

Congressional-Executive Commission on China

Combating Human Trafficking in China: Domestic and International Efforts

Wenchi Yu Perkins
Vital Voices Global Partnership

Senator Hagel and other distinguished members of the Commission and staff:

Thank you for choosing to focus on today's issue, *Combating Human Trafficking in China: Domestic and International Efforts*.

On behalf of Vital Voices Global Partnership, I am pleased to come to you today and present on one of the world's greatest human rights violations, human trafficking, in China. Vital Voices has been at the forefront of anti-trafficking efforts since the mid 1990s. We worked with the global community to help create the *United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children*; and we were instrumental in the passage of the U.S. anti-trafficking legislation, *Trafficking Victims Protection Act 2000*, as well as its reauthorization acts in 2003 and 2005. We have also made impacts in the region by promoting a multi-stakeholder approach to enhance government and civil society collaboration.

Overview

Human trafficking is one of the most egregious human rights violations in the 21st century. It is also a transnational crime that knows no boundaries. From North America to Asia, from Europe to Africa, no continent and no country is immune to this modern-day slavery. While the international community is still learning about the extent and gravity of this global scourge, more information is gradually coming to light. In the case of China, the situation is very serious. According to my personal experience encountering human trafficking victims in the United States, as well as the information my organization, Vital Voices Global Partnership, has collected from our partners in China, human trafficking is pervasive in China and demands increased international attention and efforts. I want to give you a couple of tangible examples of the horrific situations faced by Chinese victims of trafficking today, and then provide a general assessment of the situation within the country, especially from women and children's perspectives.

Victim Stories

Ling (fictitious name), 22 years old, from Zhejiang Province, China

Ling was from Zhejiang Province. After graduating from high school, Ling began working in a factory in her neighboring city. She felt there was no hope in improving her position in life and considered herself part of the lowest class in Chinese society. After being enticed by a snakehead who told her that she could make a lot of money in the U.S. as a waitress, Ling was persuaded to enter the U.S. using false documentation. Ling first started working in a restaurant in the Midwest. She was paid approximately \$500 US dollars a month and stayed in a house provided by the restaurant owner along with other girls from a similar background. Ling was making so little money that she worried about never being able to pay off her travel debt to the snakehead. Finding herself still in debt after several years of work, Ling saw an advertisement in a local Chinese newspaper and decided to take a more lucrative job at a massage parlor. Unfortunately, the massage parlor owner forced Ling to provide sexual services and when Ling refused for the first time, he threatened to send her to the authorities for deportation. Ling was suffering psychologically and physically. Her work there only came to a halt when police raided the brothel and brought Ling back to the police station. She did not speak any English, so the police enlisted the help of a local NGO involved with trafficking victim identification. Ling declined the offer by the NGO representative to stay in temporary housing until further investigation by law enforcement was completed.

Ling said she was terrified that she would be deported and unable to pay off her debts, and that as a result the lives of her family in China would be threatened. As a direct result of this fear, Ling decided not to cooperate with the NGO.

Zhou (fictitious name), 17 years old, from Fujian Province, China

Zhou is one of the four children in his family with two older sisters and one younger brother. His father left home after their family farm was confiscated by the Chinese authorities because they violated the government's one-child policy. In order to find work and raise her children, Zhou's mother moved the whole family from their home village to Fuzhou City. Unfortunately, because they did not have a city residence card (hu kou), Zhou and his younger brother could not receive formal schooling. This meant that at age 13, Zhou was forced to stop his formal education. By the time he turned 17, lacking a city residence card, and a sufficient education with which to find a job, Zhou had few prospects within China. As a result, Zhou's mother decided to take the risk and send him to the United States. She had witnessed many people leave the city for a life abroad and knew that there was little hope for her son to find a better life in China. She borrowed some money to pay for Zhou's travel using a snakehead (the Chinese term for human smuggler). The money was only a small portion of the total fees, and Zhou was expected to work off the remainder of his debt in the U.S. Prior to arriving in the U.S., Zhou learned from his mother's friends that snakeheads often threaten families back in China if debts are not paid on time. Snakeheads almost always operate as part of a large-scale crime syndicate, and their tactics are infamously brutal. This pressure was instilled within Zhou even before he left China. Upon arrival in the U.S., Zhou was detained by a customs official for using false documents and was put into a detention center. With the assistance of a legal aid pro bono attorney, Zhou was released from U.S. immigration custody while his case was in the proceedings. Once released, he found himself terrified by the prospect of not being able to pay off his substantial debts and the penalties back home that might ensue. These fears were compounded when he received news that the snakehead had already begun calling his mother in China. Knowing the potential consequences which would likely arise from being deported, penniless, back to China, Zhou chose not to report back to the court as required. He decided that living illegally and in squalid conditions was preferable to endangering the life of his mother. As illustrated, this fear tactic employed by traffickers is extremely effective at keeping victims in exploitive situations, and fearful of the authorities.

Human Trafficking from, within, and into China

Human Trafficking from China

The two stories I shared above were from victims I encountered while working for an immigration legal aid organization in the Midwest. Their stories are similar to those of many other victims of trafficking who originate from China. The majority of Chinese victims start as voluntary migrants, who have been convinced by their neighbors and relatives that life would be much better in other countries. Contrary to finding a land of wealth and opportunity, however, most of them are grossly exploited throughout the migration process. Without proper immigration documents, they end up making little to no money, working in horrific conditions in sweatshop factories or as forced prostitutes, and remain under constant threat from their traffickers. Even after their arrival in the United States, their distrust of law enforcement, based on past experience with corrupt government officials in China, forces them to remain vulnerable and exploited by their traffickers.

The physical and psychological control of these vulnerable trafficking victims by the organized syndicates is intense enough to force them to engage in illicit activities. Most victims have a deep-seated fear for the safety of their family back home. This is illustrated by a sixteen year-old girl who I encountered after she had been detained at immigration facilities. The girl was meticulously saving every single dollar that she was given by the authorities and sending the money back to China, because "every dollar could help my mother pay off the debt." Even with such devoted saving, it is often impossible to completely pay off these debts, as snakeheads impose ridiculously high interest rates. Compounding the

problem is the fact that many of the exploited are minors under the age of eighteen, who are easily manipulated.

Most victims come from coastal provinces such as Fujian, Zhejiang, Jiangsu, and Guangdong; however, the continued trafficking of ethnic minorities from China's southwest, primarily Yunan and Guangxi Provinces, to the Mekong Sub-region is also of concern. Many international organizations have been working in the Mekong Sub-region for a long time to help repatriate victims and raise awareness, yet continued efforts are still needed.

Chinese victims of trafficking are forced into sexual and labor exploitation. Not only are they psychologically and physically abused by their traffickers, they are held in indentured servitude or as bonded labor. Some of them leave their homes, believing that they will marry men in Taiwan, Japan, Hong Kong, Malaysia, or other Asian countries, but instead fall victim to trafficking, becoming forced prostitutes or laborers. Some of them become mail-order brides, only to find out too late that their husbands are different from what the marriage brokers claimed, and often fall prey to abuse. In such cases, their uncertain immigration status and fear of losing child custody often leads many women to endure extremely abusive and dehumanizing situations simply because they feel they have no other options.

Most Chinese victims of trafficking, because of their illegal immigration status or because they are involved in illegal activities, are automatically categorized as criminals by law enforcement. Without acknowledgment of the exploitive situation they are in, most victims are put directly into detention centers without proper screening or identification. Once they are placed in detention facilities, it can take up to years for them to be deported back to China because local Chinese embassies and consulates often ignore requests for deportation travel documents by destination country immigration officials. The problems for victims being deported back to China are magnified if they have been trafficked to Taiwan. Political tension between the two sides, as well as the lack of an official repatriation process, only exacerbates an already difficult process. Victims trafficked from China to Taiwan are primarily women who were trafficked for sexual exploitation. These women find themselves detained in Taiwan's immigration detention facilities for prolonged periods of time, to the degree that some are forced to give birth to children while being held in confinement.

Many of the victims want to go back to China simply because they do not want to stay in the detention facilities indefinitely. However, many more fear deportation because it is a crime in China to leave the country without the government's permission. Some say that they will need to serve time in jail upon returning home and that the length of jail time will depend on how much money they can raise for a bribe. I have heard stories that those deported back to China without money for a bribe are stripped of clothes and beaten in jail.

Human Trafficking within China

Human trafficking within China is also pervasive. In addition to the abduction of women and children for sexual exploitation, it is said that trafficking for forced marriage has been increasing since the 1980's. Most of the women are abducted and taken to rural areas for purchase by older men or by those who are of a low position in society and have difficulty finding a willing partner. In fact, the practice of forced marriage is not a new development in China. Throughout history, many women from "better" families were abducted to marry heads of gangs or tribal leaders in remote areas. This has led to greater societal acceptance of this practice. Recently, it is believed that trafficking for forced marriage has increased due to the imbalance in the numbers of women to men as a result of the one-child policy and Chinese society's traditional preference for sons. According to the report, *An Absence of Choice*, men currently outnumber women with a ratio of 13:10, and in some rural populations the disparity is even greater. According to a Vital Voices' partner in China, some Chinese even think forced marriage is a way to

prevent rape and sexual assault in the community, since it assures that the sexual needs of these men are being met. Therefore, the practice of forced marriage is tolerated in some less developed areas and has been flourishing in recent years.

Another trafficking situation that has arisen in part from the one-child policy is the trafficking of infants, most under the age of one. Baby boys are often trafficked to families unable to have a son, and baby girls are sold, often by professional rings, to orphanages who profit from overseas adoptions. This practice is bolstered by Chinese culture's traditional preference for boys. Baby trafficking has drawn wide attention in China, and the government is starting to crack down on such cases.

Another human trafficking practice within China that has not received enough attention is trafficking for labor exploitation. Migrant worker issues in China have drawn world attention, as the abundance of cheap Chinese labor has made the country the world's largest sweatshop. Most of the factories in the wealthy south employ migrant workers from the poorer west or north. Similarly, most of the migrant workers voluntarily move to the south for factory jobs but become exploited laborers. According to Verite, a non-profit organization monitoring China's labor conditions, 70% of the migrant workers in the Pearl River Delta are females under the age of 25 and are extremely vulnerable to all forms of exploitation. Most of them migrate to the south being told that they will be paid according to the contract they sign and that they will be protected by national labor laws. China's labor laws stipulate that all workers shall work no more than 8 hours a day, 44 hours a week. In reality, forced overtime is almost a norm in these factories. According to the China Daily, last November a Sichuan woman working in Guangzhou fell into a coma and passed away after being forced to work for 24 hours non-stop in order to finish orders. Furthermore, while the average monthly pay for a woman migrant worker is about Renminbi 300-500 (US \$37.5 – \$62.5) in Guangdong province, some of the factories do not even pay minimum wage and others illegally deduct meal and dormitory fees from workers' pay. China's migrant labor exploitation in the south has been discussed widely, and I am grateful that the Commission has held several hearings and roundtables on this topic before. However, this issue has not been explored in the context of human trafficking, and most people do not realize that these workers come to the south because they are told that they can make more money to better support their families in rural areas. I urge the Commission and the US State Department's Office to Combat and Monitor Trafficking in Persons to pay special attention to this form of human trafficking.

Human Trafficking into China

Human trafficking for forced marriage also occurs across borders when Chinese men seek brides from neighboring and often poorer countries. The most frequent offences happen with women trafficked from Burma, Cambodia, and particularly Vietnam. News stories about Vietnamese girls trafficked into China for forced marriage or sexual exploitation appear regularly in both local and international press. In response to this growing problem, the Chinese and Vietnamese governments have participated in several joint-projects and agreements over the past few years in an effort to stop this form of trafficking in women and children.

The Chinese government has taken steps to confront the trafficking problems in its southwest region. However it continues to turn a blind eye on the equally problematic situation that has emerged in the northeast. Due to the constant threat of starvation, which began with the famines of the mid 1990's, North Koreans have been fleeing into China. Rather than designating them as refugees, the Chinese government continues to view these people as economic and illegal migrants, and to deport them back to the Democratic Peoples Republic of Korea (DPRK). This leaves this vulnerable population, the majority of which are women, especially susceptible to both sexual and labor exploitation. Almost all illegal North Koreans in China would rather endure abusive working conditions as domestic servants, nannies or even

wives than return to the DPRK, where leaving the country without the government's permission could lead to a death sentence.

While the previous two areas suffer primarily from the trafficking of women, there have also been news reports about men being trafficked from Kyrgyzstan into China for forced labor, especially to the predominantly Muslim Xinjiang region. There has also been documentation of Xinjiang children, who are from the native Uighur minority, being trafficked throughout China as forced beggars and thieves.

Anti-Trafficking Efforts in China

The Chinese government's anti-trafficking work falls under the jurisdiction of the Ministry of Public Security. In 2005, the Bureau of Public Security of Dongxing Prefecture, Guangxi Province established a shelter, the Transitional Center for Rescued Foreign Women and Children. The center provides care for rescued Vietnamese women and children. China already has in place extensive laws to prosecute trafficking crimes. Despite these prosecutorial elements being in place, the government has made an insufficient effort at protection and rehabilitation of victims, particularly those who are deported back to China and foreign nationals who have been trafficked into the country. While the Transitional Center for Rescued Foreign Women and Children is a step in the right direction, much more needs to be done in the effort to formally address the issue of victim protection and rehabilitation. China's prevention work is limited to certain provinces rather than being comprehensive. This means that some affected regions are not receiving crucial preventative education, and that the cycle of trafficking can continue unchecked.

While the greatest responsibility of anti-trafficking activities is currently shouldered by the government, there are several local groups that are working on this issue. The All-China Women's Federation (ACWF) currently provides legal assistance to victims of trafficking in China. Vital Voices also works with independent local Chinese NGOs that provide legal assistance to victims of trafficking for forced marriage or domestic servitude.

In addition to local NGOs and state groups, there are several international organizations working on joint anti-trafficking projects with the Chinese government and the All-China Women's Federation. They include the UNESCO, the UNICEF, and the ILO.

Recommendations

The Congress can play a vital role to help address the modern-day slavery from, within and to China. On behalf of Vital Voices Global Partnership, I have the following recommendations:

1. Encourage specialized training for law enforcement and judges:
Successful prosecutions and investigations are the only means to halt human traffickers. The Chinese government has done quite a lot through the Ministry of Public Security and the anti-trafficking coordinating office. More law enforcement training should be available at the provincial and county levels so anti-trafficking efforts are not limited to the central government.
2. Avail greater resources to promote collaboration between government and NGOs in China:
In line with training for law enforcement and judges, capacity building for NGOs needs to occur at all levels. This will allow them to complement government efforts while providing professional services and making positive changes. Additional leadership training for the emerging NGO leaders in China is a crucial component of the training that needs to occur. Towards these efforts, groups should conduct nationwide training for their employees and work with other organizations, both international and local, to facilitate collaborative efforts between the government and NGOs in victim identification and assistance.

3. Call on international business community to help change and prevent the practices of exploiting trafficked migrant labor:
In addition to government and NGOs, the business sector is vital in successful anti-trafficking efforts. Many garment, toy, and other labor-intensive manufacturing factories are contractors or sub-contractors of international brands. Most international companies can work with their contractors in China to ensure that migrant workers are not exploited and that employers abide by China's labor laws.
4. Authorize funding to support large-scale awareness raising campaigns to prevent human trafficking:
Most Chinese citizens at risk of being trafficked do not realize the potential danger involved in the migration process. Many of them feel hopeless in their community and fantasize about life overseas or in the large cities. It is vitally important that the government partners with popular public figures to launch large-scale campaigns targeting at-risk youths and informing them about the reality of life overseas. This should also include information on available assistance, such as support networks and hotlines. In areas highly vulnerable to human trafficking, such as Yunnan, Guangxi, Fujian, Zhejiang, Henan, Gansu, Shanxi, Jilin, the autonomous regions and those with significant populations of ethnic minorities, government and NGOs should carry out targeted and focused campaigns.
5. Urge the Chinese government to reconsider government policies resulting in irregular migration and exploitation of migrants:
China's one-child policy, household registration policy, and the control of citizen exit and entry policy have resulted in irregular migration and a large underground market for organized syndicates to maneuver and exploit vulnerable migrants. While we understand that the government is gradually changing some of these policies, and we welcome those changes, the severe social consequences that resulted from earlier policies need to be carefully dealt with.
6. Analyze the various forms of trafficking and the best practices of reintegrating trafficked women into their community and providing them with practical living skills:
There have been some legal research and field studies on trafficking in China. However, the studies are limited to certain regions and certain types of trafficking. The trafficking for forced marriage is under-addressed; the trafficking for forced labor within and from China is also a greater challenge that deserves more than labor rights advocates' attention, especially when most exploited migrant workers are women. Migrant labor trafficking should be discussed in the human trafficking context as well.

Studies should be conducted and best practices identified from the various projects currently being carried out on smaller scales. Examples of some best practices include the recent pilot project conducted by All China Women's Federation and UNICEF, which set up women's activity centers in Sichuan Province for the reintegration of trafficked women. These centers seek to equip victims with practical living skills and have proven to be very successful. This type of pilot project needs to be identified, supported and then replicated by the government and the international community.

Vital Voices plays a key role in designing and implementing the multi-stakeholder approach to the trafficking challenge worldwide. In East Asia, we have successfully changed policies and laws in Japan by engaging multiple stakeholders. Soon we will be implementing another program in Bangkok adopting the same approach. China's tactics for combating human trafficking are still sporadic and disjointed. The Chinese central government is beginning to take seriously the threat of human trafficking. Nonetheless, efforts must occur on all levels and utilize all sectors of society, including business and civil society. Similar to Japan and Thailand, we believe that China will also need a comprehensive and multi-stakeholder approach to tackle the complex issue of human trafficking. Only by combating trafficking on multiple levels and involving as many stakeholders as possible will China be able to effectively address this horrendous problem.

Thank you.