, see Section IV—Xinjiang.] North Korean refugees who escape into China also remain at risk for human trafficking,<sup>37</sup> although border crossings have reportedly decreased in recent years.<sup>38</sup> In February 2015, the independent website NK News reported a case of Chinese smugglers forcing North Korean refugees to perform sex acts online for a South Korea-based Web broadcasting service.<sup>39</sup> In addition, according to research by the Database Center for North Korean Human Rights, the government of the Democratic People's Republic of Korea reportedly sends North Korean laborers abroad, including to China, under conditions that may constitute trafficking.<sup>40</sup>

#### *Anti-Trafficking Efforts*

During the 2015 reporting year, the Chinese government continued to cooperate with its neighbors to combat human trafficking by signing a new anti-trafficking agreement with the Laotian government in September 2014<sup>41</sup> and by working with the five other member countries of the Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT)<sup>42</sup> to draft COMMIT's fourth Sub-Regional Plan of Action, adopted in April 2015.<sup>43</sup> The Chinese government also provided logistical support and significant funding for COMMIT-related workshops and activities in 2014, according to the UN Action for Cooperation against Trafficking in Persons annual report.<sup>44</sup>

While China's domestic legislation remains inconsistent with UN TIP Protocol standards,<sup>45</sup> the Chinese government took steps to improve its laws and regulations on human trafficking. In August 2015, the National People's Congress Standing Committee issued the Ninth Amendment to the PRC Criminal Law, effective November 1, 2015,<sup>46</sup> that included a change to Article 241.<sup>47</sup> Based on the current version of Article 241, buyers of trafficked women and children can avoid criminal liability if they have not harmed or prevented authorities from rescuing the victim.<sup>48</sup> The amended law provides that buyers face criminal liability,<sup>49</sup> although they may still receive a lighter punishment.<sup>50</sup> Additionally, in December 2014, the central government issued an opinion that allows au-

thorities to terminate custody rights of parents who sell their children,<sup>51</sup> and in February 2015, the Supreme People's Court published eight model cases that provided sentencing guidance for trafficking cases.<sup>52</sup>

In recent years, the Chinese government has undertaken two potentially positive reforms; these reforms, however, did not appear to significantly reduce the problem of human trafficking during the reporting year. In late 2013, the government abolished the reeducation through labor (RTL) system,<sup>53</sup> a form of arbitrary detention in which individuals were detained without trial<sup>54</sup> and forced to labor.<sup>55</sup> RTL detainee labor constituted forced labor as defined by the 1930 International Labour Organization Forced Labor Convention,<sup>56</sup> and constituted trafficking as defined by the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN TIP Protocol).<sup>57</sup> Since the abolition of RTL, authorities have reportedly continued the use of other forms of administrative detention, including "custody and education" facilities and compulsory drug detoxification centers,<sup>58</sup> where detainees perform forced labor.<sup>59</sup> At a press conference in November 2014, the vice minister of China's Ministry of Justice said that the "vast majority" of China's RTL facilities had been converted to compulsory drug detoxification centers.<sup>60</sup>

The second reform, a November 2013 adjustment to China's population planning policy, allowed married couples in which one parent is an only child to bear a second child.<sup>61</sup> Some experts suggested this reform had the potential to ameliorate China's sex ratio imbalance, in turn reducing demand for trafficking for forced marriage.<sup>62</sup> Most couples eligible to have a second child under the new exception reside in cities,<sup>63</sup> and while data from China's 2010 census show that cities have sex ratio imbalances, in 27 out of 31 provincial-level jurisdictions, the largest imbalances were found in townships or villages.<sup>64</sup> Many residents of these areas were already allowed to have a second child under existing policy exceptions.<sup>65</sup> The dean of the Renmin University School of Society and Population and other observers have argued that the 2013 policy adjustment alone is unlikely to reverse China's sex ratio imbalance.<sup>66</sup> [For more information on China's sex ratio imbalance, see Section II—Population Control.]

### *Anti-Trafficking Challenges*

In its Concluding Observations on the Combined Seventh and Eighth Periodic Reports of China, issued November 7, 2014, the UN Committee on the Elimination of Discrimination against Women noted its concern over "the lack of clarity as to whether domestic law criminalizes all forms of trafficking . . . ."<sup>67</sup> The UN TIP Protocol definition of human trafficking involves three components: the action of recruitment, transfer, harboring, or receipt of persons; the means of force, coercion, fraud, deception, or control; and "the purpose of exploitation," including sexual exploitation or forced labor.<sup>68</sup> Although the PRC Criminal Law prohibits human trafficking,<sup>69</sup> China's domestic legislation remains inconsistent with UN TIP Protocol standards.<sup>70</sup> For example, the current definition of trafficking under Chinese law<sup>71</sup> does not clearly cover certain types of non-physical coercion<sup>72</sup> or offenses against male vic-

tims.<sup>73</sup> These forms of trafficking are covered under Article 3 of the UN TIP Protocol.<sup>74</sup> Although the State Council's China Action Plan To Combat Trafficking in Persons (2013–2020), issued in January 2013, revised the Chinese term for trafficking to include all persons (*guaimai renkou*),<sup>75</sup> both the current version of the PRC Criminal Law<sup>76</sup> and the Ninth Amendment to the PRC Criminal Law refer only to women and children.<sup>77</sup>

The PRC Criminal Law is also overly broad compared with the UN TIP Protocol in that its definition of trafficking includes the purchase or abduction of children for subsequent sale without specifying the end purpose of these actions.<sup>78</sup> Under the UN TIP Protocol, illegal adoptions are considered trafficking only if the end purpose of the sale is exploitation, such as sexual exploitation or forced labor.<sup>79</sup> Due to these inconsistencies between China's legal definition of human trafficking and international standards, official reports and statistics do not provide an accurate picture of the number of trafficking cases China's criminal justice system handles.<sup>80</sup>

**Representative Human Trafficking Cases Published During  
the 2015 Reporting Year**

- **Shanghai municipality.** According to Chinese media reports, in October 2014, police rescued 11 girls, aged 13 to 17, from Chongqing municipality and Sichuan province who had been trafficked to Shanghai municipality and forced into commercial sexual exploitation.<sup>81</sup> The youngest victim, aged 13, used a client's cell phone to text her mother for help.<sup>82</sup> Authorities detained eight suspects in connection with the case.<sup>83</sup>
- **Inner Mongolia Autonomous Region.** In November 2014, Chinese police disclosed that they had broken up an international criminal trafficking syndicate, rescuing 14 women and detaining 31 suspects.<sup>84</sup> According to media reports, traffickers promised the women jobs or holiday tours and then sold the women into forced marriages in rural China.<sup>85</sup> Eleven of the 14 rescued women were from Burma, 5 of whom were under 18.<sup>86</sup>
- **Anhui province.** Chinese media reported in November 2014 that police in Anhui province broke up a criminal syndicate that was targeting women who appeared to suffer from "mental disorders,"<sup>87</sup> detaining eight suspects.<sup>88</sup> The traffickers reportedly detained, beat, raped, and sold the women.<sup>89</sup> Police found contracts in one suspect's home promising buyers that the women were able to bear children and were not married.<sup>90</sup> Police believe the syndicate trafficked at least 10 women.<sup>91</sup>

*Hong Kong*

Hong Kong is a transit point and destination for human trafficking.<sup>92</sup> An April 2015 UN report noted that Hong Kong's international airport is an important point of transit for migrant smuggling,<sup>93</sup> and that these migrants are at risk of human trafficking.<sup>94</sup> Migrant domestic workers in Hong Kong are particularly vulnerable to exploitation and abuse.<sup>95</sup> These workers often arrive in Hong Kong owing large debts to employment agencies,<sup>96</sup> and employers and placement agencies frequently confiscate the workers'

passports.<sup>97</sup> In a February 2015 report, Amnesty International estimated that “[t]housands of the approximately 300,000 migrant domestic workers . . . in Hong Kong were trafficked for exploitation and forced labor . . . .”<sup>98</sup> The anti-trafficking non-governmental organization (NGO) Justice Centre Hong Kong attributed the lack of precise data on the extent of human trafficking in Hong Kong in part to the absence of comprehensive anti-trafficking legislation.<sup>99</sup> The UN Committee on the Elimination of Discrimination against Women as well as domestic and international NGOs expressed concern that Hong Kong’s laws do not adequately address human trafficking,<sup>100</sup> as the definition of human trafficking in Hong Kong’s Crimes Ordinance covers only the transboundary movement of persons “for the purpose of prostitution,” not forced labor or other forms of trafficking.<sup>101</sup> The Chinese central government has not extended the UN TIP Protocol to apply to Hong Kong.<sup>102</sup> [For more information on Hong Kong, see Section VI—Developments in Hong Kong and Macau.]

## Notes to Section II—Human Trafficking

<sup>1</sup> See, e.g., Humanitarian Organization for Migrant Economics, “Shadow Report to 59th Session of the Committee of Elimination of All Forms of Discrimination against Women,” October 2014, 3; Justin McIntosh, “The Stubborn Cycle of Massage Parlor Trafficking,” *Columbus Monthly*, May 2015; United Nations Action for Cooperation against Trafficking in Persons, “Annual Progress Report 2014,” 20 May 15, 9; Sarah Lazarus, “Slavery at Sea: Human Trafficking in the Fishing Industry Exposed,” *South China Morning Post*, *Post Magazine*, 14 June 15.

<sup>2</sup> See, e.g., Ligia Kiss et al., “Health of Men, Women, and Children in Post-Trafficking Services in Cambodia, Thailand, and Vietnam: An Observational Cross-Sectional Study,” *Lancet Global Health*, Vol. 3, March 2015, 156; “Cambodian Trafficking Victim Warns Others Not To Succumb to Brokers,” *Radio Free Asia*, 2 February 15; Nirmal Ghosh, “Bride or Brothel—The Choice for Duped Vietnamese Women Trafficked to China in Thriving Industry,” *Straits Times*, 7 December 14; United Nations Action for Cooperation against Trafficking in Persons, “Annual Progress Report 2014,” 20 May 15, 9.

<sup>3</sup> UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15 November 00, entry into force 25 December 03, art. 3(a). This protocol is also commonly referred to as the Palermo Protocol because it was adopted in Palermo, Italy. United Nations Treaty Collection, Chapter XVIII, Penal Matters, 12.a., Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, last visited 26 May 15. China acceded to the Protocol on February 8, 2010.

<sup>4</sup> Walk Free Foundation, “The Global Slavery Index 2014,” 13 November 14, 102.

<sup>5</sup> Accountability and Transformation: Tier Rankings in the Fight Against Human Trafficking, Hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, Committee on Foreign Affairs, U.S. House of Representatives, 22 April 15. Testimony of Mark Lagon, President, Freedom House, 3; Charles Custer, “Missing, Kidnapped, Trafficked: China Has a Problem With Its Children,” *Guardian*, 12 March 15; Chen Huizhi, “11 Girls Rescued From Child Prostitution Ring,” *Shanghai Daily*, 1 April 15; Subin Kim, “Operators of Webcam Site Exploiting Defector Women Indicted,” *NK News*, 24 February 15.

<sup>6</sup> Charles Custer, “Missing, Kidnapped, Trafficked: China Has a Problem With Its Children,” *Guardian*, 12 March 15; Walk Free Foundation, “The Global Slavery Index 2014,” 13 November 14, 102.

<sup>7</sup> Zhang Lei, “Over 7,700 Trafficking Cases, Over Half Sentenced Harshly” [7700 yu guaimai an zhongxing lu chao yiban], *Beijing Evening News*, 27 February 15; Minh Hung, “Kidneys, Newborns, Wives for Sale: Human Trafficking on the Rise in Vietnam,” *Thanh Nien News*, 21 April 15; “Human Trafficking Peaks in 2014,” *Eleven*, 13 January 15; “China Returns 6 Trafficked Vietnamese Women,” *Xinhua*, 6 May 15.

<sup>8</sup> Sarah Lazarus, “How Asia Is a Hub for ‘Silent Crime’ of Modern-Day Slavery,” *South China Morning Post*, *Post Magazine*, 7 June 15; Nirmal Ghosh, “Bride or Brothel—The Choice for Duped Vietnamese Women Trafficked to China in Thriving Industry,” *Straits Times*, 7 December 14; Network of Chinese Human Rights Defenders and a Coalition of NGOs, “Civil Society Report Submitted to the Committee on the Elimination of Discrimination against Women for Its Review at the 59th Session of the Combined 7th and 8th Report by the People’s Republic of China on Its Implementation of the Convention on the Elimination of All Forms of Discrimination against Women,” 30 September 14, para. 16.

<sup>9</sup> United Nations Action for Cooperation against Trafficking in Persons, “Annual Progress Report 2014,” 20 May 15, 9.

<sup>10</sup> Hu Yongping and Sun Mantao, “Supreme People’s Court: Domestic and International Collusion in Crime of Trafficking and Kidnapping Foreign Women Increasing” [Zuigao fa: guoneiwai bufa zhe goujie guaimai guaipian wajiji funu fanzui zengduo], *China Internet Information Center*, 27 February 15.

<sup>11</sup> Manabu Ito, “Dearth of Wives for Chinese Men Prompts Bride Trafficking,” *Nikkei Asian Review*, 9 April 15; Khuon Narim and Simon Henderson, “Nine Cambodian Women Seek Refuge in China,” *Cambodia Daily*, 29 November 14; Jina Moore, “Cambodia Is China’s Newest Market for Foreign Brides,” *BuzzFeed*, 5 February 15.

<sup>12</sup> Minh Hung, “Kidneys, Newborns, Wives for Sale: Human Trafficking on the Rise in Vietnam,” *Thanh Nien News*, 21 April 15.

<sup>13</sup> Nirmal Ghosh, “Bride or Brothel—The Choice for Duped Vietnamese Women Trafficked to China in Thriving Industry,” *Straits Times*, 7 December 14.

<sup>14</sup> “Human Trafficking Peaks in 2014,” *Eleven*, 13 January 15; Pyae Thet Phy, “Human Trafficking Cases Rise in 2014,” *Myanmar Times*, 15 December 14; “Myanmar Arrests 93 Traffickers, But None From Rakhine,” *Agence France-Presse*, reprinted in *Express Tribune*, 8 June 15. According to *Agence France-Presse*, official figures on trafficking cases in Burma do not include cases involving the Rohingya minority.

<sup>15</sup> United Nations Office on Drugs and Crime, “Migrant Smuggling in Asia: Current Trends and Related Challenges,” April 2015, 73, 78, 80, 82.

<sup>16</sup> *Ibid.*, 73, 77–78, 80, 82.

<sup>17</sup> Walk Free Foundation, “The Global Slavery Index 2014,” 13 November 14, 102–103.

<sup>18</sup> *Ibid.*, 103. See also “The Problems of Left Behind Children” [Liushou ertong wenti], *Radio Free Asia*, 12 December 14; “‘Child Laborers,’ How Should We Rescue You?” [“Tonggong”], *women gai ruhe jiejiu ni?*], *Xinhua*, 29 December 14.

<sup>19</sup> See, e.g., Women’s League of Burma, “Ongoing Sexual Violence Highlights Urgent Need for Burma Army To Stop Offensives and Pull Back Troops From Kachin Areas,” 22 January 15; “Hundreds Flee New Fighting in Myanmar’s North,” *Al Jazeera*, 16 January 15; “Thousands Flee Myanmar Conflict as State of Emergency Imposed in Kokang,” *Agence France-Presse*, reprinted in *South China Morning Post*, 19 February 15.

<sup>20</sup>United Nations Action for Cooperation against Trafficking in Persons, “COMMIT SOM/IMM Concluded,” 5 May 15; Jina Moore, “Cambodia Is China’s Newest Market for Foreign Brides,” BuzzFeed, 5 February 15; Kachin Women’s Association Thailand, “Pushed to the Brink: Conflict and Human Trafficking on the Kachin-China Border,” June 2013, 13; “Human Trafficking Peaks in 2014,” Eleven, 13 January 15; Nirmal Ghosh, “Bride or Brothel—The Choice for Duped Vietnamese Women Trafficked to China in Thriving Industry,” Straits Times, 7 December 14.

<sup>21</sup>Duncan Hewitt, “Illegal Foreign Workers on the Rise in China as Factories Face Labor Shortages,” International Business Times, 1 April 15; “Labor Shortages Reported Across China,” Want China Times, 27 August 14.

<sup>22</sup>Duncan Hewitt, “Illegal Foreign Workers on the Rise in China as Factories Face Labor Shortages,” International Business Times, 1 April 15; Frank Sieren, “Sieren’s China: Stopgap Workers,” Deutsche Welle, 28 April 15.

<sup>23</sup>Ibid.

<sup>24</sup>Bureau of International Labor Affairs, U.S. Department of Labor, “Reducing Child Labor and Forced Labor Toolkit: Risk and Impact Information Gathering,” last visited 22 April 15; United Nations Office on Drugs and Crime, “Migrant Smuggling in Asia: Current Trends and Related Challenges,” April 2015, I.

<sup>25</sup>Andrea M. Den Boer, Valerie M. Hudson, and Jenny Russell, “China’s Mismatched Bookends: A Tale of Birth Sex Ratios in South Korea and Vietnam,” Paper prepared for the meeting of the International Studies Association, New Orleans, Louisiana, February 2015, 5–6; Liberty Asia and Thomson Reuters Foundation, “From Every Angle: Using the Law To Combat Human Trafficking in Southeast Asia,” November 2014, 44; Population Reference Bureau, “PRB Discuss Online: Will China Relax Its One-Child Policy?” 22 February 11.

<sup>26</sup>Liberty Asia and Thomson Reuters Foundation, “From Every Angle: Using the Law To Combat Human Trafficking in Southeast Asia,” November 2014, 44; Accountability and Transformation: Tier Rankings in the Fight Against Human Trafficking, Hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, Committee on Foreign Affairs, U.S. House of Representatives, 22 April 15, Written Testimony of Mark Lagon, President, Freedom House, 3; Manabu Ito, “Dearth of Wives for Chinese Men Prompts Bride Trafficking,” Nikkei Asian Review, 9 April 15.

<sup>27</sup>National Bureau of Statistics of China, “2014 National Economic and Social Development Statistics Bulletin” [2014 nian guomin jingji he shehui fazhan tongji gongbao], 26 February 15. See also Yuen Yeuk-laam, “China Census Shows Continuing Gender Imbalance, Aging Population,” Global Times, 21 January 15.

<sup>28</sup>Chen Xianling, “China’s Sex Ratio Highest in the World, In 34 Years 30 Million ‘Extra’ Men Born” [Woguo xingbiebi pian gao shijie diyi 34 nian “duo” chu 3000 wan nanxing], Southern Metropolitan Daily, 11 February 15; National Health and Family Planning Commission, “Interpretation of Document ‘Circular on Strengthening the Striking and Prevention of Behaviors of Fetal Gender Identification Through Drawing Blood’” [“Guanyu jiaqiang daji fang kong cai xie jiangding ta’er xingbie xingwei de tongzhi” wenjian jiedu], 21 January 15; “China’s Sex Ratio at Birth Declines 4 Years in a Row,” Xinhua, 5 March 13.

<sup>29</sup>Hu Hao, “China’s Sex Ratio at Birth Falls Sixth [Year] in a Row” [Woguo chusheng renkou xingbiebi liu lian jiang], Xinhua, 4 February 15; Yuen Yeuk-laam, “China Census Shows Continuing Gender Imbalance, Aging Population,” Global Times, 21 January 15; Chen Xianling, “China’s Sex Ratio Highest in the World, In 34 Years 30 Million ‘Extra’ Men Born” [Woguo xingbiebi pian gao shijie diyi 34 nian “duo” chu 3000 wan nanxing], Southern Metropolitan Daily, 11 February 15.

<sup>30</sup>See, e.g., Christophe Z. Guilmoto, “Skewed Sex Ratios at Birth and Future Marriage Squeeze in China and India, 2005–2100,” *Demography*, Vol. 49 (2012), 17 December 11, 77–78; Stuart Basten and Georgia Verropoulou, “‘Maternity Migration’ and the Increased Sex Ratio at Birth in Hong Kong SAR,” *Population Studies*, Vol. 67, No. 3 (2013), 325; Population Control in China: State-Sponsored Violence Against Women and Children, Hearing of the Congressional-Executive Commission on China, 30 April 15, Testimony of Dr. Nicholas Eberstadt, Henry Wendt Chair in Political Economy, American Enterprise Institute for Public Policy Research, 2.

<sup>31</sup>“Uyghurs Rely on Chinese Smugglers To Travel to Turkey,” Radio Free Asia, 28 May 15; Sumeyye Ertekin, “Uighurs Flee China for Turkey in Search of Peace,” Al Jazeera America, 3 February 15; “Dismal Conditions Push Uyghurs To Escape From Thai Facility,” Radio Free Asia, 17 November 14; Michael Martina et al., “China Rebukes Turkey for Offer To Shelter Uighur Refugees,” Reuters, 28 November 14.

<sup>32</sup>United Nations Office on Drugs and Crime, “Human Trafficking FAQs,” last visited 29 May 15; United Nations Office on Drugs and Crime, “Migrant Smuggling in Asia: Current Trends and Related Challenges,” April 2015, I.

<sup>33</sup>Andrew R.C. Marshall, “Suspected Uighurs Rescued From Thai Trafficking Camp,” Reuters, 14 March 14; Reuters, Chutima Sidasathian, and Alan Morison, “200 ‘Turkish Refugees’ Rescued From Thai Slave Camp Turn Out To Be Uyghurs,” South China Morning Post, 14 March 14; “China Wants Uighur Refugees Back From Thailand,” Associated Press, reprinted in Daily Mail, 15 November 14; Andrew R.C. Marshall and Amy Sawitta Lefevre, “Special Report: Flaws Found in Thailand’s Human-Trafficking Crackdown,” Reuters, 10 April 14.

<sup>34</sup>UN Human Rights Council, Communications Report of Special Procedures, A/HRC/29/50, 2 June 15, 57; “Uyghur Girl Appeals for Help in Freeing Family From Thai Detention Center,” Radio Free Asia, 16 June 15; “Illnesses, Deaths Among Uyghur Refugees in Thai Detention Centers,” Radio Free Asia, 7 January 15.

<sup>35</sup>“Group of 173 Uyghurs Freed From Thai Detention Arrive in Turkey,” Radio Free Asia, 1 July 15.

<sup>36</sup>Michael Martina, “Returning Uighurs Attacked Thai, Chinese Police, China Says,” Reuters, 4 August 15; “Uighurs Deported From Thailand to China Remain in Detention,” Voice of America, 5 August 15; Simon Denyer, “Uighurs Face ‘Grim’ Return to China as Authorities Level Terrorism Claims,” Washington Post, 10 July 15.

<sup>37</sup>Han Dong-ho et al., Korea Institute for National Unification, “White Paper on Human Rights in North Korea 2014,” 15 September 14, 561–62; United Nations Office on Drugs and Crime, “Migrant Smuggling in Asia: Current Trends and Related Challenges,” April 2015, 82; Madison Park, “Women Activists’ Plans To Cross Korea’s DMZ Draws Ire,” CNN, 24 May 15; Subin Kim, “Operators of Webcam Site Exploiting Defector Women Indicted,” NK News, 24 February 15.

<sup>38</sup>Ju-min Park and James Pearson, “Bugged Phones and Double Barbed Wire: Far Fewer North Koreans Defect,” Reuters, 21 May 15.

<sup>39</sup>Subin Kim, “Operators of Webcam Site Exploiting Defector Women Indicted,” NK News, 24 February 15.

<sup>40</sup>Sarah E. Mendelson, “Outsourcing Oppression: Trafficked Labor From North Korea,” Foreign Affairs, 28 May 15. Mendelson notes that these North Korean laborers are often misled about the conditions they will face abroad, and that “government minders apparently use force, fraud, deception, and coercion to exploit laborers once they’ve reached their destination.” Scott A. Snyder, “Human Rights Conditions of Overseas Laborers From North Korea,” Council on Foreign Relations, Asia Unbound (blog), 22 May 15.

<sup>41</sup>Agreement Between the Government of the Lao People’s Democratic Republic and the Government of the People’s Republic of China on Cooperation in Preventing and Combating Trafficking in Persons, signed 1 September 14, reprinted in UN Action for Cooperation against Trafficking in Persons.

<sup>42</sup>Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-Region, signed 29 October 04, reprinted in UN Action for Cooperation against Trafficking in Persons. The six signatories to the MOU were Cambodia, China, Laos, Burma (Myanmar), Thailand, and Vietnam.

<sup>43</sup>Coordinated Mekong Ministerial Initiative Against Trafficking, COMMIT 4th Sub-Regional Plan of Action (SPAIV 2015–2018), signed 29 April 15, reprinted in UN Action for Cooperation against Trafficking in Persons, 3. See also “Six GMS Countries Sign Joint Declaration, Reaffirming Anti-Human Trafficking Commitment,” Xinhua, 30 April 15; United Nations Action for Cooperation against Trafficking in Persons, “COMMIT SOM/IMM Concluded,” 5 May 15; Charles Parkinson and Pech Sotheary, “Kingdom Backs Regional Human Trafficking Plan,” Phnom Penh Post, 1 May 15.

<sup>44</sup>United Nations Action for Cooperation against Trafficking in Persons, “Annual Progress Report 2014,” 20 May 15, 13.

<sup>45</sup>PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240; UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15 November 00, entry into force 25 December 03, arts. 3(a), 6.3. Topics that need to be addressed in domestic legislation to bring it into compliance with the UN TIP Protocol include protection and rehabilitation of victims of trafficking, addition of non-physical forms of coercion into the legal definition of trafficking, and trafficking of men.

<sup>46</sup>National People’s Congress Standing Committee, PRC Criminal Law Amendment (Nine) [Zhonghua renmin gongheguo xingfa xiuzheng’an (jiu)], issued 29 August 15, effective 1 November 15; National People’s Congress Standing Committee, PRC Criminal Law Amendment (Nine) (Draft) [Zhonghua renmin gongheguo xingfa xiuzheng’an (jiu) (cao’an)], issued 3 November 14; National People’s Congress Standing Committee, PRC Criminal Law Amendment (Nine) (Draft) (Second Reading) [Zhonghua renmin gongheguo xingfa xiuzheng’an (jiu) (cao’an) (erci shenya gao)], issued 6 July 15. The National People’s Congress Standing Committee issued the first draft of the Ninth Amendment to the PRC Criminal Law in November 2014 and a second draft in July 2015.

<sup>47</sup>National People’s Congress Standing Committee, PRC Criminal Law Amendment (Nine) [Zhonghua renmin gongheguo xingfa xiuzheng’an (jiu)], issued 29 August 15, effective 1 November 15, item 15.

<sup>48</sup>PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 241; Sun Gan and Sun Siya, “Men Also Included as a Vulnerable Group in Indecency Law” [Nanxing ye bei naru weixie zui shouhai qunti], Beijing Times, 28 October 14.

<sup>49</sup>“China Focus: China Adopts Amendments to Criminal Law,” Xinhua, 29 August 15. See also Guo Peiqing, “To Curb the Crime of Trafficking Children, Amend the Law To Punish Buyers” [Ezhi guaimai ertong fanzui xu xiu fa yancheng maifang], Beijing Youth Daily, 5 June 15; Sun Gan and Sun Siya, “Men Also Included as a Vulnerable Group in Indecency Law” [Nanxing ye bei naru weixie zui shouhai qunti], Beijing Times, 28 October 14; Chen Liping, “Pointing Out Seven Major Highlights of the Criminal Law Amendment (Nine) Draft” [Dianji xingfa xiuzheng’an (jiu) cao’an de qi da liangdian], Legal Daily, 28 October 14.

<sup>50</sup>National People’s Congress Standing Committee, PRC Criminal Law Amendment (Nine) [Zhonghua renmin gongheguo xingfa xiuzheng’an (jiu)], issued 29 August 15, effective 1 November 15, item 15; National People’s Congress Standing Committee, PRC Criminal Law Amendment (Nine) (Draft) [Zhonghua renmin gongheguo xingfa xiuzheng’an (jiu) (cao’an)], issued 3 November 14, item 13; National People’s Congress Standing Committee, PRC Criminal Law Amendment (Nine) (Draft) (Second Reading) [Zhonghua renmin gongheguo xingfa xiuzheng’an (jiu) (cao’an) (erci shenya gao)], issued 6 July 15, item 15. The final wording differs slightly from earlier drafts of the amendment. The first draft provided that buyers of trafficked women who did not prevent the women from returning home and buyers of children who had not harmed them could receive a light or reduced punishment, or be exempt from punishment. The second



draft provided that buyers could receive a light or reduced punishment in cases involving trafficked children, or be exempt from punishment in cases that involved trafficked women.

<sup>51</sup>Supreme People's Court, Supreme People's Procuratorate, Ministry of Public Security, Ministry of Civil Affairs, Opinion on Handling Certain Issues of Guardians' Violations of Minors' Rights and Interests in Accordance With the Law [Guanyu yifa chuli jianhuren qin'ai wei chengnianren quanyi xingwei ruogan wenti de yijian], issued 18 December 14, effective 1 January 15, 35(1); United Nations Action for Cooperation against Trafficking in Persons (UN-ACT), "UN-ACT January 2015 Newsletter," January 2015.

<sup>52</sup>Zhou Bin, "SPC Circulates Model Cases of Punishment for Trafficking Women and Children" [Zuigaofa tongbao chengzhi guaimai funu ertong fanzui dianxing anli], Legal Daily, 27 February 15.

<sup>53</sup>National People's Congress Standing Committee Decision on Abolishing Laws and Regulations Regarding Reeducation Through Labor [Quanguo renmin daibiao dahui changwu weiyuanhui guanyu feizhi youguan laodong jiaoyang falu guiding de jue ding], reprinted in Xinhua, issued and effective 28 December 13; Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report," June 2014, 132.

<sup>54</sup>Amnesty International, "Changing the Soup but Not the Medicine?: Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 5; Human Rights Watch, "China: Fully Abolish Re-Education Through Labor," 8 January 13; State Council, Decision on the Issue of Reeducation Through Labor [Guowuyuan guanyu laodong jiaoyang wenti de jue ding], reprinted in National People's Congress, issued 3 August 57, item 3; State Council, Supplementary Provisions on Reeducation Through Labor [Guowuyuan guanyu laodong jiaoyang de buchong guiding], reprinted in National People's Congress, issued 29 November 79, items 1-2.

<sup>55</sup>Amnesty International, "Changing the Soup but Not the Medicine?: Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 17-18; State Council, Decision on the Issue of Reeducation Through Labor [Guowuyuan guanyu laodong jiaoyang wenti de jue ding], reprinted in National People's Congress, issued 3 August 57, item 2.

<sup>56</sup>ILO Convention (No. 29) Concerning Forced or Compulsory Labour, 28 June 30, 39 U.N.T.S. 55, art. 2. Article 2.1 of the Convention defines "forced or compulsory labour" as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily." Article 2.2 (c) makes an exception for "[a]ny work or service extracted from any person as a consequence of a conviction in a court of law . . . ." As RTL inmates were detained without trial, this exception did not apply. See also Amnesty International, "Changing the Soup but Not the Medicine?: Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 17.

<sup>57</sup>UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15 November 00, entry into force 25 December 03, art. 3(a). RTL inmate labor can be viewed as constituting trafficking under Article 3(a) of the UN TIP Protocol, as RTL facility authorities engaged in the "harbouring" and "receipt of persons, by means of the threat or use of force . . . for the purpose of exploitation." According to Article 3(a), exploitation includes "forced labour." For more information on conditions RTL inmates faced, including "the threat or use of force," see, e.g., Amnesty International, "Changing the Soup but Not the Medicine?: Abolishing Re-Education Through Labour in China," ASA 17/042/2013, 17 December 13, 5, 17-30; Human Rights Watch, "China: Fully Abolish Re-Education Through Labor," 8 January 13; Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report," June 2013, 129.

<sup>58</sup>Amnesty International, "Amnesty International Report 2014/15: The State of the World's Human Rights," 25 February 15, 108; Dui Hua Foundation, "Submission to the 59th Session of the UN Committee on the Elimination of Discrimination against Women," 3 October 14, 5-6; John Ruwitch, "A Jail by Another Name: China Labor Camps Now Drug Detox Centers," Reuters, 2 December 13.

<sup>59</sup>Ministry of Justice, Judicial Administrative Agencies Compulsory Drug Detoxification Work Regulations [Sifa xingzheng jiguan qiangzhi geli jiedu gongzuo guiding], issued 3 April 13, effective 1 June 13, art. 43; Human Rights Watch, "Where Darkness Knows No Limits: Incarceration, Ill-Treatment, and Forced Labor as Drug Rehabilitation in China," January 2010, 27-31; Dui Hua Foundation, "Submission to the 59th Session of the UN Committee on the Elimination of Discrimination against Women," 3 October 14, 6; Asia Catalyst, "Custody and Education: Arbitrary Detention for Female Sex Workers in China," December 2013, 8, 25-27.

<sup>60</sup>Sun Ying, "Ministry of Justice: Most of Nation's Former Reeducation Through Labor Centers Have Been Turned Into Compulsory Drug Detoxification Centers" [Sifabu: quanguo jue da duoshu yuan laojiao changsuo zhuan wei qiangzhi geli jiedu changsuo], China National Radio, 5 November 14.

<sup>61</sup>Chinese Communist Party Central Committee, Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms [Zhonggong zhongyang guanyu quanmian shenhua gaige ruogan zhongda wenti de jue ding], issued 12 November 13, para. 46. See also "One Year Later, Initial Impact of China's Population Planning Policy Adjustment Smaller Than Expected," Congressional-Executive Commission on China, 9 December 14.

<sup>62</sup>Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report," June 2014, 132, 134; National Health and Family Planning Commission, "National Health and Family Planning Commission Deputy Director Wang Pei'an Answers Reporters' Questions About Maintaining the Basic National Family Planning Policy and Launching the Implementation of the Two-Child Policy for Single-Only-Child Couples" [Guojia weisheng jisheng wei fu zhuren wang pei'an jiu jianchi jihua shengyu jiben guoce qidong shishi dandu lianghai zhengce da jizhe wen], 16 November 13; Population Reference Bureau, "PRB Discuss Online: Will China Relax Its One-Child Policy?" 22 February 11; Gretchen Livingston, Pew Re-

search Center, “Will the End of China’s One-Child Policy Shift Its Boy-Girl Ratio?” Fact Tank (blog), 15 November 13.

<sup>63</sup>Sun Renbin et al., “Single Only [Child Couples] Two-Child Policy Gradually Implemented, Why Has the Expected “Baby Boom” Not Happened?” [Dandu erhai zhengce zhubu fangkai weihe wei xian yuqi “ying’er chao”?], Xinhua, 10 November 14; Wang Qingyun, “Second-Child Policy Having Limited Effect,” China Daily, 11 July 14; Liu Baijun, “Yunnan Province ‘Single Only [Child Couples] Two Children’ Policy Starts, Mainly Affects Non-Rural Population” [Yunnan sheng “dandu erhai” zhengce qidong zhuyao sheji feinong renkou], Legal Daily, 31 March 14.

<sup>64</sup>National Bureau of Statistics of China, “Tabulation on the 2010 Population Census of the People’s Republic of China” [Zhongguo 2010 nian renkou pucha ziliao], 2010, Part 2, Vol. 6, Tables 6–1(a-c), last visited 24 April 15.

<sup>65</sup>See, e.g., Heilongjiang Province People’s Congress Standing Committee, Heilongjiang Province Population and Family Planning Regulations [Heilongjiang sheng renkou yu jihua shengyu tiaoli], issued 18 October 02, amended 22 April 14, arts. 13(3), 17; Hainan Province People’s Congress Standing Committee, Hainan Province Population and Family Planning Regulations [Hainan sheng renkou yu jihua shengyu tiaoli], effective 1 December 03, amended 30 May 14, effective 1 June 14, art. 17; Fujian Province People’s Congress Standing Committee, Fujian Province Population and Family Planning Regulations [Fujian sheng renkou yu jihua shengyu tiaoli], issued 29 April 88, amended 28 June 91, 25 October 97, 18 November 00, 26 July 02, 14 December 12, 29 March 14, art. 10; Guangdong Province People’s Congress Standing Committee, Guangdong Province Population and Family Planning Regulations [Guangdong sheng renkou yu jihua shengyu tiaoli], issued 2 February 80, amended 17 May 86, 28 November 92, 1 December 97, 18 September 98, 21 May 99, 25 July 02, 28 November 08, 27 March 14, art. 19(8).

<sup>66</sup>Long Yuqin et al., “Current Situation of ‘More Boys Fewer Girls’ Difficult To Change, Fears That Sex Ratio Target of 12th Five-Year Plan Difficult To Meet” [“Nanduo nushao” xianzhuang nan gai shi’erwu chusheng xingbiebi mubiao kong nan wancheng], Southern Metropolitan Daily, 11 August 14; Nuquan Zhi Sheng, “Sex Ratio at Birth Close to 116, Gender Discrimination To Blame” [Chusheng xingbiebi jin 116, xingbie qishi re de huol], Weibo post, 21 January 15, 10:29 a.m.; Sui-Lee Wee, “China Says Its Gender Imbalance ‘Most Serious’ in the World,” Reuters, 21 January 15. See also Charis Loh and Elizabeth J. Remick, “China’s Skewed Sex Ratio and the One-Child Policy,” *China Quarterly*, Vol. 222 (June 2015), 295, 300, 306, 315.

<sup>67</sup>UN Committee on the Elimination of Discrimination against Women, Concluding Observations on the Combined Seventh and Eighth Periodic Reports of China, Adopted by the Committee at its 59th Session (20 October–7 November 2014), CEDAW/C/CHN/CO/7–8, 14 November 14, para. 28.

<sup>68</sup>United Nations Office on Drugs and Crime, “What Is Human Trafficking?” last visited 27 May 15; UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (UN TIP Protocol), adopted by General Assembly resolution 55/25 of 15 November 00, entry into force 25 December 03, art. 3(a).

<sup>69</sup>PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240.

<sup>70</sup>UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (UN TIP Protocol), adopted by General Assembly resolution 55/25 of 15 November 00, entry into force 25 December 03. Topics that need to be addressed in domestic legislation to bring it into compliance with the UN TIP Protocol include protection and rehabilitation of victims of trafficking (UN TIP Protocol, Article 6.3), addition of non-physical forms of coercion into the legal definition of trafficking (UN TIP Protocol, Article 3(a)), and trafficking of men (covered under the definition of “trafficking in persons” in Article 3(a) of the UN TIP Protocol).

<sup>71</sup>PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240. Article 240 defines trafficking as “abducting, kidnapping, buying, trafficking in, fetching, sending, or transferring a woman or child, for the purpose of selling the victim.”

<sup>72</sup>Ibid., arts. 240, 244, 358. See also Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, “Trafficking in Persons Report,” 19 June 13, 130. According to this report, “it remains unclear whether [articles 240, 244, and 358] have prohibited the use of common non-physical forms of coercion, such as threats of financial or reputational harm, or whether acts such as recruiting, providing, or obtaining persons for compelled prostitution are covered.”

<sup>73</sup>PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240. The PRC Criminal Law defines trafficking as “abducting, kidnapping, buying, trafficking in, fetching, sending, or transferring a woman or child, for the purpose of selling the victim.” See also Walk Free Foundation, “The Global Slavery Index 2014,” 13 November 14, 102.

<sup>74</sup>UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (UN TIP Protocol), adopted by General Assembly resolution 55/25 of 15 November 00, entry into force 25 December 03, art. 3(a). See also United Nations Office on Drugs and Crime, “What Is Human Trafficking?” last visited 27 May 15.

<sup>75</sup>State Council General Office, “China Action Plan To Combat Trafficking in Persons (2013–2020)” [Zhongguo fandui guaimai renkou xingdong jihua (2013–2020 nian)], 2 March 13.

<sup>76</sup> PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240.

<sup>77</sup> National People's Congress Standing Committee, PRC Criminal Law Amendment (Nine) [Zhonghua renmin gongheguo xingfa xiuzheng'an (jiu)], issued 29 August 15, effective 1 November 15; PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240. The amendment did not include a change to Article 240 of the PRC Criminal Law, which defines human trafficking using the term "trafficking in women and children" (*guaimai funu ertong*). Item 15 of the Ninth Amendment to the PRC Criminal Law revising Article 241 of the PRC Criminal Law refers only to women and children.

<sup>78</sup> PRC Criminal Law [Zhonghua renmin gongheguo xingfa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, art. 240. The PRC Criminal Law defines trafficking as "abducting, kidnapping, buying, trafficking in, fetching, sending, or transferring a woman or child, for the purpose of selling the victim."

<sup>79</sup> UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (UN TIP Protocol), adopted by General Assembly resolution 55/25 of 15 November 00, entry into force 25 December 03, art. 3(a, c). The end result of exploitation is one of the required elements of a trafficking case under Article 3 of the UN TIP Protocol. See also UN General Assembly, Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on the Work of Its First to Eleventh Sessions, Addendum, Interpretative Notes for the Official Records (Travaux Préparatoires) of the Negotiation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto, A/55/383/Add.1, 3 November 00, para. 66.

<sup>80</sup> See, e.g., Zhou Bin, "Supreme People's Court Circulates Model Cases of Punishment for Trafficking Women and Children" [Zuigaofa tongbao chengzhi guaimai funu ertong fanzui dianxing anli], Legal Daily, 27 February 15; "Women, Children Trafficking Cases Drop in China," Xinhua, 27 February 15; Zhang Lei, "Over 7,700 Trafficking Cases, Over Half Sentenced Harshly" [7700 yu guaimai an zhongxing lu chao yiban], Beijing Evening News, 27 February 15.

<sup>81</sup> Chen Huizhi, "11 Girls Rescued From Child Prostitution Ring," Shanghai Daily, 1 April 15; Zeng Ye et al., "Trafficked 13-Year-Old Luzhou Girl Borrows Phone To Text Location, Finally Rescued by Police" [Luzhou 13 sui bei guaimai shaonu jie shouji fa dizhi zhong huo jingfang jiejiu], Sichuan Television, 31 March 15.

<sup>82</sup> *Ibid.*

<sup>83</sup> *Ibid.*

<sup>84</sup> "Burmese Girls 'Sold as Brides' in Rural China," BBC, 24 November 14; Paul Carsten, "China Seizes 31 Trafficking Suspects Holding Myanmar Women," Reuters, 24 November 14; "Inner Mongolia Police Crack International Trafficking of Women Case, 14 Women Rescued" [Neimenggu jingfang po teda kuaguo guaimai funu an 14 ming funu huojiu], Xinhua, reprinted in People's Daily, 24 November 14.

<sup>85</sup> *Ibid.*

<sup>86</sup> *Ibid.*

<sup>87</sup> Zheng Yujia, "Many Women With Mental Disorders Sexually Exploited" [Duo ming jingshen zhang'ai nuzi zao maimai jianyin], Beijing Times, 18 November 14. See also "Anhui Police Uncover Gang Trafficking Women With Mental Disorders" [Zhongguo anhui jingfang pohuo zhuanmen guaimai jingshen zhang'ai funu tuanhuo], Radio Free Asia, 19 November 14.

<sup>88</sup> "Anhui Police Uncover Gang Trafficking Women With Mental Disorders" [Zhongguo anhui jingfang pohuo zhuanmen guaimai jingshen zhang'ai funu tuanhuo], Radio Free Asia, 19 November 14.

<sup>89</sup> Zheng Yujia, "Many Women With Mental Disorders Sexually Exploited" [Duo ming jingshen zhang'ai nuzi zao maimai jianyin], Beijing Times, 18 November 14; "Anhui Police Uncover Gang Trafficking Women With Mental Disorders" [Zhongguo anhui jingfang pohuo zhuanmen guaimai jingshen zhang'ai funu tuanhuo], Radio Free Asia, 19 November 14.

<sup>90</sup> Zheng Yujia, "Many Women With Mental Disorders Sexually Exploited" [Duo ming jingshen zhang'ai nuzi zao maimai jianyin], Beijing Times, 18 November 14.

<sup>91</sup> *Ibid.*

<sup>92</sup> See, e.g., Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, "Trafficking in Persons Report," July 2015, 180; Amnesty International, "China: Hong Kong SAR Submission to the United Nations Committee on the Elimination of Discrimination against Women: 59th Session, 20 October–7 November 2014," 3 October 14, 5; Astrid Zweynert, "Interview: Lawyers Seek New Ways To Help Hong Kong's Human Trafficking Victims," Thomson Reuters Foundation, 22 June 15.

<sup>93</sup> United Nations Office on Drugs and Crime, "Migrant Smuggling in Asia: Current Trends and Related Challenges," April 2015, 78.

<sup>94</sup> *Ibid.*, I, 82.

<sup>95</sup> Amnesty International, "China: Hong Kong SAR: Submission to the United Nations Committee on the Elimination of Discrimination against Women: 59th Session, 20 October–7 November 2014," 3 October 14, 5. See also "Hong Kong Maid's Employer Found Guilty of Severe Physical Abuse," Guardian, 9 February 15; Jennifer Ngo and Chris Lau, "Hong Kong Maid Dies Five Days After Being Crushed by Falling Concrete Slab," South China Morning Post, 17 March 15; Astrid Zweynert, "Interview: Lawyers Seek New Ways To Help Hong Kong's Human Trafficking Victims," Thomson Reuters Foundation, 22 June 15.

<sup>96</sup> Leslie Shaffer, "Debt Bondage Behind Hong Kong Sex Trade," CNBC, 7 December 14; Amnesty International, "China: Hong Kong SAR: Submission to the United Nations Committee on

the Elimination of Discrimination against Women: 59th Session, 20 October–7 November 2014,” 3 October 14, 9; Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong et al., “Submission to CEDAW Pre-Sessional Working Group on the Implementation of CEDAW in Hong Kong,” January 2014, 14.

<sup>97</sup>Amnesty International, “China: Hong Kong SAR: Submission to the United Nations Committee on the Elimination of Discrimination against Women: 59th Session, 20 October–7 November 2014,” 3 October 14, 8; Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong et al., “Submission to CEDAW Pre-Sessional Working Group on the Implementation of CEDAW in Hong Kong,” January 2014, 14; Jennifer Ngo and Chris Lau, “Hong Kong Maid Dies Five Days After Being Crushed by Falling Concrete Slab,” South China Morning Post, 17 March 15.

<sup>98</sup>Amnesty International, “Amnesty International Report 2014/15: The State of the World’s Human Rights,” 25 February 15, 112.

<sup>99</sup>Aleta Miller, Justice Centre Hong Kong, “Justice for Erwiana: A Long Way To Go,” Justice Centre Hong Kong (blog), 13 February 15. See also Justice Centre Hong Kong, “Human Trafficking Labour Research Project,” last visited 10 September 15.

<sup>100</sup>UN Committee on the Elimination of Discrimination against Women, Concluding Observations on the Combined Seventh and Eighth Periodic Reports of China, Adopted by the Committee at its 59th Session (20 October–7 November 2014), CEDAW/C/CHN/CO/7–8, 14 November 14, para. 56; Liberty Asia and Thomson Reuters Foundation, “From Every Angle: Using the Law To Combat Human Trafficking in Southeast Asia,” November 2014, 6; Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong et al., “Submission to CEDAW Pre-Sessional Working Group on the Implementation of CEDAW in Hong Kong,” January 2014, 14.

<sup>101</sup>Legislative Council of the Hong Kong Special Administrative Region, Crimes Ordinance (Cap. 200) [Di 200 zhang xingshi zuixing tiaoli], amended 2 August 12, sec. 129(1); Hong Kong Bar Association, “Submission of the Hong Kong Bar Association to the UN Committee on the Elimination of Discrimination against Women (‘Committee’),” 10 January 14, para. 10; Liberty Asia and Thomson Reuters Foundation, “From Every Angle: Using the Law To Combat Human Trafficking in Southeast Asia,” November 2014, 6.

<sup>102</sup>United Nations Treaty Collection, Chapter XVIII, Penal Matters, 12.a., Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, last visited 29 April 15. See also UN Committee on the Elimination of Discrimination against Women, Concluding Observations on the Combined Seventh and Eighth Periodic Reports of China, Adopted by the Committee at its 59th Session (20 October–7 November 2014), CEDAW/C/CHN/CO/7–8, 14 November 14, para. 56.