

This is a postprint version of the following published document:

Jiang, Q., & Sánchez-Barricarte, J. J. (2013).  
Child Trafficking in China. *China Report*, 49 (3),  
pp. 317-335.

DOI: [10.1177/0009445513502268](https://doi.org/10.1177/0009445513502268)

© The authors, Quanbao Jiang and Jesús J. Sánchez Barricarte.  
Reuse is restricted to non-commercial and no derivative uses.  
Users may also download and save a local copy of an article  
accessed in an institutional repository for the user's personal  
reference. For permission to reuse an article, please follow our  
[Process for Requesting Permission](#).

# *Child Trafficking in China\**

**Quanbao Jiang**

Institute for Population and Development Studies  
Xi'an Jiaotong University (China)

**Jesús J. Sánchez-Barricarte**

Carlos III University of Madrid (Spain)

*Child trafficking is a serious problem in China. However, there has not been much research in this area. This article introduces the problem of child trafficking in China based on available data. First, the article examines the reasons for child trafficking followed by a summary description of the characteristics of the children who have been victims of trafficking. Next, the article analyzes the process of child trafficking and discusses the fate of the children involved. The article additionally provides a description of the various measures adopted by the Chinese government and NGOs (non-governmental organizations) to combat child trafficking and mentions the resistance to these measures. This article will hopefully draw the attention of the government, academia and the public to this issue.*

**Keywords:** anti-trafficking, Chinese legal system, human trafficking, left-behind children, migrant workers, NGOs

## INTRODUCTION

*Human trafficking is* considered by the international community to be a modern day version of slavery and a serious violation of basic human rights and interests. Trafficking is becoming a serious social problem in China, especially child trafficking. According to the People's Republic of China's criminal code, the crime of abducting and trafficking children refers to the acts of trafficking, kidnapping, purchasing, selling, picking up, or transferring children for the purpose of selling. Among these acts, abduction refers to

\*This work was jointly supported by the 985-3 Project of Xi'an Jiaotong University and the Spanish Ministry of Economy and Competitiveness (CSO2012-31206).

the perpetrator removing a child from the custody of his or her family or guardian by means of deception and inducement and retaining the children under the perpetrator's control. Kidnapping refers to the perpetrator removing a child from the custody of his or her family or guardian using violence, threats, or anaesthesia and retaining the child under the perpetrator's control. Purchasing refers to paying money to purchase a child before the child is removed. The child can be purchased from traffickers or the child's relatives. Selling refers to selling a child under the perpetrator's control to another, whereas picking-up refers to an intermediate process, such as hiding, guarding, or transferring, that occurs during the overall process of trafficking a child. If any of these acts are committed, then the perpetrator can be punished for the crime of abducting and trafficking children.

The last twenty years of judicial practice have demonstrated that the number of China's child-trafficking crimes has not decreased. In recent years, local criminal activities have been increasing, the criminal's characteristics have changed and the malignancy of crimes has escalated (Gao 2010). This trend is supported by the following factors. First, there is the tendency for criminal gangs to form. Such criminal networks are complex and involve numerous geographical areas. The membership structure of the gangs is complex, as the gang members have clearly defined duties. The crimes that the gangs commit exhibit the characteristics of repetition and professionalism. In certain locations, child trafficking forms an industrial chain of stealing and selling. The membership of child-trafficking organizations can reach dozens or, occasionally, hundreds of individuals, of whom the majority are female. Second, the method of the crime has changed from single abductions to theft, kidnapping and anesthesia. Stealing children for the purpose of selling has become increasingly prominent. Third, during the trafficking process, the child tends to change hands several times and the contact among the perpetrators is single-line, which makes it difficult to recover or rescue the kidnapped children. Fourth, cases of kidnapping the children of migrant workers have significantly increased. Locales on the border of urban and rural communities have become severely afflicted. Fifth, there are an increasing number of cases of abducting and trafficking children and then forcing them to engage in begging, prostitution, theft and robbery (Gao 2010).

On June 18, 2012, China CCTV13 news 1+1's 'Anti-purchasing is more important than anti-trafficking' programme reported the prosecution of an extremely large number of infant kidnapping cases in Yunnan, which were handled by the Ministry of Public Security. This infant-trafficking organisation consisted of 36 individuals. The oldest member was 65 years old, whereas the youngest was 20. Most of the organisation's members were illiterate or semi-illiterate. Among them were 28 female defendants. Within less than a year, this organization had sold 223 infants. The criminal organization's members had clearly defined duties. The infants were obtained through purchase in locales such as Xuanwei, Huizhe and Kaiyuan in Yunnan province and sold in Henan province. Male infants were sold for more than 30,000 yuan, whereas female infants were sold for more than 20,000 yuan. Those who helped transport the infants

were paid between 3,500–4,500 yuan each time (CCTV 2012b). On December 26, 2012, China CCTV13's news 1+1's 'Fighting against child trafficking crimes requires a three-pronged approach' programme reported an extreme child-trafficking case that occurred on 26 September 2012. This case involved multiple provinces, including Fujian, Yunnan, Sichuan, Guangdong, Hubei, Anhui, Jiangxi, Shandong and Henan. Nine child-trafficking organisations were destroyed, 355 crime suspects were arrested and 89 kidnapped children were recovered (CCTV 2012a).

China has been working to promote the healthy development of children. There are many anti-child trafficking laws and regulations in place. National initiatives to fight child trafficking are regularly undertaken. However, child protection remains weak and various cases of child trafficking persist (Zhu 2010). Currently, child trafficking cases are widely reported, but there is insufficient systematic research being conducted in this area. This article begins by analysing the reasons for child trafficking and describing the characteristics of trafficked children. Next, the article introduces the child trafficking process and describes the fate of the victimized children. The article then discusses the current initiatives to rescue these children and the resistance encountered during these rescues before finally presenting a summary and discussion.

## CAUSES OF CHILD TRAFFICKING

The exact figure of the annual number of trafficked children in China is unknown because of the lack of transparency in China's legal system. However, child trafficking is a serious problem in China (Tiefenbrun 2008). Guo Ye, the head of the anti-trafficking project for the National Women's Association and an expert on the child-trafficking problem, said that the causes of kidnapping are highly complicated. Not only are traditional social concepts involved but also strong economic forces. 'The existence of huge demand leads to high profit in child kidnapping, thus stimulating crime' (Chen 2010). The main reasons for child trafficking can be summarized as follows:

1. Poverty and economic underdevelopment are the main causes of human trafficking (Shrivastava 2006). Research focusing on trafficked children and human traffickers shows that most of the children come from relatively poor areas, such as Yunnan and Guizhou. Most of the perpetrators of these crimes do not have a fixed income and are peasants from poor families (Chen and Ping 2010). In 1997, after they had rescued five kidnapped children and escorted them back to their hometown in Yunnan, the police accidentally discovered in the Yunnan countryside a 'children-making base' that 'specialized in producing children' for purchase by the traffickers. Several local women of childbearing age had borne and sold babies to maintain and subsidise their difficult livelihoods (Lu 2009). On 18 June 2012, China CCTV13 news channel 1+1's 'Anti-purchasing

is more important than anti-trafficking' programme reported that in recent years the number of criminal cases of child trafficking using deception, theft and robbery had significantly increased. In certain areas, the phenomenon of purchasing and adopting children illegally cannot be stopped despite repeated prohibitions. In other areas, the phenomenon of parents selling their children to the traffickers and the traffickers selling these infants and toddlers to others were more prominent. Parents sell their own children primarily because of poverty (CCTV 2012b).

2. China's one-child policy and people's traditional preferences for boys are another factor (Tiefenbrun 2008). Chinese tradition favours boys over girls, emphasises the need to carry on the family line and encourages parents to raise sons to look after themselves in their old age. Therefore, some people illegally purchase boys to produce descendants or to have a large family (Xiong 2009). Many families, particularly those in the countryside or remote, backward areas, have an unusual longing for male children. When that wish cannot be realised, they will try to obtain a boy at any cost (Gao 2010). In the coastal areas, including Fujian and Guangdong provinces, purchasing boys to maintain the family name and continue the family lineage has become a 'consumption fashion', thus providing a large market for the traffickers of abducted children (Chen 2010). In certain areas, because of the inadequate social security system, children are the only support of elderly individuals. Wang, an elderly man from Yichuan county, Henan province, is nearly 60 years old. He has nothing in his house and there are cracks everywhere in his low, dirt-construction, four-room house. However, he still purchased a baby girl. His purpose was to have someone to depend on when he becomes older. This father and daughter cannot afford food or clothing (Zhang et al. 2000). In contrast, certain families purchase a child not because they do not have any children but because they think that it is easier to raise two children (Gao 2010).
3. Generally speaking, child trafficking is a low risk activity with a possibility of high returns (Rafferty 2007). As far as cost is concerned, stealing and selling a child involves only transportation and accommodation expenditures. The profit from such crimes is usually 10 times greater than the cost. Such a huge profit is an incentive to take the risk in breaking the law (CCTV 2009). Chen Shiqu, the head of the anti-trafficking office of the Ministry of Public Security, noted that price differences exist, as at the locations where the kidnapped children are sold, a boy can be sold for 40,000–50,000 yuan and a girl can be sold for 20,000–30,000 Yuan. The major reason why child trafficking cannot be stopped despite repeated prohibition is that the criminals can earn large profits on the abducted children at little risk. (H. Zhang 2010).
4. Lack of awareness of the law is another factor. Many child purchasers wrongly believe that it is their choice to spend money to purchase and raise a child and do not regard such a practice as illegal (Gao 2010). Some human traffickers in

the middle of the human trafficking chain who have been arrested even believe that they are 'doing a good deed' for their neighbors who have no children (Zhao 2011). Even the village cadres in the places in which the children are sold exhibit sympathy for the trafficker. Certain village cadres think that the traffickers are performing good deeds: 'They (the traffickers) sell the children from other places to local buyer; they are not selling local children to other places.' (Zhang et al. 2000).

5. Poor parental supervision and lack of risk prevention awareness additionally make it easier for children to be abducted and trafficked (Qu 2011). In the streets and marketplaces of the communities in which migrant workers live, children are always playing without adult supervision. The young parents are busy every day to earn a living and do not have the time and energy to take care of their children. Certain parents continue to use the countryside's traditional method of raising children, which provides opportunities to the traffickers (Lu 2012). The percentage of migrant children enrolled in day care and kindergarten is relatively low. Many kindergartens charge high tuition and create many barriers in order to refuse accepting the children of migrant workers. This phenomenon makes it difficult for many children of migrant families to enter kindergarten and receive full-time day care. The migrant workers are busy earning their livelihoods and it is difficult for them to take care for their children. Children only a few years old playing alone by the roadside can easily become the target of traffickers (Gao 2010).
6. China's adoption policy has acted as a stimulant for child kidnapping and trading. Adopting a child from an orphanage requires the payment of a sponsoring fee of tens of thousands of Yuan. Because of this high expense, some purchasers prefer to purchase a child privately.

## **CHARACTERISTICS OF TRAFFICKED CHILDREN**

Trafficking in children has occurred because in many areas, there is a strong family tradition to have descendants. Some couples who are unable to produce children of their own would like to adopt a child. If they are unable to adopt from normal methods, they will accept boys who have been abducted and trafficked by human traffickers. In some cases, human traffickers search in their hometowns for poor families or disabled or sick parents and then persuade these parents to 'lend their kids' to them so that they can take these children away from home (Li and Zhang 2011).

Since the strict family planning policy, there has been a serious increase in the number of infant child trafficking victims who are born outside the one child quota system set forth in the government's family planning policy (Tian 2007). Criminals take advantage of the parents' fear of being penalised as a result of having more than

one child or that the parents cannot afford or are unwilling to bring up their children by purchasing these children at a low price and selling them at a high price on the pretext that they are doing these parents a favour (Shrivastava 2006). In some poor, remote areas in the countryside, some parents will freely sell their children because they cannot afford to raise them or they see producing children as a money making activity. Babies are usually sold for 5,000–6,000 Yuan (800–1,000 US\$) to a middleman. Then, the middleman will sell the child to another middleman. This process is repeated several times before the child reaches the final buyer, who usually pays up to 40,000 Yuan (6,000 US\$) for a boy and approximately 20,000 Yuan (3,000 US\$) for a girl (Chen 2011).

In recent years, the abduction and trafficking of children has spread from the countryside to cities (X. Zhang 2010). In Dongwan, Gudong Province, a journalist conducted a survey of over 30 parents whose children had disappeared. Most of the parents of these missing children run their own businesses. These parents reported that it was possible for criminals to steal or kidnap their children when the children were outside on the way home from school, in supermarkets or near the doors of their homes (CCTV 2009).

#### **MIGRANT AND LEFT-BEHIND CHILDREN**

A large amount of child abduction and trafficking occurs where there is a concentration of migrant workers, such as in urban agglomerated settlement areas. Generally speaking, migrant workers earn low wages and are busy supporting themselves. As such, it is difficult for them to care for their children. Very young children often play unsupervised on the streets and easily fall prey to human traffickers (Gao 2010; Li et al. 2002). Furthermore, the nursery acceptance rate for the children of migrant workers is low. Many kindergartens not only charge a high fee but also introduce many hurdles to prevent these children from being accepted. All these contributing factors make the children likely abduction and kidnapping targets for human traffickers (Gao 2010).

Shiqu Chen, the director of the anti-trafficking office under the Ministry of Public Security, noted that migrant children and left behind children (children who are left in rural areas while parents migrate to cities for work) are at high risk of becoming victims of abduction and trafficking (H. Zhang 2010). 'A Status Survey of Rural Left-behind Children' shows that these children of migrant workers top the list of trafficked victims and the left-behind children occupy the second place on the list (Xi 2008). Although there is no single accurate number of how many children are trafficked annually, the number of trafficked children is indisputably high in regions populated by migrant workers (Huang et al. 2008). The National Women's Association released an investigative report on the children left behind in rural areas. The report notes that among the trafficked children, the children of migrant workers are in the majority. The primary reason for these circumstances is that the guardianship awareness and the methods of the guardians of the victims are relatively simple and backward, which

dramatically decreases the risks and costs of the traffickers and results in the continuing high occurrence of similar cases (Lu 2012). According to the data provided by the relevant agencies, from 2000–2004, 352 children went missing in Kunming. Of these children, only two were children of local permanent residents, whereas the remainder were the children of migrant workers. Among these children, 319 were missing from the locations between urban and rural areas (Kunming Xishan and Guandu districts) populated by migrant workers (Huang et al. 2008).

The left-behind children refer to children whose mothers, fathers or both have gone to cities to work while they are left behind in their rural homes. They usually live with relatives from another generation, such as their grandparents, or with other relatives of their parents or friends. Based on the data from a 1 per cent sample survey of the Chinese population in 2005, there are approximately 58 million left-behind children in the countryside and 40 million of these children are under the age of 14. Most of these children lack supervision and are at high risk of becoming abduction and trafficking targets for human traffickers (X. Zhang 2010). When migrant workers move to urban areas to work, a large number of children are left behind in rural areas. These children often live with their grandparents or other relatives and friends. They have little ability to defend themselves and thus these children are frequently kidnapped.

## **TRAFFICKING PROCESS**

The principal method used by criminals in the business of child abduction and trading is lying. For example, criminals trick and sell the children who stay at home unsupervised by telling the children that they can buy the children food and toys to lure the children away from home. The second method used by criminals is to develop a personal relationship with the victims' parents to win their trust before abducting and kidnapping (Deng et al. 2009). The third method is a pretext that the perpetrators can feed and look after children or are capable of providing a better life for the children to earn the trust of their parents before taking the children away. They then sell the children to other people (You 2011). The fourth method is for traffickers to wear a nurse disguise, enter clinics in hospitals and steal children, especially from hospitals located in areas with a high concentration of migrant workers. In recent years, the methods used by criminals are shifting away from abduction and telling lies to stealing, kidnapping and anesthesia. There are an increasing number of cases involving child abduction using violence and threats in addition to kidnapping before these children are sold to others (Zhang and Lu 2009).

In recent years, because the police have increased their anti-trafficking efforts, the crimes of abducting and trafficking children have been contained to a certain degree. However, because the demand of the buyer's market is high, the sale prices for children have been increasing continuously each year. Motivated by the profit, the criminals have become reckless and adopted violent methods that are different from the deceptive



means they previously used, including theft, robbery, kidnapping and murder, in the course of child-trafficking crimes. This change poses a serious threat to social stability. Many criminal organizations break into homes or kidnap children off the street. If the kidnapped children's parents resist, the traffickers will harm them. Most of the traffickers use a motor vehicle when they commit their crimes, which enables them to quickly escape from the crime scene (Lu 2012).

In organisational terms, there are three types of traffickers. The first type is the 'individual entrepreneur'. Typically, these perpetrators are first-time offenders and commit the crime alone. The target of their crimes is often an acquaintance and the crime's scale is small. The second type is 'the guerrillas', which are bands of three to five, or occasionally a dozen, individuals. These bands maintain a certain division of duties and cooperate. The third type is the 'large military corps', whose membership ranges from a few dozen to hundreds of individuals. The corps is well organised and a cooperative network exists between urban and rural areas. Additionally, these corps employ a clear division of duties and can commit crimes in a mobile fashion. Some members are responsible for robbery and abduction. This duty is referred to as organising 'supply'. Other members are responsible for secondary transport, whereas others are responsible for 'sales' (Cui 2000). The trafficking organisations not only include criminal gangs with large numbers of individuals and various types but also involve professional crime groups. The criminal activities of the trafficking organisations have gradually developed to include cooperation between local and external areas. The trafficking style has developed from integrating the entire abduction and selling process to specialisation in only certain parts of the process. In the vast criminal network of trafficking, there are 'transfer stations', 'traffic lines', and 'footholds'. From kidnapping, purchasing, picking up, transferring, harboring and selling, each link has a relatively tight organisation and duty division and forms a unified organisation with a link-independent 'assembly line' crime-flow procedure and a trade market (Shun 2004). Most trafficking groups conform to an 'abduction, transferring, picking up, and selling' pattern with careful duty division and strict organisation. Such groups involve not only first-, second- and third-line traffickers but also use 'retail' and 'wholesale' sales methods. Several groups have developed into underworld societies that are 'professionalised and modernised'. (Gao 1998).

The coordinated criminal process of child trafficking is divided into three phases: downstream, midstream and upstream. The downstream phase is linked to the midstream and the midstream is connected to the upstream. Those who work in the downstream phase are usually peasants and the middle stream is occupied by middlemen located in other provinces or in the same area. Individuals working mid-stream make a huge profit on the transfer sale price differences. Human traffickers from other provinces are in the upstream position. They are responsible for finding prospective adoptive parents (Tian 2007). The organisational structure of the abduction and trafficking chain is as follows: first, there are dedicated people whose only job is to trick, steal or snatch children. Second, there are dedicated people whose sole job is to

purchase children. After the purchase, they then find some people locally to feed the children for a while. After the children become accustomed to their new environment and caretakers, the traffickers will then arrange for the children to be sent to other provinces. Third, the children are moved to their destinations. Fourth, a new group of human traffickers in the destination areas purchase the children with cash after delivery, they or the middlemen themselves try to find potential buyers so that they can sell the children in their possession.

A new trend is for child abduction and trafficking to be conducted violently by criminal gangs. There are complicated criminal networks in place and there are clearly defined tasks for each gang member (Song 2009; Xiong 2009). Such patterns of crime are highly representative of the groups involved in child trafficking. The groups cooperate with one another and have individual responsibilities. Because the groups form a tight 'steal, transport and sale' network, investigation and rescue efforts involve substantial difficulty (Liu 2002).

In child trafficking, for the criminals, the kidnapped children are only 'commodities'. The traffickers use many professional terms. For example, boys are known as 'big commodity' or 'cherry'. The girls are referred to as 'small commodity' or 'peppercorn'. Seeking buyers is known as 'picking up goods', whereas the selling process is referred to as 'taking the goods'. To avoid being raided by the police, the traffickers employ a clear division of duties. Every trafficker has several cellular telephone numbers, all traffickers refer to one another by code names and genuine names are rarely used. Once exposed, a trafficker will immediately change telephone numbers or address the sudden change using a prepared speech (Li 2011). China's rural, urban and regional development and growing wealth gap between the rich and the poor cause some peasants with a poor knowledge of the law to be susceptible to the temptation of large profits and drives them into human trafficking (Lu 2009). Human traffickers mainly come from remote and poor regions that are economically less developed (Li et al. 2002). Recently, the number of cases in which workers, cadres, teachers, social idlers and 'Liang Lao' personnel (criminals who have passed through the labour reform in labour camps) have been involved in such crimes has increased. In addition, the number of cases that involve the victim's relative participation have increased (Sun 2004). In his article, Pochagina (2007) states that most human traffickers are young people between the ages of 22 and 37. They mainly are peasants who are unemployed or are taxi and coach drivers and railway workers. Some human traffickers have past criminal records and possess anti-detection capabilities. In recent years, blood relationships and connections among criminals are becoming distinct features in crimes involving child abduction and trafficking. Criminals usually take advantage of their family, blood and clan relationships to form gangs to commit crimes (Xiong 2009). Many criminals are husband and wife teams or belong to the same family. Special family relationships have not only consolidated the organisational structure of criminals, but additionally make it easy for criminals to remain silent or consistent in their defense if their crimes are ever uncovered (Chen and Ping 2010).

## THE FATE OF TRAFFICKED CHILDREN

In China, the fate of abducted and trafficked children can be classified as follows: they are sold to families who would like to have adopted children; they are sold, at a low price, to professional beggars to assist in panhandling; they are sold to other illegal organisations and are subjected to exploitation or sexual exploitation; they become street children; or they are sold abroad (Zhu 2010).

Some trafficked children are sold to and adopted by families who have no children. China has always had a tradition of child adoption. Because many peasants admire families with men in their households, peasants prefer to adopt boys to carry on the family line. If they cannot adopt a male child by legal means, sometimes families purchase one. In poor, remote areas, adopted girls can help families with housework or care for the elderly. Girls are additionally bought as child brides. After they are grown, they will be married to the adoptive family's son who, due to poor family circumstances or other reason, cannot otherwise marry (Chu 2011). Among the trafficked children, the most fortunate are sold to families that genuinely desire children and are raised by such families. Once the children reach legal school age, these families permit them to receive an education. However, most trafficked children are not that lucky and remain illiterate (Zhu 2010).

Some trafficked victims will be controlled by other people and become professional beggars. Child traffickers or those who purchase the abducted children usually train these children to become beggars. Criminals provide their victims with a full meal in the morning and then leave the children somewhere so that the children can beg while the adults keep an eye on the children from a distance. In the evening, the adults collect what these children have obtained. Those children who have not met their daily financial goals are punished in the form of food deprivation or severe beatings (Wang 2011). In some areas of Henan and Anhui province, whole villages are engaged in panhandling and are becoming rich by harming children (Zhang and Lu 2009).

After some girls are abducted and trafficked, they are sold to people in the sex industry and they become child prostitutes, subjected to violence and sexual exploitation. Some human traffickers kidnap girls by making the girls believe that they can find jobs for the girls in other places. After these girls arrive at their destinations, they are then kept in isolation with their freedom restricted. Criminals use violence to force their victims to work as prostitutes in hair salons and hotels (Jiang and Zhao 2000). Some of these victims suffer from diseases and die after contracting sexually transmitted diseases. In addition, some girls are rejected by society after being rescued. They lose their educational opportunities and are, in the end, discarded by society.

Some children are trained to become thieves. Before these child victims start to work as thieves, human traffickers or buyers of trafficked children will put them through a so-called 'professional training' programme. They teach the children how to steal on buses and in other public places. Each child has to meet his daily theft target either in cash or in goods and must hand in his stolen money or goods in full. Failure to do so will incur a severe beating (Yang 2001).

Once they are abducted and trafficked, the survival and development of those children are in serious danger. Some criminals inflict serious damage to normal brain and intellectual development of children by sedating the children during the trafficking process. Some young infants die as a result of the poor care during the abduction and trafficking process. Deprived of their basic human rights, such as education, health and security, the children have to endure violence, exposure to infectious diseases and torture during the trafficking process (Rafferty 2007).

The criminals do not want to treat babies who become sick because of the cost. Thus, they simply abandon these babies in a remote corner or ravine. Certain criminals overdose the babies with sleeping pills in the course of the trafficking, which seriously damages brain development and cognitive ability (Li 2011).

## **PREVENTION AND RESCUE**

Child abduction and trafficking not only cause family and individual tragedies and misery as well as enormous damage to the society but additionally hinders the establishment of a harmonious society in China. The Chinese government has recognised the serious and damaging nature of this problem and is determined to crack down on these criminal activities. Many NGOs and parents of abducted children have started to act. As a result, there are nationwide activities to prevent child abduction and trafficking.

## **LAWS AND REGULATIONS**

Under China's current legal system, the laws that protect the rights of children are as follows: the Constitution of the PRC., Criminal Law, Compulsory Education Law, and so on. In 2007, the Chinese Government devised a Plan of Action to Counter the Abducting and Trafficking of Women and Children (2008–2012). This plan involves 28 government ministries and covers prevention, law enforcement, victim rescue, repatriation, recovery and international collaboration. In March 2010, to strengthen the legal protection for women and children, the Supreme People's Court, the Supreme People's Procuratorate, the Ministry of Public Security and the Ministry of Justice jointly issued a directive entitled 'Suggestions on How to Legally Tackle the Crime of Abduction and Trafficking of Women and Children'. This directive extended the criminal targets of interest and intensified the effort to detect and solve such crimes.

As far as abduction and trafficking of children are concerned, the Supreme People's Court always holds the view that such crimes must be treated seriously and that the criminals involved must be punished severely in accordance with the law. When hearing such cases, the courts highlight key crimes to enforce and punish those criminals who are leaders of criminal gangs, repeat offenders, habitual criminals or principal

criminals; criminals who sell children to buyers from overseas; or criminals who cause serious physical harm or the death of an abducted and trafficked child. These criminals are sentenced severely, including death penalties (Song 2009).

## NATIONAL RESCUE ACTIONS

During 2001–2005, Kunming city continuously conducted special attacks on child trafficking. In total, the police solved 90 child-trafficking cases, rescued 181 children, destroyed 7 large child-trafficking criminal groups and arrested 304 child-trafficking suspects, of whom nine were sentenced to death (Li and Ni 2005).

In 2009, an ‘Anti-child and women trafficking crimes’ specialised programme was implemented in which the Ministry of Public Security, various government departments and the local police participated. This programme was the fifth anti-trafficking movement in China and the strongest. This special action started in April 2009. By September 2010, 6,574 adult-female trafficking cases were solved, 4,595 child-trafficking cases were solved and 2,757 criminal groups were destroyed. Furthermore, 17,486 trafficking suspects were detained, 3,044 fugitives were arrested, 6,785 trafficked children were rescued and 11,839 trafficked women were rescued (H. Zhang 2010). From January–October 2009, the Chinese courts heard 1,107 child-trafficking cases and 1,714 criminals were sentenced. Among the sentenced criminals, 1,060 were sentenced to more than 5 years in prison, life imprisonment, or the death penalty. The people’s courts on all levels have always strictly implemented the criminal policy of combining punishment with leniency. According to the law, a large number of child-trafficking offenders were severely punished. This approach plays an important role in fighting and preventing child trafficking and curbing the development and spread of such crime (D. Wang 2009).

To implement the ‘Plan of Action for Counter Abducting and Trafficking of Women and Children (2008–2012)’, the Chinese Government launched a specific initiative to suppress abduction crimes in April 2009. By December 2011, the special initiative solved 16,137 cases relating to the abduction and trafficking of women and 11,777 cases relating to the abduction and trafficking of children. As a result, 7,025 criminal gangs were destroyed and 49,007 people were detained. In total, 18,518 children and 34,813 women were rescued (Zheng and Zhou 2011).

In February 2011, the Henan Police discovered a vast criminal gang involved in abduction and trafficking of children. This criminal network spanned 14 provinces and was very well organised, with clearly defined tasks for gang members. The Ministry of Public Security set up a task force to address this case. On July 20th, 2,600 police officers in 14 provinces participated in a joint operation to apprehend the criminal suspects involved in the case. All the main suspects were arrested. In total, 81 children were rescued and 330 suspected criminals were placed in custody (MPS 2011).

At midnight on 7 March 2012, the Ministry of Public Security issued an order to the police in 14 provinces, including Shandong, Guizhou, Henan, Shanxi, Yunnan and

Guangxi, to undertake coordinated action. More than 7,000 policemen were involved and completely destroyed a large-child trafficking gang across 14 provinces. A total of 77 children were rescued and 310 crime suspects were arrested (Yuan 2012).

### **EFFORTS BY PARENTS OF TRAFFICKED CHILDREN**

Many parents whose children are abducted and trafficked quit their jobs to conduct a national search for their children. They have in a sense become 'professional searchers'. These parents become acquainted in their efforts to find their children and to establish groups to look for their children across the country. They even carry a huge poster and use it as a 'child search wall', which displays their children's photographs and other relevant information (Ba and Wu 2010). Some families set up their own anti-child tracking organisations. These organisations are known as 'Child Search Alliances'. Many families whose children are abducted and trafficked join these alliances (Huang et al. 2008).

### **NON-GOVERNMENTAL ORGANISATIONS**

In recent years, the number of children who are abducted and trafficked has increased. As a result, more NGOs have begun anti-trafficking programmes. In 2007, Ms. Zhang Baoyan, whose own child was abducted, created a website called 'Baby Going Home—Looking for Missing Children' (baobeihuijia.com). The 'Baby Going Home' website takes advantage of the internet to help rescue missing children. In 2010, the 'Baby Going Home' website contacted the China Social Welfare Education Foundation (CSWEF) and reached an agreement to establish the 'Baby Going Home Charity Foundation' to accept donations (Qu and Zhang 2011).

In January 2011, Professor Yu Jianrong from the Chinese Academy of Social Sciences published a blog called 'Easily Rescue a Begging Child by Taking a Photo'. The article has been forwarded by blog readers repeatedly and has become a powerful force in the media. It has created a wave to fight against abduction and trafficking online. Many internet users have participated in interactive activities both online and offline (Liao 2011).

### **OBSTACLES**

Although the Chinese Government and Chinese society pay special attention to the issue of child abduction and trafficking with active support provided by non-governmental organisations, preventing such a crime and rescuing child victims are still challenging. These challenges will be described below.

First of all, relevant laws and regulations still have room for improvement. China lacks systematic laws and regulations to combat child trafficking. Relevant legal rules are scattered in laws, administrative orders and judicial interpretations. The effort to combat child trafficking is still insufficient (Zhu 2010). China has been managing its population using a household registration system. The poor registration and management of newborns and the coordination between relevant departments mean that it is too easy for the children who are adopted after they have been abducted and trafficked to have their data accepted for entry into the household registrations system (Huang et al. 2008).

The complexity involved in abduction and trafficking cases is another challenge in the effort to rescue child victims. Most of these crimes occur across different provinces. The crimes involve a wide range of issues, have a long battle front and committing these crimes takes much work. In addition, there are insufficient financial and police resources, which means that external enquiries cannot be performed in a timely fashion. These obstacles make it hard to rescue a child victim (C. Wang 2009).

There is no long term, effective mechanism in China in its fight against abduction and trafficking. For a long time, China has been relying on dedicated task operations combined with daily normal work in its fight against the abduction and trafficking of women and children, but this practice makes it difficult to sustain actions against such a crime. In addition, because the sole objective of some operations is to rescue victims and not to penalise the criminals involved, human traffickers resume their criminal activities after they get penalised (Wu 2010).

The high tolerance level of the public towards cases involving abduction and trafficking of women and children presents a challenge for rescue operations (Wu 2010). Protectionism in the local police and governments means that laws are not strictly enforced or that active cooperation and support are not provided. In some towns and villages, local governments allow the children who are known to have been abducted and trafficked to be entered into official household registration documents. Village cadres in quite a number of areas act as go-betweens and guarantors for their villagers to participate in the abduction and trafficking of children. The cadres even take a leading role in purchasing victims. In some rural areas, villagers are accustomed to the phenomenon of purchasing children. They regard such a practice as sowing virtue and doing good deeds and do not consider themselves to be breaking the law (Zhou 2011). In a village in Guangdong province, a journalist encountered a venerable patriarch at the local shrine. As the elder of a clan, he was generally respected by the villagers. To a certain degree, he maintained the etiquette and daily order in the clan. Regarding the problem of having a son, he said, 'One must find a son if one doesn't have one. It is to maintain the family lineage, right? You can't do it without a son' (Zhao 2009). The local people have a weak legal conscience and are accustomed to the phenomenon of buying infants. They think that the traffickers are performing good deeds and do not consider the practice to be a violation of the law (Wang et al. 2012). Several individuals expressed sympathy for the buyers.

Many buyers spent tens of thousands of yuan to buy the child, and tens of thousands to raise the child. Now you rescue the child; isn't that ending up in a dead end, where he loses both money and child and has to go to jail? (Chen 2010)

In the areas of Chaozhou, Fujian and Shantou, Guangdong, the phenomenon of buying trafficked children is relatively more widespread. In these areas, the Guangdong Dongguan police's rescue operation often faces multiple barriers. Each time the police attempt to rescue children there, they must proceed secretly. After confirming the address and the child's circumstances, the police arrive in the middle of night. Once the child is found, the police must immediately withdraw from the village. Otherwise, they would be surrounded by the villagers and the rescue would fail (Zhao 2009).

## CONCLUSIONS AND DISCUSSIONS

The trafficking of children destroys normal human feelings, seriously violates personal rights of the abducted children who are abducted and severely jeopardises children's personal safety. Trafficking not only damages the physical and physiological health of young children but also has a negative impact on social stability (Gao 2010). Child trafficking inflicts terrible misery on the victims' families and leads to family break-ups. The parents who look for their missing children suffer emotionally as a result of the disappearance of their children and often end up in financial ruin. Some parents put in extra effort to look after their children out of fear that carelessness on their part may result in the trafficking of their children. Such a practice leads to a waste of social resources. These crimes additionally lead to an increase in the number of individuals who petition the government for help. Child search alliances set up by parents in different parts of the country are potentially dangerous flash points that could cause unrest and increase social instability. In addition, some girls who are sold into prostitution may contract sexually transmitted diseases or have unintended pregnancies (Shrivastava 2007), with terrible consequences.

Although the Chinese Government has formulated various laws regarding child trafficking, the trafficking of children has not yet been eradicated in China. Targeting and effectively fighting against buying children while reducing and gradually eliminating the buyer's market is the path to successful anti-trafficking. Many call for severe punishment for buying trafficked children. However, in truth, certain items of the current law do not deter the buyer's market. For example, Rule 241 of the Chinese criminal code states that those who buy abducted women and children will receive fewer than three years in prison, detention or control. However, the rule also clearly indicates:

those who purchase the trafficked women and children, based on the trafficked women's wish, and do not hinder their return to their places of origin or purchaser



who do not maltreat the trafficked children and do not hinder the rescue operation will not be investigated for criminal responsibility.

Based on recently solved cases, most purchasers do not maltreat the children and when the police perform rescue operations, most purchasers co-operate. Therefore, most purchasers will not bear criminal responsibility. Thus, most purchasers can escape punishment by the law. A policeman in charge of the cases observed that the provisions of the criminal law accommodate to a certain extent the purchaser's market and are not conducive to combatting this crime. 'It is because of the existence of a large buyers' market that traffickers can make reckless moves' (Chen 2010).

In addition, many have called for the modification of the 'adoption law'. China issued the 'adoption law' in 1992. There is double limitation for the adoptee and adopter, which makes the adoption channel uneven. The fourth item defines three sets of circumstances in which 'minors under the age of fourteen can be adopted': orphans who lost their parents; abandoned infants and children whose birth parents cannot be found; and children whose birth parents are unable to raise them because of special difficulties. The sixth item requires that the adopters abide by the following: they have no other children; they have the ability to raise and educate the adoptee; they do not have diseases that are medically regarded as unsuitable for individuals who adopt children; and that they are at least 30 years old. In addition to the strict rule on adoption subjects and procedure, the adopters are required to register at the civil department and must have a specific Notary Office notarise the adoption. These rules substantially affect the establishment of the adoption relationship. Additionally, the adopters must pay a large sum of money to the welfare home, which makes it difficult to use the normal adoption process, particularly for individuals in rural areas, who think it is more cost effective to buy a child.

China will continue to face serious challenges in combating trafficking for a long time. Eradicating the trafficking of children requires the cooperation of many departments in the country and the establishment of a long term effective working mechanism. Child trafficking has spread extensively across China and many diverse individuals are trying to solve this problem in a comprehensive manner. We need to tackle this problem by studying its fundamental cause and find a strategy to address the root of the problem. First, we must lower the entry threshold for school and enable all school-age children to attend school, which would reduce the risk of children being trafficked because of a lack of childcare. Second, China's 'adoption law' should be modified to simplify the normal adoption procedure. The families that want to adopt children should not be charged high fees. Third, the criminal law must be strict. Criminals must pay a heavy price and child traffickers must be severely punished. Fourth, we must change the current trend not to ignore the purchaser's responsibility. We must proceed against the buyers more aggressively and eliminate the buyers' market. Fifth, we must expand education and change people's ideas and concepts. We must call on everyone to fight against and prevent child trafficking.

In terms of preventing and suppressing the crimes related to trafficking and protecting children's legitimate rights, China cannot solve the problem by simply having conferences or by tabling a motion at the NPC and CPPCC sessions. More work must be performed.

## REFERENCES

- Ba, S. and J. Wu. 2010. Over 30 Parents Form a Group to Look for Missing Children. *The Beijing News*, 29 September 2010, p. A18.
- Chen, Cheng. 2010. 'Guaimai, Yangguang Xia De Zui'e' (拐卖, 阳光下的罪恶) [Human abduction and trafficking—a crime in broad day light], 4 January, <http://society.people.com.cn/GB/1063/10698181.html>
- Chen, W. and X. Ping. 2010. The Industry Chain of Trafficking in Children. *Procuratorial Daily*, 26 May 2010, p.008.
- Chen, X. 2011. 'It's Difficult for Trafficked Children to Return Home', *News*, Vol. 10, No. 7, 45–46.
- Chu, C. (2011), Human trafficking and smuggling in China. *Journal of Contemporary China*, 20(68) 39–52.
- CCTV. 2009. An Industrial Chain Formed in Children Trafficking. *Chinese Central TV, Half-Hour Economy*. 5 November 2009, <http://news.163.com/09/1106/00/5ND8Q0AA0001124J.html>
- . 2012a. 'Daji guaimai ertong fanzui, xu san guan qi xia' (打击拐卖儿童犯罪, 需三管齐下) [Combating Child Abduction and Trafficking Needs a Three-pronged Approach], 26 December, <http://tv.cntv.cn/video/C10586/c804d7b71ddf4688b31f9e5f3194f910>
- . 2012b. 'Daji guaimai ertong xu jiada dui maifang shichang de chengfa lidu' (打击拐卖儿童需加大对买方市场的惩罚力度) [Stern Punishment to Buyers for Combating Child Abduction and Trafficking], 19 June, <http://opinion.news.cntv.cn/20120619/104382.shtml>
- Cui, S. X. (2000). 'Why it's so Difficult to Crack Down on Trafficking in Women', *Chinese Times*, Vol. 7, No. 6, 26–28.
- Deng, X., J. Deng and X. Xia. 2009. New Features of Children Abducting and Trafficking Crimes. *Legal Daily*, 7 May 2009, p. 02.
- Gao, Q.K. 1998. 'A Review of Cracking Down on Trafficking in Women in Anhui Province Over the Past Seven Years', *Police Studies*, Vol. 5, No. 3, 49–50.
- Gao, X. 2010. 'A Criminological Exploration of China's Trafficking in Children', *Journal of China Youth College for Political Sciences*, Vol. 29, No. 6, 90–94.
- Huang, B.H. Luo, J. Li and X. Zhao. 2008. 'The Causes, Social Impact and Countermeasures of Trafficking in Children in Floating Population Communities', *Industrial & Science Tribune*, Vol. 7, No. 2, 33–35.
- Jiang, W. and C. Zhao. 2000. 'An Accusation Letter Exposed a Trafficking of Over 100 Girls Case', *Procuratorial View*, Vol. 8, No. 6, 30–33.
- Li, J., N. Li, C. Ni and L. Zhang. 2002. 'An Analysis of Features of Crime on Children Abduction and Selling in Kunming', *Journal of Yunnan Public Security College*, Vol. 13, No. 4, 63–65.
- Li, N., and C. Ni. 2005 'Considerations on the Prevention and Crackdown Abducting and Trafficking of Women and Children', *Journal of Yunnan Police Officer Academy*, Vol. 16, No. 4, 67–69.
- Li, Y. 2011. 'Traffickers caught—A record of breaking a large scale trafficking group', *Country-Agriculture-Farmer*, Vol. 26, No. 10, 20–22.
- Li, Y. and L. Zhang. 2011. 'Biological Parents Face Imprisonment After the Child Being Rescued', *March Wind*, Vol. 17, No. 3, 21.
- Liao, H. 2011. 'Nomological Analysis of Combating Trafficking via Microblogs', *Legal System and Economy*, Vol. 20, No. 7, 27–28.

- Liu, G. 2002. 'A Criminological Analysis of Child Trafficking in Guanyang City', *Issues on Juvenile Crimes and Delinquency*, Vol. 31, No. 3, 41–42.
- Lu, J. 2012. 'Countermeasures on Crime Cases of Child Trafficking and its Characteristics', *Journal of Yunnan Police Officer Academy*, Vol. 23, No. 5, 65–68.
- Lu, N. 2009. 'Poverty Reduction is Crucial to Combating Trafficking', *Social Outlook*, Vol. 7. No. 9, 24–25. [http://news.xinhuanet.com/legal/2011-08/16/c\\_121866301.htm](http://news.xinhuanet.com/legal/2011-08/16/c_121866301.htm)
- Pochagina, O. 2007. 'Trafficking in Women and Children in Present-Day China', *Far Eastern Affairs*, Vol. 35, No. 1, 82–101.
- Qu, H. 2011. 'Punishing Buyers, the Primary Countermeasures to Trafficking in Children', *People's Court Daily*, 21 February 2011, p. 008.
- Qu, H. and L. Zhang. 2011. 'Trafficking in Children, a Crime More Vicious than Murder', *March Wind*, Vol. 17, No. 3, 23–24.
- Rafferty, Y. 2007. 'Children for Sale: Child Trafficking in Southeast Asia', *Child Abuse Review*, Vol. 16, 401–22.
- Shrivastava, D. 2006. Child Trafficking—A Human Right Abuse. Paper presented at the 29 All India Conference of Indian Society of Criminology held at Madurai in 2006.
- Song, W. 2009. Punish Harshly Trafficking Criminals. 27 November 2009. <http://news.163.com/09/1127/05/5P3SEOSF0001124J.html>
- Sun, L. 2004. *A Study on the Crime of Trafficking in People in Contemporary China*. Unpublished Master's Degree Thesis, East China University, China.
- The Ministry of Public Security MPS 2011. The Ministry of Public Security Directs and Multi Provinces Unites to Destroy two Trafficking in Children Groups. 27 July 2011. <http://www.mps.gov.cn/n16/n1237/n1342/n803715/3031035.html>
- Tian, D. 2007, 'Who are Trafficking in Children', *Law & Life*, Vol. 24, No. 8, 9.
- Tiefenbrun, S. 2008. 'Human Trafficking in China', *University of St. Thomas Law Journal*, Vol. 6, No. 1, 248–68.
- Wang, C. 2009. "Babay Back Home": A Non-neglectable Anti-trafficking Force', *China Women's Daily*. 20 May 2009. [http://www.china-woman.com/rp/main?fid=open&from=view&fun=show\\_news&nid=45225](http://www.china-woman.com/rp/main?fid=open&from=view&fun=show_news&nid=45225)
- Wang, B. J. He and L. Zhang. 2012. 'Trafficking of Children is a "Virtue"', *People's Police*, Vol. 61, No. 23, 24–26.
- Wang, D. 2009. '1061 Traffickers Heavily Punished', *Legal Daily*. 26 November 2009 p. A1.
- Wang, Q. 2011. A Survey of Trafficking in Children in Huyang Prefecture of Anhui Province: Many Village Cadres Partake. 7 February 2011. <http://news.sina.com.cn/cl/2011-02-07/163521922420.shtml>
- Wu, S. 2010. 'Dilemma and Exits for China's Trafficking Work', *China Criminal Police*, Vol. 22, No. 3, 34–35.
- Xi, K. 2008. Left-behind Children Ranks Second Among Trafficked Children. 20 May 2008. [http://www.china.com.cn/info/zhuanti/xlx/2008-05/20/content\\_15361154.htm](http://www.china.com.cn/info/zhuanti/xlx/2008-05/20/content_15361154.htm)
- Xiong, H. 2009. 'Why Trafficking in Children Persists? 24 March 2009. [http://news.xinhuanet.com/legal/2009-03/24/content\\_11064648.htm](http://news.xinhuanet.com/legal/2009-03/24/content_11064648.htm).
- Yang, S. 2001. 'A Perspectives of a Trafficking Groups', *Xinjiang People's Congress*, Vol. 15, No. 12, 26–27.
- You, W. 2011. The Court of Heshan Prefecture Crack Hard Down on Trafficking in Children. 11 October 2011. <http://www.hebiw.com/print/139838>.
- Yuan, G. 2012. 'A big case of child trafficking', *Legal System and Economy*, Vol. 20, No. 3, 27–28.
- Zhang, H. 2010. 'Big Profits in Child Trafficking Makes it Difficult to Eradicate this Evil', *Beijing News*. 12 November 2010, p. A32.
- Zhang, H. X. Ji and S. Deng. 2000. 'Evil "Children Wholesale Center"', *Jilin People's Congress*, Vol. 10, No. 7, 44–45.
- Zhang, X. 2010. 'Trafficking and Fighting against Trafficking', *Journal of Jiangxi Public Security College*, Vol. 25, No. 1, 51–54.

- Zhang, Z. and H. Lu. 2009. Trafficking in Children, the Social Evil of Civilized Society. *Social Outlook*, Vol. 7, No. 9, 17–20.
- Zhao, Mu. 2009. 'Ertong bei guaimai de yuanyin zhiyi: chuan zong jie dai' 儿童被拐卖的原因之一: 传宗接代 [One of the Reasons for Child Abduction and Trafficking: Continuity of the Family line] 18 April, <http://zhaomu.blog.sohu.com/114642064.html>
- Zhao, Y. 2011. The Collapse of Large Children Trafficking Groups. 28 July, [http://hebei.hebnews.cn/2011-07/28/content\\_2169211\\_3.htm](http://hebei.hebnews.cn/2011-07/28/content_2169211_3.htm).
- Zheng, L. and W. Zhou. 2011. 608 Children Trafficking Suspects Arrested in 10 Provinces. 6 December 2011 <http://news.163.com/11/1206/20/7KK9FBA200014JB5.html>
- Zhou, W. 2011, The Ministry of Public Security: The Demand of Buyers is the Primary Obstacle to Combating Trafficking in Children. 8 August 2011. <http://www.chinanews.com/gn/2011/08-08/3242455.shtml>.
- Zhu, L. 2010. 'Civil Rights Protection of Trafficked Children and Economic Assistance to Them', *Legal System and Society*, Vol. 5, No. 23, 64–65.

