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Mapping Trafficking of Women in China: Evidence from Court Sentences

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ABSTRACT

In recent years, exposés on the trafficking of women have caught the public's attention in China. However, due to data scarcity, the scope and nature of such criminal activity are not well understood. The authors of this study provide a new angle in the analysis of human trafficking by digitizing and analyzing court sentencing documents on trafficking in China during 2014–2015.

Through mapping court data to geographic information and performing network analysis, the study presented a comprehensive picture of intra-provincial, inter-provincial, and international trafficking patterns. The data showed that international trafficking has become the largest category in the trafficking of women, and victims were typically young women in their 20s originating from Vietnam, Myanmar, and North Korea who were sold into central provinces. Domestically, inter-provincial trafficking outnumbers intra-provincial cases. Across provincial borders, women were trafficked from southwest to central provinces. Intra-provincial trafficking was concentrated in four provinces: Henan, Anhui, Shandong, and Hebei.

Introduction

Human trafficking, specifically the trafficking of women, is recognized as a type of modern-day slavery that flagrantly violates basic human rights.[1] According to the United Nations, human trafficking is defined as 'the recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation'.[2] Human trafficking is often associated with the exploitation of various forms, including but not limited to sexual exploitation, forced labor, slavery, and the removal of organs.[3]

Previous research has reported that thousands of women are trafficked annually within mainland China. For instance, Tiefenbrun and Edwardsm estimated that ten to twenty thousand victims are annually trafficked within China.[4] Likewise, based on police records, Zhao found an average of

[1]Amy O'Neill Richard, 'International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized Crime', Bureau of Intelligence and Research (State) Washington DC, (1999), accessed October 23, 2018, http://www.bayswan.org/traffick/CA_Traffick.pdf.

[2]United Nations, 'Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime' article 3(a), (2000), accessed October 23, 2018, https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx.

[3]Ibid.

[4]Susan Tiefenbrun and Christie J. Edwardsm, 'Gendercide and the cultural context of sex trafficking in China', *Fordham International Law Journal* 32, (2008), pp. 731–780.

twelve thousand trafficked women registered by the police in the years between 1990 and 1999.[5] In legal practice, the trafficking of women is also one of the most serious crimes in China. Between 2010 and 2014, Chinese courts tried 7,719 cases of human trafficking of children and women, with a total of 12,963 traffickers indicted, more than half of which received a minimum sentence of five years in prison. While in the year 2014, only 978 cases were convicted.[6]

The existing literature has explored two issues associated with domestic human trafficking, specifically, the causes and patterns of the trafficking of women in China. In terms of the causes, the imbalanced gender ratio has been generally considered the main reason for the trafficking of women.[7] Due to the one-child policy and China's cultural preference for boys, families have used a variety of methods to secure male offspring, such as gender-selective abortions, infantilizing baby girls, refusing to register *hukou* for early born female children, and the outright abandonment or selling of female children.[8] The preference for boys has led to substantially more males in the overall population, making it increasingly difficult for men to find wives, especially in the rural areas.[9] As a result, the high male-to-female ratio has created a market for the trafficking of women for marriage, leading to coerced marriage as the primary form of trafficking of women in China.[10]

Regarding the patterns of female trafficking in China, studies have indicated that the trafficking of women is not equally distributed across provinces. The most typical destinations for trafficked women were rural and populous areas in central provinces such as Henan, Hubei, and Anhui, where the male-to-female gender ratios are exceedingly high and the economic development stagnated.[11] Female victims were most likely to be transported from rural provinces in south-western China, such as Yunnan, Guizhou, and Sichuan.[12] Hence, it is likely that the typical trafficking route is from the southwestern provinces to the central ones.

The lack of data has been one of the biggest obstacles for studying human trafficking. Most of the existing studies have used anecdotal evidence, such as unauthorized police records, news reports, and secondary administrative reports to support their analysis.[13] Accordingly, results reported by those studies may suffer from a bias of non-systematic evidence. Others have employed a case study approach to investigate the problem.[14] Although these studies offered an in-depth understanding of individual cases, the generalizability of the conclusions drawn and patterns found by those studies is arguably questionable. In addition, few studies have adequately addressed the changes of women trafficking in China, for example, the increase in cases involving

[5]Gracie Ming Zhao, 'Challenging traditions: human rights and trafficking of women in China international perspective', *Journal of Law & Social Challenges* 6, (2004), pp. 167–184.

[6]The Supreme People's Court, 'zuigao renmin fayuan tongbao chengzhi guaimai funnv ertong fanzui qinkuang' ['The Supreme People's Court's notice on the punishment of the crime of trafficking in women and children'], (2015), accessed October 23, 2018, http://www.court.gov.cn/zixun-xiangqing-13550.html.

[7]Cindy Yik-Yi Chu, 'Human trafficking and smuggling in China', *Journal of Contemporary China* 20(68), (2011), pp. 39–52; Quanbao JiangJesús J Sánchez-Barricarte, 'Trafficking in women in China', *Asian Women* 27(3), (2011), pp. 83–111; Susan Tiefenbrun and Christie J. Edwardsm, 'Gendercide and the cultural context of sex trafficking in China'; Gracie Ming Zhao, 'Challenging traditions: human rights and trafficking of women in China international perspective'.

[8]Fred Arnold, and Zhaoxiang Liu, 'Sex preference, fertility, and family planning in China', *Population and Development Review* 12 (2), (1986), pp. 221–46; Susan Tiefenbrun and Christie J. Edwardsm, 'Gendercide and the cultural context of sex trafficking in China'.

[9]Jianghong Li, 'Gender inequality, family planning, and maternal and child care in a rural chinese county', *Social Science & Medicine* 59(4), (2004), pp. 695–708.

[10]Susan Tiefenbrun and Christie J. Edwardsm, 'Gendercide and the cultural context of sex trafficking in China'; Gracie Ming Zhao, 'Challenging Traditions: Human Rights and Trafficking of Women in China International Perspective'; Gracie Ming Zhao, 'Trafficking of women for marriage in China: Policy and practice', *Criminal Justice* 3(1), (2003), pp. 83–102.

[11]Cindy Yik-Yi Chu, 'Human trafficking and smuggling in China'; Quanbao Jiang and Jesús J Sánchez-Barricarte, 'Trafficking in Women in China'; Jinling Wang, 'A Qualitative Study of the Abducted and Marriage-Lured Yunnan Women in Shandong Province', *Journal of Yunnan Nationalities University (Social Sciences)* 6, (2006), p. 2; Ping Zhuang, 'On the Social Phenomenon of Trafficking in Women in China', *Chinese Education & Society* 26(3), (1993), pp. 33–50.

[12]Ibid.

[13]June JH Lee, 'Human trafficking in East Asia: current trends, data collection, and knowledge gaps', *International Migration* 43 (1/2), (2005), pp. 165–201.

[14]Robyn Emerton, 'Trafficking of women into Hong Kong for the purpose of prostitution: Preliminary research findings', Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong, (2001).

international victims. Lee called attention to China as one of the largest origins and destinations of international trafficking and insisted that more research be conducted on human trafficking issues in China.[15]

This study takes advantage of newly released court sentencing documents by the Supreme People's Court of China, and the authors aim to bridge the gap in knowledge on the trafficking of women in China by examining the trafficking hotspots, the geographical patterns of trafficking, and by exploring possible explanations. The current research quantitatively examined the complete set of available court documents on the trafficking of women between 2014 and 2015. Although a single source of information cannot provide a complete picture of the extent of women trafficking in China,[16] the sentencing documents provide useful information on the individual victims, e.g., their origins and destinations. Using geographic information system (GIS) technology, the study was able to pinpoint and visualize the trafficking networks and summarize the patterns of trafficking, contributing to better understandings of the nature of women trafficking in mainland China.

Research Methods

Data

The present study retrieved all the human trafficking sentencing documents from the China Judgments Online (CJO) website, which is the governmental platform for archiving legal documents nationwide.[17] As part of an effort to improve judicial transparency, starting on 1 January 2014, the Supreme People's Court of China required all levels of courts to upload effective sentence documents to the CJO, except for those that may contain classified information (e.g. cases related to national security) or pose a threat to individual privacy (e.g. cases related to juvenile). Since the number of uploaded cases prior to 2014 is very small,[18] the authors limited the focus on cases from 2014 to 2015 while retrieving the sentencing documents in the middle of 2016. Only documents from the first trial were kept due to China's two-tiered trial system in which a lower court presides over an initial trial, and a higher court conducts the hearing of appeals and review.[19] Therefore, the appeal documents contained redundant information of the sentence.

The analytical sample consists of 713 unique cases which cited Article 240 from 2014 to 2015, of which, 387 cases are on the trafficking of women, while the others are related to child trafficking. Article 240 of the Chinese Criminal Law prohibits women or children from abducting and trafficking and provides harsher punishments if forced prostitution is involved. The authors manually coded the 387 cases to solicit information from the 615 victims, 456 convicts, and the geocode of their origins and destinations where the crime happened.

According to Article 240, an individual who involves 'any act of abducting, kidnapping, buying, trafficking in, fetching or sending, or transferring a woman or a child for the purpose of selling the victim' is facing a penalty of no less than ten years' or life imprisonment and a fine or confiscation of property. The article criminalizes the selling purpose of the act; however, it does not specify the forms of exploitation. For example, enticing or forcing the abducted woman to engage in prostitution is listed as one of the aggravating factors; and two internationally criminalized forms of exploitation for human trafficking, forced prostitution and forced labor are criminalized in Article 244, and Article 358, respectively. Without help from legal authorities, it is not possible to link the

[15]June JH Lee, 'Human trafficking in East Asia: current trends, data collection, and knowledge gaps'.
[16]Danielle Worden, 'Sex trafficking: towards a human rights paradigm', *The International Journal of Human Rights* 22(5), (2018), pp. 709–732.
[17]The Supreme People's Court, 'China Judgement Online', accessed October 23, 2018, https://wenshu.court.gov.cn/.
[18]Chao Ma, Xiaohong Yu, and Haibo He, 'Big data analysis: a report of the sentences on Chinese judgement online', *China Law Review* 4, (2016), pp. 195–246.
[19]Hong Lu, Bin Liang, and Siyu Liu. 'Serious violent offenses and sentencing decisions in China—are there any gender disparities?', *Asian Journal of Criminology* 8(3), (2012), pp. 159–77; Mike McConville, ed., *Criminal Justice in China: An Empirical Inquiry* (Edward Elgar Publishing, 2011).

cases under two different crimes together because all personal identification information is removed in sentencing documents. No doubt, the legal definition the authors adopted does restrict our analysis to a subsample of all trafficking activities, even among all convicted cases. For instance, using sentencing documents as our data source excludes those who might be in forced prostitution situations that would fall under the international definition of human trafficking, because those women are dealt with administratively, e.g. sending to extrajudicial holding centers without a trial, as a violation of public security regulations.[20] The authors acknowledge that our analysis could not capture instances where women were trafficked for sexual exploitation.

Another potential issue of sentencing documents is that it could not account for regional or departmental level variation in China's policing and judicial system. Law enforcement might be more sensitive to trafficking cases and have extra incentive to catch, prosecute, and indict trafficking on regions where anti-trafficking has priority while similar cases might be considered as negligible in other places.[21] Thus, the distribution of the trial documents could be interpreted as the level of attentions from regional law enforcement agencies instead of the actual frequency. However, the attention of law enforcement in different regions may also reflect the severity of women trafficking in certain areas assuming law enforcement agencies would prioritize their resources according to the severity or public concerns.

In addition, besides official exceptions, uploaded sentencing documents might be subjective to selection or purposeful deletion. Other empirical studies have identified occasional disappearance of some cases from China's court websites due to purposeful deletion.[22] As the authors cited above, statistics released by public security organs indicate that thousands of women were annually trafficked in China; however, as the final outcome of a complicated legal process, the sentencing documents may represent only a small fraction of the entire cases that initiated by the criminal justice agencies. Yet, due to very limited access to data on such a sensitive issue, no single source of information could provide a complete picture. Utilizing the sentencing documents may add some evidence to portrait the current women trafficking in China.

Measurements

For each of cases, the following information was coded for the victims: age of the victim, price at which the victim was sold, and the form and purpose of victim's trafficking. For the offender, the following information was coded: age, gender, ethnicity, level of education, occupation, the type and length of sentence, and the amount fined.

Geocodes of the destination and origin county for each trafficking event were recorded and were matched to several socioeconomic indicators such as: the unmarried male-to-female ratio, the GDP per capita, the proportion of the urban population, and the average year of education of the county at the 2010 Chinese census, which is the latest available information at county level. The geocode of the origins and the destinations were also used to construct the routes of trafficking, e.g., whether the victim was trafficked within provinces, across provinces within mainland China, or across nations.

Analytical Methods

The study utilized heat maps to show the areas where trafficking origins and destinations were mostly concentrated, and provided descriptive analyses for the entire sample and each type of

[20]Margaret K. Lewis, 'Legal systems in China', in *The Handbook of Chinese Criminology* ed., Liqun Cao, Ivan Y. Sun and Bill Hebenton, (London, UK: Routledge, 2014).

[21]Kirsten Foot, 'Actors and activities in the anti-human trafficking movement', in *The dark side of globalization* eds., Ramesh Thakur and Jorge Heine, (New York: United Nations Press, 2010), pp. 249–265.

[22]Benjamin L. Liebman, Margaret Roberts, Rachel E. Stern and Alice Wang, 'Mass Digitization of Chinese Court Decisions: How to Use Text as Data in the Field of Chinese Law'. 21st Century China Center Research Paper No. 2017–01; Columbia Public Law Research Paper No. 14–551, (2017), accessed October 23, 2018, SSRN: https://ssrn.com/abstract=298586.

trafficking. Further analyses were conducted by the type of trafficking. For instance, to illustrate the patterns of intra-provincial trafficking, the trafficking routes of the most prevalent provinces were visualized and analyzed. For the inter-provincial trafficking, the structure and traffic flows of the network were analyzed using network analysis techniques. Finally, for international trafficking, three major origin countries (Vietnam, Myanmar, and North Korea) were compared. The heatmaps were generated by R package *recharts*[23] and the network plots were generated by R package *igraph*.[24]

Results

Overall Pattern

Figure 1 shows the heat maps of both the origins and destinations of the victims, where counties are highlighted with a brighter color (more frequent) to a darker color (less frequent) based on the number of women trafficked from and designated to that location. In line with the observations from the previous research, provinces located in central China are the most frequent destinations of the female trafficking victims. Comparatively, the distribution of originating counties is more widespread. Intra-provincial trafficking is also concentrated in the central provinces. Trafficking activities most likely originated from the southwestern provinces (Sichuan, Guizhou and Yunnan) and southern provinces (Guangxi and Guangzhou) to central China.

Tables 1 and 2 report descriptive statistics about the victims and traffickers of intra-provincial, inter-provincial, and international trafficking. Table 1 shows that among the 463 victims with identifiable information, international victims accounted for 48% of those trafficked, with the rest being domestic victims. In terms of age distribution, international victims were much younger, with 70% of victims being below age 30, while the corresponding percentage for domestic victims under age 30 is 42%. Additionally, the international victims were sold at a higher price (a median of 45,000 RMB) compared to the domestic victims (a median of 4,500 RMB for the intra-provincial category, and a median of 12,500 RMB for the inter-provincial category). Without considering the possible exclusion due to the extrajudicial sanctions, the aim of trafficking is typically to sell women

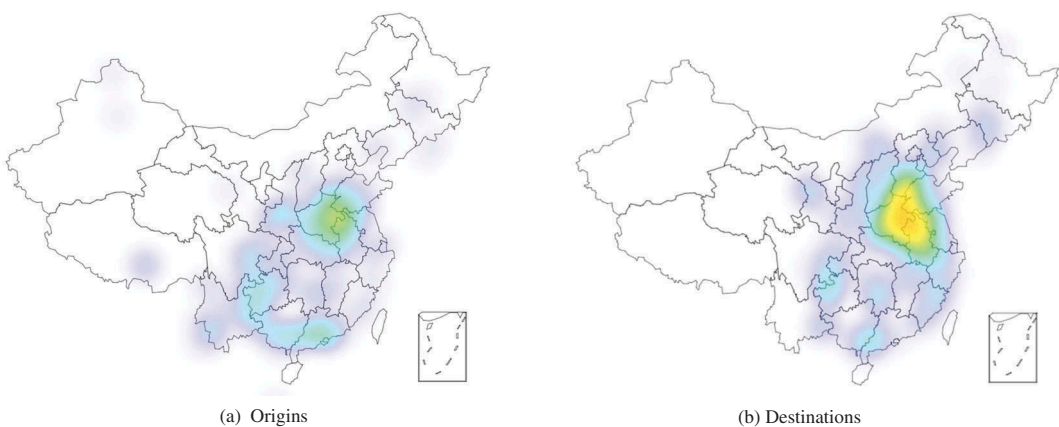(a) Origins   (b) Destinations

Figure 1. Heat maps of the origins and destinations of trafficking victims.

[23]Yihui Xie, 'Recharts: An R interface to ECharts', R, (2017), accessed August 9, 2017 https://github.com/yihui/recharts.
[24]Gabor Csardi and Tamas Nepus, 'The igraph software package for complex network research', *InterJournal Complex Systems* 1695(5), (2006), pp. 1–9.

Table 1. Descriptive analysis of the victims

	Total	Intra-provincial	Inter-provincial	International
Age group				
<20	13% (11)	17% (4)	7% (2)	53% (16)
20–30	39% (32)	21% (5)	39% (11)	17% (5)
30–40	34% (28)	50% (12)	39% (11)	13% (4)
40 above	13% (11)	13% (3)	14% (4)	17% (5)
Price				
1st Quantile	6000	2000	5425	28,500
Median	20,000	4500	12,500	45,000
3rd Quantile	43,000	15,000	29,500	56,000
Max	88,000	68,000	88,000	80,000
Form of trafficking				
Violence	2% (8)	3% (3)	1% (1)	2% (4)
Lure by job	23% (85)	4% (4)	32% (39)	26% (42)
Lure by finding husband/boyfriend	19% (68)	10% (9)	9% (10)	30% (49)
Other deception/NA	57% (216)	83% (78)	59% (72)	41% (66)
Purpose of trafficking				
Buying as wife	99% (454)	97% (95)	99% (135)	100% (224)
Other/NA	1% (5)	3% (3)	1% (2)	0% (0)
N	615	100	138	224

Table 2. Descriptive analysis of the offenders

	Total	Intra-provincial	Inter-provincial	International
Gender				
Male	74% (276)	79% (88)	67% (97)	76% (91)
Female	26% (99)	21% (23)	33% (48)	24% (28)
Ethnicity				
Han	68% (176)	95% (62)	66% (71)	50% (43)
Minority	29% (75)	5% (3)	33% (35)	43% (37)
Foreigner	3% (7)	0% (0)	1% (1)	7% (6)
Education level				
Illiterate	24% (51)	28% (13)	26% (24)	18% (14)
Primary	56% (121)	49% (23)	56% (53)	59% (45)
Junior high	18% (39)	19% (9)	16% (15)	20% (15)
High and above	3% (6)	4% (2)	2% (2)	3% (2)
Age group				
<20	0% (1)	0% (0)	1% (1)	0.53 (16)
20–30	16% (46)	13% (10)	9% (10)	0.17 (5)
30–40	23% (66)	8% (6)	26% (30)	0.13 (4)
40 above	60% (173)	80% (63)	64% (73)	0.17 (5)
Occupation				
Farmer	85% (237)	88% (66)	79% (84)	89% (87)
No job	8% (22)	8% (6)	9% (10)	6% (6)
Other	8% (21)	4% (3)	12% (13)	5% (5)
Sentence type				
Fixed-term	98% (444)	100% (151)	100% (156)	93% (137)
Life imprisonment	1% (4)	0% (0)	0% (0)	3% (4)
Death	0% (2)	0% (0)	0% (0)	1% (2)
Other	1% (4)	0% (0)	0% (0)	3% (4)
Sentence length				
1st Quantile	36	36	39.75	60
Median	60	60	60	66
3rd Quantile	66	63	66	84
Max	180	156	180	180
Fine in RMB				
1st Quantile	4000	3000	4500	5000
Median	6000	5000	8000	10,000
3rd Quantile	10,000	10,000	10,000	20,000
Max	100,000	30,000	100,000	80,000
Number of traffickers	2.67 (456)	2.28 (148)	2.06 (162)	4.23 (145)
Number of victims	1.67 (456)	1.07 (148)	1.58 (162)	2.81 (145)
N	615	148	162	224

as brides; however, the forms in which victims were brought into the trafficking system varied. The primary deception methods used to lure victims have been shown to vary depending on the origins of the victims. For instance, with inter-provincial trafficking, more victims were deceived by jobs, while for inter-provincial trafficking cases, more victims were lured by potential marriage arrangements.

The court sentencing documents also contained information on the individuals who committed trafficking offenses. On average, a typical trafficker is male (74%), above 40 years old (60%), Han Chinese (68%), and a farmer (85%), with primary school or lower level of education (80%). Looking more closely at the trafficking types, when compared to intra-provincial trafficking, offenders of inter-provincial trafficking were more likely to be female (33% vs. 21%), an ethnic minority (33% vs. 5%), slightly younger (64% vs. 80% are above 40-years-old), held similar occupations (79% vs. 88% as farmer), and had a comparable level of education (82% vs. 77% lower than primary school).

As shown in the lower section of Table 2, the court sentencing outcomes, such as type, length and fine, depend on the pattern of trafficking, in essence, the longer the trafficking distance, the harsher the punishment. For instance, international traffickers were more likely to receive life imprisonment (3% vs. 0%), or in some cases, even the death penalty (1% vs. 0%); International traffickers were also more likely to receive a longer length of imprisonment (e.g. 66 vs. 60 months as the median), and a higher financial penalty (e.g. a median fine of RMB 10,000 compared to 5,000 RMB for the intra-provincial category, and 8,000 RMB for the inter-provincial category) compared to their domestic counterparts. Similarly, for domestic cases, the length of sentence and financial penalties were higher for inter-provincial traffickers than intra-provincial. One possible reason for the differences in punishments is that as the trafficking distances increase, the number of traffickers and victims involved also gets larger, which leads to a harsher sentence. For example, the average number of traffickers and victims involved in international cases is 4.21 and 2.08, respectively, while the corresponding value for intra-provincial cases is 2.28 and 1.07, and for inter-provincial cases is 2.06 and 1.58, accordingly.

To further explore the possible reasons for trafficking, such as sex ratio, and economic development, the four provinces with the highest concentration of trafficking destinations, Henan, Anhui, Shandong, and Hubei, are listed in Table 3 along with their unmarried sex ratio, GDP per capita, percentage of urban population and average year of education at the county level. In terms of the unmarried sex ratio, both the origins and the destinations of victims had a similar but higher value compared to counties without human trafficking within the province. Interestingly, apart from the Anhui province, the difference of the unmarried sex ratio between the trafficking origins

Table 3. Descriptive analysis of the origins and destinations by provinces

Provinces	Origins	Destinations	Other counties
Henan			
Unmarried Sex Ratio	1.32	1.30	1.22
GDP Per capita	16,489.86	15,963.50	28,634.15
% of Urban Population	12.11	11.62	29.20
Average year of Education	8.43	8.44	9.35
Anhui			
Unmarried Sex Ratio	1.27	1.40	1.42
GDP Per capita	9517.61	12,654.38	15,701.72
% of Urban Population	19.29	19.15	34.23
Average year of Education	7.88	7.92	8.55
Shandong			
Unmarried Sex Ratio	1.28	1.26	1.27
GDP Per capita	22,845.92	23,628.35	39,140
% of Urban Population	13.72	12.44	26.96
Average year of Education	8.31	8.17	9.17
Hubei			
Unmarried Sex Ratio	1.32	1.30	1.22
GDP Per capita	16,489.86	15,963.5	28,634.15
% of Urban Population	12.11	11.62	29.20
Average year of Education	8.43	8.44	9.35

and destinations is small, which implies that the trafficking of women might not be triggered by an imbalanced sex ratio.

The average GDP per capita of both the origins and the destinations are compared to counties without trafficking cases. First, none of the average GDP per capita in both the origin and destination countries exceeds RMB 20,000 except for in the Shandong province, and the average GDP per capita for both the origins and destinations is lower than that of counties without trafficking cases, which indicates a close correlation between the level of economic development and the trafficking of women. In addition, the discrepancy between the origins and destinations on the average GDP per capita is much larger in the Anhui province, which means that more victims from less developed areas were trafficked to Anhui compared to the other three provinces.

The percentage of urban population for both the trafficking origins and destinations is around one-fifth and is much lower than that of counties without trafficking among the four listed provinces, which indicates a high prevalence of trafficking in rural areas. Consistent with the gap of rural and urban on the level of education, both the origins and destinations show a lower average of years of schooling.

Intra-provincial Trafficking

Most of the intra-provincial trafficking cases (73.5%) were from the four provinces listed in Table 3, specifically, Henan (33 cases), Anhui (12 cases), Shandong (9 cases) and Hubei (7 cases). Geographically, the four provinces are adjacent to each other in central China. Figure 2 shows the trafficking routes of each victim within the provinces. The shaded area, which covers the provincial boundaries among Shandong, Henan, and Anhui shows a concentration of more than 60% of the intra-provincial cases. Also, the shaded area overlaps with the brightest area in the heat maps shown in Figure 1, meaning that the boundaries among these three provinces are the most frequent hotspots of intra-provincial trafficking. Moreover, victims are trafficked within shorter distances in the shaded area than elsewhere, which implies an active local market in these areas.

Inter-provincial Trafficking

Figure 3 shows the routes of inter-provincial trafficking, where dots mark the provincial capital, and lines connect the sent and received locations with an arrow indicating direction. The number of victims
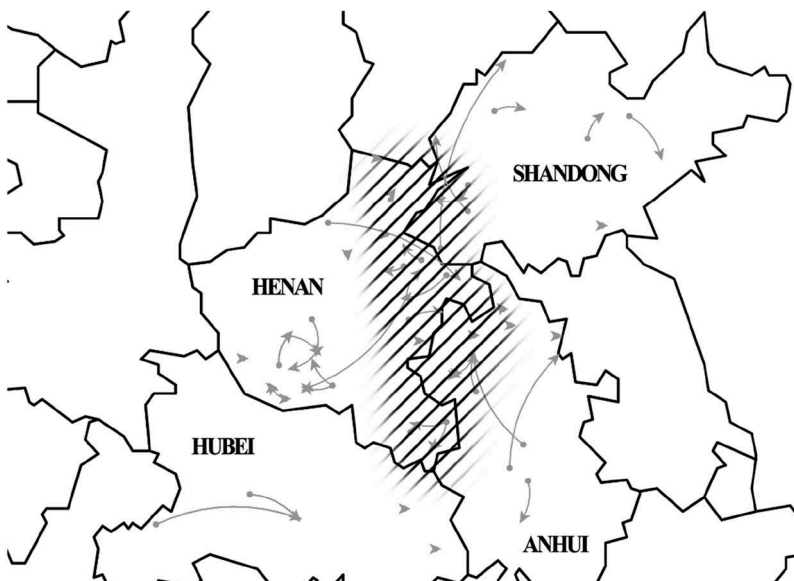

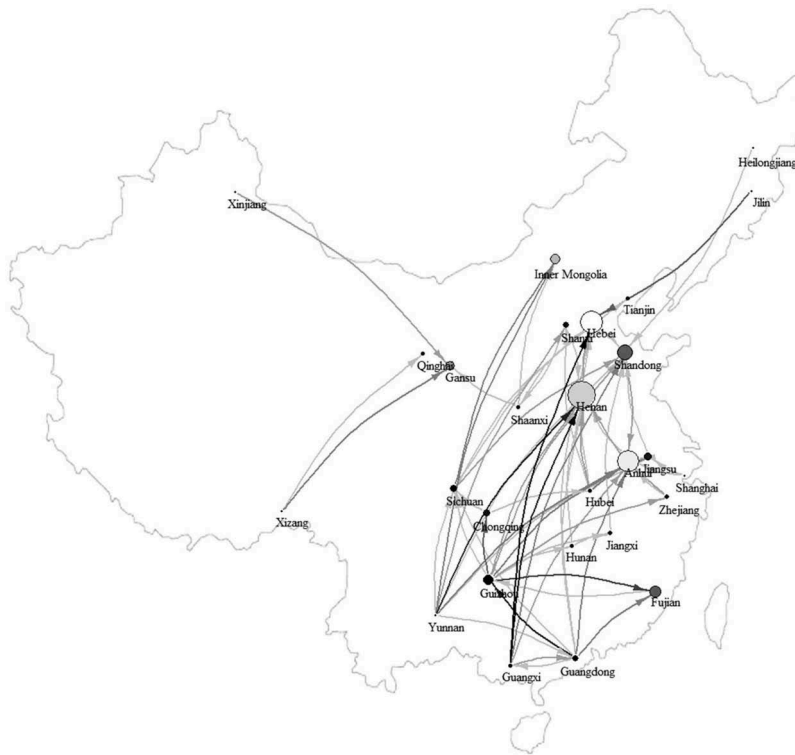**Figure 2.** Intra-provincial trafficking routes of the top four provinces.

Figure 3. Routes of inter-provincial trafficking of women.

Notes: Dots mark the provincial capital, and lines connect the sent and received locations with arrows indicating direction. The number of victims received and sent are represented by the size and grey scale of the dot, respectively. The larger the dot, the more victims have been received; the darker the dot, the more victims have been sent. The grey scale of the line corresponds to the volume of trafficking.

received and sent are represented by the size and greyscale of a dot, respectively. For example, the larger the dot, the more victims have been received; the darker the dot, more victims have been sent. The greyscale of the line corresponds to the volume of trafficking. A noticeable pattern of trafficking in China is from the border to the central regions. For example, provinces in central China, such as Henan, Anhui, Shandong, and Hebei are the most frequent destinations of the inter-provincial trafficking of women; comparatively, border provinces, especially those in the southwest and south of China, such as Guizhou, Guangxi, Guangdong and Yunan, are the common origins. In addition, a few specific routes dominate in the overall trafficking network. For instance, among all identified routes, the paths from Guangxi to Hebei, and Guangxi to Henan, and Yunnan to Henan are the most frequently used, which when combined, account for more than 50% of the trafficking volume.

International Trafficking

Consistent with the previous findings,[25] the results show that victims of international trafficking are from three countries: Vietnam (53.91%), North Korea (26.00%), and Myanmar (20.09%). The upper panel of Table 4 presents the breakdown of international victims by their origins and destinations. Based on

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[25]Eunyoung Choi, 'North Korean women's narratives of migration: challenging hegemonic discourses of trafficking and geopolitics', *Annals of the Association of American Geographers* 104(2), (2014), pp. 271–279; Kathleen Davis, 'Brides, bruises and the border: the trafficking of North Korean women into China', *SAIS Review of International Affairs* 26(1), (2006), pp. 131–141; Eunyoung Kim, Minwoo Yun, Mirang Park and Hue Williams, 'Cross border North Korean women trafficking and victimization between North Korea and China: an ethnographic case study', *International Journal of Law, Crime and Justice* 37(4),(2009), pp. 154–169.

Table 4. Descriptive analysis of the international victims by originating country

	Myanmar	North Korea	Vietnam
Destination provinces			
1st	Henan (18)	Hebei (24)	Anhui (33)
2nd	Anhui (10)	Inner Mongolia (9)	Henan (24)
3rd	Fujian (6)	Liaoning (3)	Zhejiang (14)
4th	Hebei (3)	Jilin (3)	Yunnan (12)
5th	Hubei (2)	Shandong (3)	Jiangsu (6)
Age group			
<20	38% (3)	20% (1)	71% (12)
20–30	38% (3)	0% (0)	12% (2)
30–40	25% (2)	0% (0)	12% (2)
40 above	0% (0)	80% (4)	6% (1)
Price in RMB			
1st Quantile	19,000	19,000	30,000
Median	42,000	40,000	46,000
3rd Quantile	58,000	50,000	56,000
Max	80,000	80,000	80,000
Form of trafficking			
Violence	0% (0)	0% (0)	4% (4)
Lure by job	46% (17)	0% (0)	26% (25)
Lure by finding husbands/boyfriends	32% (12)	30% (8)	30% (29)
Other/NA	22% (8)	70% (19)	40% (39)
Purpose of trafficking			
Buying as wife	100% (45)	100% (56)	100% (122)
Other/NA	0% (0)	0% (0)	0% (0)

their destinations, it is clear that Vietnam and Myanmar victims followed the similar pattern of inter-provincial trafficking, from the border to central provinces, e.g. Henan and Anhui; while victims from North Korea were generally transferred to northeast China, which is geographically closer and perhaps culturally more alike, as Korean is one of the largest ethnic minorities in China.

Shown in the lower panel of Table 4, although when compared to domestic victims the international victims were generally younger, victims from North Korea were the oldest (80% were aged above 40) and sold at the lowest price (RMB 40,000 as median), followed by Vietnam (6% were aged above 40) and Myanmar (0% of them were aged above 40).

All of the international victims were sold as brides, but the forms of trafficking were different. For example, 30% of the victims from North Korea were misled by marriage scams, and the rest were trafficked through other types of deception. Interestingly, none of the victims was reportedly misled by working opportunities or abducted by violence. It is possible that victims from North Korea are more likely to willingly leave,[26] and hence no violence was needed. For the victims from Myanmar and Vietnam, besides the percentage of victims 'purchased as wives' (*mai qi*, in Chinese) which is similar to that of North Korea, more victims were lured by jobs (26% for Vietnam, 46% for Myanmar), indicating that finding higher-paying employment is attractive for victims from both countries, in particular for victims from Myanmar, where the GDP per capita is only half of Vietnam.

As can be seen from Table 5, in line with the domestic cases, traffickers were mostly male (76%), registered as a farmer (89%), with a level of education not higher than primary school (77%). The distribution of traffickers' ethnicity for the international victims varies by country. For example, traffickers of the North Korean victims were mostly of the Han Chinese (91%). In contrast, the corresponding percentage for the Vietnam and Myanmar victims was 38% and 60%, respectively; and there are 11% of foreign traffickers for the Vietnam victims. Previous studies have reported that the same ethnic background or nationality could help traffickers to gain trust from their victims.[27]

[26]Ibid.
[27]Kristiina Kangaspunta, 'Mapping the inhuman trade: preliminary findings of the database on trafficking in human beings', *Forum on Crime and Society* (2003), pp. 81–103,accessed November 1, 2016, http://www.heart-intl.net/HEART/030106/MappingtheInhumanTrade.pdf; June JH Lee, 'Human trafficking in East Asia: current trends, data collection, and knowledge gaps', *International Migration* 43(1/2), (2005), pp. 165–201.

Table 5. Descriptive analysis of the traffickers of international cases by originating country

	Myanmar	North Korea	Vietnam
Gender			
Male	66% (19)	73% (11)	81% (61)
Female	34% (10)	27% (4)	19% (14)
Ethnicity			
Han	60% (12)	91% (10)	38% (21)
Minority	40% (8)	9% (1)	51% (28)
Foreigner	0% (0)	0% (0)	11% (6)
Education level			
Illiterate	29% (5)	8% (1)	17% (8)
Primary	47% (8)	75% (9)	60% (28)
Junior high	24% (4)	17% (2)	19% (9)
High and above	0% (0)	0% (0)	4% (2)
Age group			
<20	0.38 (3)	0.2 (1)	0.71 (12)
20–30	0.38 (3)	0 (0)	0.12 (2)
30–40	0.25 (2)	0 (0)	0.12 (2)
40 above	0 (0)	0.8 (4)	0.06 (1)
Occupation			
Farmer	92% (22)	93% (13)	87% (52)
No job	4% (1)	0% (0)	8% (5)
Other	4% (1)	7% (1)	5% (3)
Sentence type			
Fixed-term	94% (33)	100% (21)	91% (82)
Life imprisonment	0% (0)	0% (0)	4% (4)
Death sentence	0% (0)	0% (0)	2% (2)
Other	6% (2)	0% (0)	2% (2)
Sentence length			
1st Quantile	60	36	60
Median	72	60	66
3rd Quantile	84	78	93.75
Max	156	144	180
Fine			
1st Quantile	5,000	5,000	7,750
Median	8,000	5,000	10,000
3rd Quantile	1,0000	20,000	30,000
Max	80,000	50,000	60,000
Number of traffickers	2.49 (35)	1.7 (20)	5.47 (90)
Number of victims	2.86 (35)	3.52 (20)	2.76 (90)
N	45	56	123

The discrepancy on ethnicity between the North Korea traffickers and victims might be explained by the fact that a large proportion of North Korean victims have fled to China. Thus, traffickers may only need to transport and sell, and not necessarily to gain trust and lure the victims. One of the possible reasons is that the Chinese government treats North Koreans as illegal economic migrants instead of refugees with the right to protection.[28] As a result, North Koreans would be automatically sent back to North Korea if they were caught illegally entering in China.[29] Therefore, traffickers may take advantage of North Korean' fear of deportation and not need to gain their trust.

In contrast, more than half of Vietnamese and Myanmar victims were lured into the trafficking system either by the deception of work or marriage opportunities. Consequently, traffickers possessing the same ethnicity/nationality would be important in successfully gaining the trust of their victims.

In terms of sentencing outcomes, the severity of sentencing for the offenders of the North Korean victims is lower than that of offenders for victims from Vietnam and Myanmar. For example, the percentage of fixed-term imprisonment was higher (100% vs. 91% and 94%), the median

[28]Andrei Lankov, 'North Korean refugees in northeast China', *Asian Survey* 44(6), (2004), pp. 856–873.
[29]Elim Chan and Andreas Schloenhardt, 'North Korean refugees and international refugee law', *International Journal of Refugee Law* 19(2), (2007), pp. 215–245.

length was shorter (60 vs. 66 and 72 months), the median financial penalty was lower (RMB 5,000 vs. 10,000 and 8,000). One of the possible reasons for the disparity in outcomes might be the role the traffickers played in the trafficking. For example, traffickers from the North Korean cases generally used nonviolent tactics, and thus were given more lenient sentences than those from Vietnam and Myanmar.

Finally, the number of traffickers and victims within each of the cases are by origin country. The average number of traffickers in the North Korean cases is lower (1.70) than that in the Vietnam (5.47) and Myanmar (2.49) cases, while the number of victims in the North Korean cases (3.52) is larger than that in the Vietnam (2.76) and Myanmar (2.86) cases. This again might relate to the forms of deception used to capture the women. For instance, organizing and trafficking of the North Korean victims might require less effort compared to that for the victims of Myanmar and Vietnam since the top known way of deception for North Korean victims was marriage. According to the narratives of some cases, traffickers mostly abducted North Korean women who have already entered China; thus, they only involved in transporting and selling those women; thus, a more organized group with detailed divisions of labor is needed to successfully complete the trafficking in Myanmar and Vietnam and transported these victims across borders.

Conclusions

The present study provides new evidence of the trafficking of women in China. Through the use of court sentencing documents, the authors identified three types of trafficking of women in China: intra-provincial, inter-provincial, and international trafficking. The study showed that the central provinces, such as Shandong, Henan, Hebei, and Anhui are among the top trafficking destinations for all types of trafficking, with more than half of intra-provincial trafficking occurring in these regions. Inter-provincial trafficking was more frequently observed in routes originating from the border to central provinces, especially from the southwestern and southern regions to central China. International trafficking has become the largest category, with victims from Vietnam, Myanmar, and North Korea.

The research indicated that victims of all three types of trafficking were sold as wives if the study ignores the cases that were not included in the criminal justice system. The international victims were the youngest and sold at the highest price, followed by inter-provincial and intra-provincial victims. International and inter-provincial victims were more likely to be deceived by false promises of job opportunities or marriage arrangements. The study found that traffickers were mostly middle-aged male farmers with limited education. Traffickers from the international cases were younger and were often of a different ethnic background from their victims as opposed to the domestic traffickers. Furthermore, compared to the domestic cases, the international cases involved more offenders and victims per case, indicating that international cases may be more organized. Consequently, traffickers in the international cases often received harsher sentences.

The analysis has identified some origin-specific characteristics of both the victims and traffickers in the international trafficking cases. For example, victims of Vietnam and Myanmar were generally younger than those from North Korea and were sold for higher prices. Moreover, the victims of Vietnam and Myanmar were more likely to be lured by job opportunities, while victims from North Korea were appealed to by marriage arrangements. For cases involving the North Korean victims, the number of traffickers per case was lower than that of the Vietnam and Myanmar ones, which might be explained by the form of trafficking. For example, the North Korean victims might be more willing to cooperate; thus, less effort from the traffickers is needed.

The research also found that women were not always trafficked from places with a lower male-to-female gender ratio to places with a higher one. Such a finding is consistent with previous studies showing that trafficking is more common in parts of Africa and Eastern Europe where the

sex ratio is normal.[30] Constantly, both the trafficking origins and destinations are relatively poor, less urbanized, and with a lower level of education compared to their neighboring counties with no trafficking. The current results did not confirm the hypothesis that the gender ratio imbalance between the origin and destination is one of the drivers of trafficking. Instead, the study posits that lagged socioeconomic development and a high sex ratio level in the destination regions could directly motivate human trafficking, and is considered a potential market by the traffickers.

The current research is limited in the following respects: First, although the study retrieved all the sentencing documents from the official website, the court documents, above all, only represented a small proportion of trafficking activities in China (see the Appendix of police-registered trafficking cases). For instance, Article 240 of the Chinese Criminal Law mainly criminalizes the selling purpose of the trafficking act; selling for forced prostitution only serves as one of the aggravating factors. It is worth noting that if a woman was trafficked and later was apprehended for involving the sex industry, she might not be included in the criminal justice system if no criminal investigation was initiated for the trafficking. Because under the existing Chinese regulatory framework, sex workers involved in the commercial sex industry are administratively dealt and punished as violations of public security regulations without entering the criminal justice system.[31] Therefore, a certain amount of trafficking cases for sexual exploitation in the sex industry might not be captured by the dataset of sentencing documents.

Secondly, the sentencing documents available on the CJO website might be subject to selective upload or purposeful deletion. The Supreme People's Court of P.R. China allows exemptions for certain types of cases to be publicized; however, it does not require courts to upload enforcement decisions or official notification of withdrawals. The authors have searched all available sources (e. g., official gazettes, news reports, and research articles) but cannot to find any information on the pattern of uploading or deleting. In 2016, the Supreme People's Court issued a judicial interpretation to further regulate what courts should post. According to the interpretation, besides criminal, civil, and administrative decisions, courts must post a range of documents which were only sporadically made to the public in the past, including outcomes in state compensation proceedings, changes in criminal sentences, mediated administrative cases, enforcement decisions and withdrawals.[32] However, a rough indicator of the percent of documents placed online is still not available for evaluating the issue of selective uploading or purposeful deleting.

Thirdly, as the final outcomes of a complicated legal process, the sentencing documents may represent only a small fraction of the entire cases initiated by the criminal justice agencies. For instance, reported by Tiefenbrun and Zhao, more than 20,000 women were trafficked between 2014 and 2015.[33] According to China's Bureau of Statistics, there were 4,537 cases of female trafficking dealt with by public security organs in the year of 2013.[34] However, only 387 cases are available between 2014 and 2015 on the CJO website. The obtained cases in our study might only be approximately one-twentieth of the entire catalog of trafficking cases. It is evident that only a small proportion of traffickers have been caught, and an even smaller proportion of those have been tried in court. Therefore, the data the study used provide just a small glimpse into a much larger issue in a limited timeframe. Our research only reflects those cases which have been tried by

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[30]Therese Hesketh and Zhu Weixing, 'Abnormal sex ratios in human populations: causes and consequences', *Proceedings of the National Academy of Sciences* 103(36), (2006), pp.13,271–13,275.

[31]Margaret K. Lewis, 'Legal systems in China', In: Liqun Cao, Ivan Y. Sun and Bill Hebenton, ed., *The Handbook of Chinese Criminology* (London UK: Routledge, 2014).

[32]The Supreme People's Court, 'guanyu renmin fayuan zai hulianwang gongbu caipan wenshu de guiding' ['Regulations on publication by the people's court on the internet'], (2016), accessed October 23, 2018, http://www.court.gov.cn/zixun-xiangqing-25321.html.

[33]Susan Tiefenbrun and Christie J. Edwardsm, 'Gendercide and the cultural context of sex trafficking in China'; Zhao, 'Trafficking of women for marriage in China'.

[34]National Bureau of Statistics of the People's Republic of China, '2013 zhongguo funv fazhan gangyao shishi qingkuang tongji huibao (20,111–2020)' ['Statistical report on the implementation of the 2013 China Women's Development Program (2011–2020)'], (2015), accessed October 23, 2018, http://www.stats.gov.cn/tjsj/zxfb/201501/t20150122_672472.html.

the criminal justice system. The patterns and findings must be corroborated with other evidences in the future. The study would be improved if more years of data can be collected.

In addition, since some origins of the victims were not mentioned in the sentencing documents, a large proportion of missing data occurred as a result. The authors hope that the judicial system in China adopts a more streamlined format when recording court cases. The current research is purely descriptive and cautions should be taken when making further inferences based on these data, as the study did not adopt any statistical modeling strategies.

Albeit those limitations, without more comprehensive data, our analysis represents the most systemic approach to analyze the trafficking of women in China. Our research provides evidence-based strategies for fighting against the trafficking of women in China. For instance, location-based policing that concentrates on the hotspots and high-frequency routes identified by the current study can be both an efficient and straightforward method to catch traffickers. As international trafficking cases commonly involve larger criminal groups and more victims, establishing effective mechanisms to crack down on international-organized crime in human trafficking is critical. At this point, China has established bilateral cooperative agreements with Vietnam and Myanmar to combat human trafficking. China should keep improving the existing cooperation and continue to develop bilateral mechanisms with other countries, such as North Korea. The analysis indicates that once victims have entered China, their passports are taken away and they were enslaved. Because of this policy, the authors suggest developing a training program for border police and customs offers regarding the identification and protection of trafficking victims which can prove to be an effective mechanism in preventing the trans-border trafficking of women.

The study was not meant to make an authoritative and comprehensive report on human trafficking in China. Rather, our study aimed to provide new evidence regarding the scope and nature of women trafficking in China. Besides the empirical contributions to the current understanding of woman trafficking, utilizing publicly accessible data might curtail doubts about whether the findings from social sciences research can be replicated by different teams using the same data and analytical models.

Disclosure statement

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