

HUMAN TRAFFICKING

Defining Human Trafficking

As a State Party to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN TIP Protocol),¹ China is obligated to enact legislation criminalizing human trafficking as defined by the UN TIP Protocol.² The definition of human trafficking under the PRC Criminal Law,³ however, remains inconsistent with UN TIP Protocol standards.⁴ The UN TIP Protocol definition of human trafficking involves three components: the action of recruiting, transporting, harboring, or receiving persons; the means of coercion, deception, or control;⁵ and “the purpose of exploitation,” including sexual exploitation or forced labor.⁶ Chinese law focuses on the act of selling a woman or child,⁷ rather than the purpose of exploitation.⁸ The definition of trafficking in the PRC Criminal Law does not clearly cover all forms of trafficking in the UN TIP Protocol,⁹ including certain types of non-physical coercion;¹⁰ offenses against male victims;¹¹ and forced labor,¹² though forced labor is illegal under a separate provision of the law.¹³ In addition, the Chinese legal definition of trafficking includes the purchase or abduction of children for subsequent sale without specifying the purpose of these actions.¹⁴ Under the UN TIP Protocol, illegal adoptions constitute trafficking only if the purpose is exploitation.¹⁵ Human trafficking experts note a dearth of reliable statistics on the scale of human trafficking in general;¹⁶ in China, inconsistencies between domestic law and international standards further contribute to the difficulty of assessing the scale of human trafficking.¹⁷ A scholar with the Centre for Human Rights Studies at the University of Zurich, Switzerland, argued that the discrepancies in the Chinese legal definition make international comparisons of human trafficking difficult and have “serious, negative implications for formulating an effective national anti-trafficking strategy.”¹⁸

Trends and Developments

CROSS-BORDER TRAFFICKING

China remains a destination country for the trafficking of men, women, and children from throughout Asia,¹⁹ and a source country for trafficking to Europe, the United States, and elsewhere.²⁰ Vietnamese media reported an increase in the number of victims of human trafficking in 2016; the majority of cases were reportedly women trafficked to China for forced marriage or sexual exploitation.²¹ According to a study of trafficked men and boys, Vietnamese males were also trafficked to China for the purpose of forced labor in factories.²² Burmese and Cambodian nationals were reportedly trafficked to China for forced marriage and forced labor,²³ and Nepalese and Lao women were reportedly trafficked to China for sexual exploitation.²⁴ According to the UN Office on Drugs and Crime and the International Organization for Migration, China is also a source country for human trafficking to Europe.²⁵ This past year, the Commission observed reports of alleged human trafficking of Chinese nationals to the United States²⁶ and elsewhere²⁷ for forced labor and sexual exploitation.

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DOMESTIC TRAFFICKING

According to UN Action for Cooperation against Trafficking in Persons (UN-ACT), men, women, and children were trafficked within China's borders for forced labor, forced begging, forced marriage, and sexual exploitation.²⁸ During this reporting year, the Commission observed domestic media reports of women, including women with intellectual disabilities, trafficked for the purpose of forced marriage,²⁹ and of men trafficked for forced labor in brick kilns in Yunnan, Guizhou, and Guangdong provinces.³⁰ A case involving the use of child labor by clothing manufacturers in Jiangsu province,³¹ also appeared to constitute trafficking for forced labor, as employers reportedly used violence against the children and withheld pay and identity documents.³² [For more information on this case and child labor in China, see Section II—Worker Rights—Child Labor.]

GOVERNMENT-SPONSORED FORCED LABOR

This past year, the Chinese government subjected individuals to forced labor during pretrial detention and while held in administrative detention centers. The International Labour Organization (ILO) definition of forced labor makes an exception for labor performed “as a consequence of a conviction in a court of law . . .”;³³ however, the Commission observed reports of individuals performing forced labor in detention before trial.³⁴ In a form of administrative detention known as compulsory drug detoxification, authorities detained suspected drug users without trial and reportedly required them to perform labor.³⁵ According to a March 2017 article in the state-run news agency Xinhua, one compulsory drug detoxification center in Shaanxi province typically held detainees for two years.³⁶ The center provided education and training for two months, and for the remainder of the time, detainees “participated in handicraft labor.”³⁷ As the government does not convict compulsory detoxification detainees in court, the requirement to perform labor constitutes forced labor under the ILO definition³⁸ and human trafficking under the UN TIP Protocol.³⁹ Compulsory drug detoxification centers are similar to reeducation through labor (RTL),⁴⁰ another form of administrative punishment in which detainees were detained without trial⁴¹ and subjected to forced labor.⁴² Although the government abolished RTL in 2013,⁴³ Zhang Sujun, Vice Minister of the Ministry of Justice, said in November 2014 that authorities had converted most RTL facilities to compulsory drug detoxification centers.⁴⁴

According to the World Uyghur Congress (WUC), authorities in the Xinjiang Uyghur Autonomous Region (XUAR) subjected some Uyghur residents to *hashar*, a type of forced labor for public works projects.⁴⁵ A November 2016 WUC report found that some local governments in the XUAR periodically required Uyghur residents to participate in forced labor under threat of financial penalty and detention.⁴⁶ In February 2017, Uyghur farmers told Radio Free Asia that local officials claimed to have abolished *hashar*, yet still required Uyghur residents to participate in flood control and tree planting.⁴⁷ Government-sponsored compulsory labor constitutes forced labor as defined by the ILO⁴⁸ and human trafficking under

the UN TIP Protocol.⁴⁹ [For more information on forced labor in the XUAR, see Section IV—Xinjiang.]

Risk Factors

This past year, Chinese workers migrating within China and individuals with disabilities were at risk of human trafficking, and government restrictions on worker rights exacerbated this risk. Despite reforms, international observers reported that the household registration (*hukou*) system continued to disadvantage and marginalize internal migrant workers,⁵⁰ reportedly exacerbating their vulnerability to trafficking.⁵¹ Migrant workers' children, often unable to migrate with their parents due in part to the *hukou* system,⁵² were also at an increased risk for human trafficking.⁵³ [For more information on the *hukou* system, see Section II—Freedom of Residence and Movement.] Individuals with disabilities were at risk for forced marriage and forced labor, including forced begging.⁵⁴ The Chinese government limits workers' right to freedom of association by restricting independent unions⁵⁵ and limiting the right to collective bargaining.⁵⁶ A September 2016 UN report noted that the government's failure to protect workers' fundamental right to freedom of association limits workers' ability to advocate for their rights, "directly contribut[ing] to problems such as human trafficking and slavery."⁵⁷ [For more information on restrictions on worker rights in China, see Section II—Worker Rights.]

In addition to domestic human trafficking, men, women, and children in neighboring countries face the risk of human trafficking into China. Poverty in Southeast Asian countries contributes to human trafficking from that region.⁵⁸ Migrants and women are particularly at risk.⁵⁹ The Chinese government continued to treat North Korean refugees as economic migrants and maintained a policy of repatriating undocumented North Koreans,⁶⁰ leaving the refugees, who are predominantly women, vulnerable to trafficking for forced marriage.⁶¹ Additionally, the government of the Democratic People's Republic of Korea (DPRK) reportedly continued to generate revenue by sending North Korean nationals to work in China under conditions that one expert described as slave labor.⁶² Reporting from this past year indicated that North Korean security personnel accompanied the workers and withheld their passports.⁶³ Workers reportedly worked up to 20 hours per day and typically did not receive their wages until they returned to North Korea.⁶⁴ [For more information, see Section II—North Korean Refugees in China.]

China's sex ratio imbalance—exacerbated by government-imposed birth limits and in keeping with a traditional bias for sons⁶⁵—created a demand for marriageable women that may contribute to human trafficking for forced marriage and sexual exploitation.⁶⁶ According to the National Bureau of Statistics of China, in 2016, China had approximately 33.59 million more men than women.⁶⁷ The official sex ratio at birth was approximately 113.5 boys born for every 100 girls in 2015.⁶⁸ According to demographers, a typical sex ratio at birth is within the range of 103 to 107 boys born for every 100 girls.⁶⁹ As of August 2017, the government had not released the sex ratio at birth for 2016. [For more information on China's population policies, see Section II—Population Control.]

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Anti-Trafficking Efforts

During this reporting year, the Supreme People's Court (SPC) issued an interpretation on the trafficking of women and children, while the number of human trafficking cases tried in the courts declined. The December 2016 SPC interpretation clarified the application of the law in trying trafficking cases.⁷⁰ The interpretation specified the meaning of certain terms used in anti-trafficking provisions of the PRC Criminal Law,⁷¹ including defining "children" as under the age of 14.⁷² This is inconsistent with the UN TIP Protocol, which defines children as under the age of 18.⁷³ Additionally, the SPC Information Center and Judicial Cases Research Institute reported that Chinese courts tried 4 percent fewer human trafficking cases in the first nine months of 2016 than in the same period in 2015.⁷⁴

The Ministry of Public Security maintained a mobile application (app) launched in May 2016 to locate missing children.⁷⁵ The app reportedly assisted in locating 533 missing children, including 21 trafficked children, as of December 2016.⁷⁶ This figure relies upon the definition of human trafficking in Chinese law,⁷⁷ which does not conform to the UN TIP Protocol.⁷⁸

The Chinese government continued its involvement in the Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT),⁷⁹ developing with other member states a set of common indicators of human trafficking and common guidelines for identifying trafficking victims.⁸⁰ UN Action for Cooperation against Trafficking in Persons (UN-ACT), a project of the UN Development Programme that serves as the COMMIT Secretariat,⁸¹ reported that the new indicators and guidelines aimed to improve victim identification and service provision.⁸²

Hong Kong

This past year, Hong Kong remained⁸³ a destination for human trafficking, with migrant domestic workers (MDWs) particularly at risk of exploitation for forced labor. The Hong Kong Census and Statistics Department's 2016 annual digest reported that in 2015, there were over 340,000 MDWs working for households in Hong Kong, the majority of whom came from the Philippines and Indonesia.⁸⁴ According to local and regional non-governmental organizations, MDWs are often in debt due to excessive fees paid to employment agencies both in their home countries and in Hong Kong, and many employers exert control over MDWs by confiscating their passports, preventing them from contacting friends and family, and in some cases through physical and emotional abuse.⁸⁵ Local advocacy groups noted that two regulations—requiring MDWs to live with their employers⁸⁶ and to leave Hong Kong within two weeks of termination of a contract⁸⁷—contributed to MDWs' risk of exploitation for forced labor.⁸⁸

A December 2016 ruling by the High Court of the Hong Kong Special Administrative Region, Court of First Instance, found that Hong Kong's laws do not adequately address human trafficking.⁸⁹ The current definition of human trafficking in Hong Kong's Crimes Ordinance covers only the cross-border movement of persons "for the purpose of prostitution" and not other forms of trafficking such

as trafficking within Hong Kong's borders and forced labor.⁹⁰ A victim of human trafficking challenged the Hong Kong government in court, arguing that Hong Kong's Bill of Rights Ordinance requires the Hong Kong government to enact stronger anti-trafficking legislation.⁹¹ In December 2016, the court ruled in favor of the victim, finding that the Hong Kong government had an obligation under the Bill of Rights Ordinance "to enact measures to ensure the prohibition of forced or compulsory labour."⁹² Hong Kong lawmaker Kenneth Leung submitted questions to the Hong Kong government regarding what steps it had taken following the December 2016 ruling.⁹³ The government responded in June 2017 that it "attaches great importance to combating [trafficking in persons]," but also stated that human trafficking "is not prevalent or widespread in Hong Kong," and that human trafficking "is effectively prohibited by various pieces of existing legislation in Hong Kong."⁹⁴ While China acceded to the UN TIP Protocol in 2010, the Chinese central government has not extended the Protocol to apply to Hong Kong.⁹⁵ [For more information on Hong Kong, see Section VI—Developments in Hong Kong and Macau.]

Notes to Section II—Human Trafficking

¹United Nations Treaty Collection, Chapter XVIII, Penal Matters, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, last visited 12 May 17.

²UN 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. 5.1. See also UN Human Rights Council, Report of the Special Rapporteur on Trafficking in Persons, Especially Women and Children, Maria Grazia Giammarinaro, A/HRC/35/37, 28 March 17, para. 14.

³PRC Criminal Law [Zhonghua renmin gongheguo xing fa], 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, 29 August 15, effective 1 November 15, art. 240.

⁴UN 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. Topics that need to be addressed in domestic legislation to bring it into compliance with the UN TIP Protocol include the addition of non-physical forms of coercion into the legal definition of trafficking (see UN TIP Protocol, Article 3(a)), the trafficking of men (covered under the definition of “trafficking in persons” in Article 3(a) of the UN TIP Protocol), and stipulating the “purpose of exploitation” (see UN TIP Protocol, Article 3(a)). For an examination of the ways in which Chinese laws are inconsistent with the UN TIP Protocol, see Bonny Ling, “Human Trafficking and China: Challenges of Domestic Criminalisation and Interpretation,” *Asia-Pacific Journal on Human Rights and the Law*, Vol. 17 (2016), 148–77.

⁵UN Office on Drugs and Crime, “What Is Human Trafficking?” last visited 11 June 17; 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). Note that for children younger than 18 years old, the means described in Article 3(a) are not required for an action to constitute human trafficking.

⁶*Ibid.*; *Ibid.*, art. 3(a), (c), (d). For information on how international standards regarding forced labor fit into the framework of the UN TIP Protocol, see International Labour Office, International Labour Organization, “Human Trafficking and Forced Labour Exploitation: Guidance for Legislation and Law Enforcement,” 2005, 7–15; International Labour Office, International Labour Organization, “Hard To See, Harder To Count: Survey Guidelines To Estimate Forced Labour of Adults and Children,” Second Edition, 2012, 12, 19; International Labour Organization, “Questions and Answers on Forced Labour,” last visited 13 April 17.

⁷PRC Criminal Law [Zhonghua renmin gongheguo xing fa], 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, 29 August 15, effective 1 November 15, 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].”

⁸Bonny Ling, “Human Trafficking and China: Challenges of Domestic Criminalisation and Interpretation,” *Asia-Pacific Journal on Human Rights and the Law*, Vol. 17 (2016), 159.

⁹*Ibid.*, 151, 166; PRC Criminal Law [Zhonghua renmin gongheguo xing fa], 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, 29 August 15, effective 1 November 15, 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 (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 UN Office on Drugs and Crime, “What Is Human Trafficking?” last visited 12 April 17.

¹⁰Bonny Ling, “Human Trafficking and China: Challenges of Domestic Criminalisation and Interpretation,” *Asia-Pacific Journal on Human Rights and the Law*, Vol. 17 (2016), 159; PRC Criminal Law [Zhonghua renmin gongheguo xing fa], 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, 29 August 15, effective 1 November 15, 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 (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 Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, “Trafficking in Persons Report,” 19 June 13, 130.

¹¹Bonny Ling, “Human Trafficking and China: Challenges of Domestic Criminalisation and Interpretation,” *Asia-Pacific Journal on Human Rights and the Law*, Vol. 17 (2016), 160, 166; PRC Criminal Law [Zhonghua renmin gongheguo xing fa], 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, 29 August 15, effective 1 November 15, 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 (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 Supreme People’s Court Information Center and Judicial Cases Research Institute, “Judicial Big Data Special Report on Crimes Involving Trafficking” [Sifa da shuju zhuan ti baogao she guai fan zui], 22 December 16, 11. The PRC Criminal Law defines trafficking as “abducting, kidnapping, buying, traf-

ficking in, fetching, sending, or transferring a woman or child, for the purpose of selling [the victim].”

¹²Bonny Ling, “Human Trafficking and China: Challenges of Domestic Criminalisation and Interpretation,” *Asia-Pacific Journal on Human Rights and the Law*, Vol. 17 (2016), 159; PRC Criminal Law [Zhonghua renmin gongheguo xing fa], 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, 29 August 15, effective 1 November 15, 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 (UN TIP Protocol), adopted by General Assembly resolution 55/25 of 15 November 00, entry into force 25 December 03, art. 3(a).

¹³PRC Criminal Law [Zhonghua renmin gongheguo xing fa], 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, 29 August 15, effective 1 November 15, art. 244.

¹⁴Bonny Ling, “Human Trafficking and China: Challenges of Domestic Criminalisation and Interpretation,” *Asia-Pacific Journal on Human Rights and the Law*, Vol. 17 (2016), 166–67, 170–71; PRC Criminal Law [Zhonghua renmin gongheguo xing fa], 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, 29 August 15, effective 1 November 15, 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 (UN TIP Protocol), adopted by General Assembly resolution 55/25 of 15 November 00, entry into force 25 December 03, art. 3(a). 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].” In contrast, the purpose of exploitation is a key element of the UN TIP Protocol definition of human trafficking. For reports from the 2017 reporting year that describe the sale of children as human trafficking without specifying the purpose of the sale, see, e.g., Chen Xiaobo, “Zhejiang Announces Sentences in Large Cross-Provincial Infant Trafficking Case, First Defendant Receives Suspended Death Sentence” [Zhejiang xuanpan yiqi teda kuasheng fanying an di yi beigaoren bei pan situan], *Xinhua*, 4 November 16; Zhu Hengshun, “Combating Trafficking in Women and Children Also Requires Amending the ‘Adoption Law’” [Daji guaimai ertong funu yexu xiugai “shouyang fa”], *Beijing News*, 24 December 16.

¹⁵UN 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 purpose 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, Interpretive Notes for the Official Records (*Travaux Préparatoires*) of the Negotiation of the United Nations Convention against Transnational Organized Crime and Protocols Thereto, A/55/383/Add.1, 3 November 00, para. 66; Bonny Ling, “Human Trafficking and China: Challenges of Domestic Criminalisation and Interpretation,” *Asia-Pacific Journal on Human Rights and the Law*, Vol. 17 (2016), 171.

¹⁶Anne T. Gallagher, “Editorial: The Problems and Prospects of Trafficking Prosecutions: Ending Impunity and Securing Justice,” *Anti-Trafficking Review*, Issue 6 (2016), 2–3; Jan van Dijk and Peter G.M. van der Heijden, “Multiple Systems Estimation for Estimating the Number of Victims of Human Trafficking Across the World,” *UN Office on Drugs and Crime*, 15 June 16, 2–4; Patrick L. Kerr and Rachel Dash, “Ethical Considerations in Mandatory Disclosure of Data Acquired While Caring for Human Trafficking Survivors,” *AMA Journal of Ethics*, Vol. 19, No. 1 (January 2017), 45–46.

¹⁷Bonny Ling, “Human Trafficking and China: Challenges of Domestic Criminalisation and Interpretation,” *Asia-Pacific Journal on Human Rights and the Law*, Vol. 17 (2016), 177; Office To Monitor and Combat Trafficking in Persons, U.S. Department of State, “Trafficking in Persons Report,” June 2016, 131.

¹⁸Bonny Ling, “Human Trafficking and China: Challenges of Domestic Criminalisation and Interpretation,” *Asia-Pacific Journal on Human Rights and the Law*, Vol. 17 (2016), 176–77.

¹⁹See, e.g., Nicola S. Pocock et al., “Labour Trafficking Among Men and Boys in the Greater Mekong Subregion: Exploitation, Violence, Occupational Health Risks and Injuries,” *PLoS ONE*, Vol. 11, No. 12 (16 December 16), 7; “Chinese Marriage Proposals Become Prostitution Nightmares for Some Lao Girls,” *Radio Free Asia*, 13 February 17; UN Office on Drugs and Crime, “Global Report on Trafficking in Persons 2016,” December 2016, 106.

²⁰See, e.g., UN Office on Drugs and Crime, “Global Report on Trafficking in Persons 2016,” December 2016, 76, 106; Polaris, “More Assistance. More Action. 2016 Statistics From the National Human Trafficking Hotline and BeFree Textline,” January 2017, 2; Kong Linghan, “Chinese Individuals With Disabilities Trafficked to Malaysia To Beg” [Zhongguo canjinr bei guaipian dao malaixiya xingqi], *Beijing Youth Daily*, 19 October 16.

²¹“Rise in Organised Crime Reported,” *Viet Nam News*, 8 March 17; “Vietnam’s Human Trafficking Victims Rise 13 Pct in 2016,” *VnExpress International*, 6 January 17; “VN Faces Growing Human Trafficking to China,” *Viet Nam News*, 24 October 16. See also Zhang Yan, “China, Vietnam Fight Human-Trafficking,” *China Daily*, 22 May 17.

²²Nicola S. Pocock et al., “Labour Trafficking Among Men and Boys in the Greater Mekong Subregion: Exploitation, Violence, Occupational Health Risks and Injuries,” *PLoS ONE*, Vol. 11, No. 12 (16 December 16), 7.

²³Office To Monitor Trafficking in Persons, U.S. Department of State, “Trafficking in Persons Report—Burma,” June 2017; San Yamin Aung, “Government Releases Trafficking Statistics for

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2016,” Irrawaddy, 11 January 17; Nadia Jung, Chab Dai Coalition, “New Trends and Observations in Cambodian Trafficking Cases,” 20 July 17; Khy Sovuthy and Zsombor Peter, “Hopeful Fashion Students Trafficked to China To Work in Factory,” Cambodia Daily, 9 January 17.

²⁴Office To Monitor Trafficking in Persons, U.S. Department of State, “Trafficking in Persons Report—Nepal,” June 2017; Bikash Sangraula, “Traffickers Ensnaring Easy Targets in Nepal 2 Years After Quakes,” Kyodo News, 24 April 17; “Chinese Marriage Proposals Become Prostitution Nightmares for Some Lao Girls,” Radio Free Asia, 13 February 17.

²⁵UN Office on Drugs and Crime, “Global Report on Trafficking in Persons 2016,” December 2016, 76. See also International Organization for Migration, “China, EU Work To Combat Human Trafficking,” 15 November 16.

²⁶See, e.g., Polaris, “More Assistance. More Action. 2016 Statistics From the National Human Trafficking Hotline and BeFree Textline,” January 2017, 2; Lee Rood, “Des Moines Identified as Top 100 Human Trafficking Site,” Des Moines Register, 16 November 16; “Wis. Veterinarian Sentenced for Sex, Labor Trafficking in Twin Cities,” WCCO CBS Minnesota, 8 March 17.

²⁷See, e.g., Kong Linghan, “Chinese Individuals With Disabilities Trafficked to Malaysia To Beg” [Zhongguo canjiren bei guaipian dao malaixiya xingqi], Beijing Youth Daily, 19 October 16; Chester Robards, “Human Rights Group Wants Probe After DPM Revealed CCA Workers’ Passports Withheld,” Nassau Guardian, 20 March 17; Isla Binnie, “Spanish Police Arrest 25 in Suspected Chinese Mafia Bust,” Reuters, 19 April 17; UN Office on Drugs and Crime, “Global Report on Trafficking in Persons 2016,” December 2016, 106.

²⁸UN Action for Cooperation against Trafficking in Persons (UN-ACT), “China,” last visited 13 April 17.

²⁹See, e.g., Chen Tong, “Woman With Intellectual Disability Trafficked Several Times, Tuanfeng Police Crack Trafficking in Women Case, 3 Caught” [Zhizhang nu bei duo ci guaimai tuanfeng jingfang pohuo guaimai funu an 3 ren luowang], China News Service, 25 November 16; Li Bin, “Man Who Trafficked Woman With Intellectual Disability Sentenced” [Nanzi guaimai zhizhang nu bei panxing], Anhui Legal News, 6 December 16; Sun Shengfeng and Yi Zhang, “Ziyuan Girl Went Out To Work, Trafficked to Fujian Mountains, To Be Wife of Man in His Forties” [Ziyuan shaonu waichu dagong bei guaimai dao guaimai dao fujian shanli gei 4 xun nanzi dang laopo], Guilin Life, 25 January 17.

³⁰Chen Jin and Ma Junjie, “Putian Man Trapped in Illegal Yunnan Brick Kiln for 13 Years: Only Two Meals a Day, Beaten for Running Away” [Putian nanzi bei kun yunnan hei zhuan chang 13 nian: yitian jin liang dun fan taopao zao dada], Southeast Net, 10 November 16; Qiu Yanxia, “Lincang Man Escapes Illegal Brick Kiln, Warm-Hearted Traffic Police Help Him Return Home” [Lincang nanzi taochu hei zhuan chang nuanxin jiaojing zhu qi hui jiaxiang], Qijing Daily, 16 March 17.

³¹“Sale of Yunnan Child Workers Exposed in China’s Clothing Capital: Yunnan Kids Easily Cheated” [Zhongguo fuzhuang zhi du bei pu maimai yunnan tonggong: yunnan wa hao pian], Chuncheng Evening Post, reprinted in Sina, 21 November 16.

³²Ibid.; International Labour Organization, “Questions and Answers on Forced Labour,” last visited 13 April 17. The International Labour Organization lists “withholding of wages or identity documents [and] physical or sexual violence” as indicators of forced labor. 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), (d). Note that for children under age 18, the means described in Article 3(a) are not required for an action to constitute human trafficking.

³³International Labour Organization, ILO Convention (No. 29) Concerning Forced or Compulsory Labour, 28 June 30, art. 2.1, 2.2(c); “Ratifications of CO29—Forced Labour Convention, 1930 (No. 29),” International Labour Organization, last visited 10 July 17. Article 2.1 defines forced or compulsory labor 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.” China has not ratified this convention.

³⁴Rights Defense Network, “Lawyers Huang Simin and Ge Yongxi: Record of Pre-Spring Festival Meeting With Li Tingyu (January 14, 2017)” [Huang simin lushi, ge yongxi lushi: chunjie qian huijian li tingyu xiao ji (2017 nian 1 yue 14 ri)], 15 January 17; Yang Baolu, “Hope for Acquittal, Don’t Want To Lose My Job” [“Qiwang wu zui panjue, bu xiang diudiao gongzuo”], Beijing Youth Daily, 16 February 17.

³⁵Patrick Tibke, International Drug Policy Consortium, “Drug Dependence Treatment in China: A Policy Analysis,” February 2017, 4, 8; Global Commission on Drug Policy, “Advancing Drug Policy Reform: A New Approach to Decriminalization,” 2016, 14. For relevant legal provisions, see PRC Narcotics Law [Zhonghua renmin gongheguo jindu fa], passed 29 December 07, effective 1 June 08, arts. 38, 41, 43, 47; State Council, Drug Detoxification Regulations [Jiedu tiaoli], issued 26 June 11; Ministry of Justice, Judicial and Administrative Bureaus Compulsory Drug Detoxification Work Regulations [Sifa xingzheng jiguan qiangzhi geli jiedu gongzuo guiding], issued 3 April 13, effective 1 June 13. See also Human Rights Watch, “Where Darkness Knows No Limits: Incarceration, Ill-Treatment, and Forced Labor as Drug Rehabilitation in China,” January 2010, 27–31.

³⁶“Shaanxi Province Women’s Compulsory Drug Detoxification Center Hosts Open House, Calls on Everyone To Stay Away From Drugs” [Shaanxi sheng nu qiangzhi geli jiedusuo kaifang ri huodong huyi dajia yuanli dupin], Xinhua, 8 March 17.

³⁷Ibid.

³⁸International Labour Organization, ILO Convention (No. 29) Concerning Forced or Compulsory Labour, 28 June 30, art. 2. See also Patrick Tibke, International Drug Policy Consortium, “Drug Dependence Treatment in China: A Policy Analysis,” February 2017, 8; Human Rights Watch, “Where Darkness Knows No Limits: Incarceration, Ill-Treatment, and Forced Labor as Drug Rehabilitation in China,” January 2010, 27–31.

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