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CHINA, PEOPLE'S REPUBLIC OF (Tier 3)

The Government of the People's Republic of China (PRC) does not fully meet the minimum standards for the elimination of trafficking and, even considering the impact of the COVID-19 pandemic on its anti-trafficking capacity, is not making significant efforts to do so; therefore the PRC remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by adopting a new Women's Rights and Interests Protection Law, which highlighted existing protections against trafficking crimes involving women and enumerated the responsibilities of government officials to respond to such crimes; cooperating with foreign law enforcement to extradite PRC nationals suspected of human trafficking abroad; and awarding restitution to a trafficking victim. However, during the reporting period there was a government policy or pattern of widespread forced labor, including through the continued mass arbitrary detention of Uyghurs, ethnic Kazakhs, ethnic Kyrgyz, and members of other ethnic and religious minority groups in the Xinjiang Uyghur Autonomous Region (Xinjiang) under the guise of "vocational training" and "deradicalization." Authorities continued to implement the policy or pattern of widespread forced labor in other provinces and targeted other religious minorities under their auspices; the government also sought to coerce the repatriation and internment of religious and ethnic minority groups living abroad through the use of transnational repression, including surveillance, harassment, threats against them and their family members, and extradition requests, increasing their vulnerability to the government's policy or pattern of widespread forced labor. The government also reportedly continued to place ethnic Tibetans in vocational training and manufacturing jobs as part of an ostensible "poverty alleviation" and "labor dispatch program" that featured overt coercive elements. PRC nationals reportedly suffered forced labor in several countries in Asia, the Middle East, Africa, and Europe working on Belt and Road Initiative (BRI) projects or other PRC-affiliated infrastructure projects, within which PRC authorities exercised insufficient oversight of relevant recruitment channels, contracts, and labor conditions, and PRC diplomatic services routinely failed to identify or assist those exploited. For the sixth consecutive year, the government did not report complete law enforcement data, nor did it report identifying any trafficking victims or referring them to protection services.

PRIORITIZED RECOMMENDATIONS:

- Abolish the arbitrary detention and forced labor of persons in internment camps and affiliated manufacturing sites in Xinjiang and other provinces and immediately release and pay restitution to the individuals detained therein.
- End forced labor in government facilities, in nongovernmental facilities converted to government detention centers, and by government officials outside of the penal process.
- Cease all coercive labor transfer and compulsory vocational training programs, as well as discriminatory hiring and targeted urban resettlement displacement policies, that place Uyghurs, Tibetans, and members of other ethnic and religious minority groups at risk of trafficking.
- Cease the use of transnational repression, including harassment, threats, and illegal discriminatory immigration policies as measures to coerce the return to Xinjiang and subsequent forced labor and persecution of members of PRC ethnic and religious minority groups living abroad.
- In conjunction with receiving countries, increase oversight of recruitment, contracts, and working conditions associated with BRI project worksites; enforce bans on the imposition of worker-paid recruitment fees and security deposits; and train PRC consular services to identify and assist PRC national victims of forced labor abroad, including in BRI projects.

- Increase law enforcement efforts consistent with international law against online scam operations, including allegations of forced labor, and PRC-national affiliated entities complicit in such operations and associated trafficking crimes.
- Amend legislation to criminalize all forms of sex trafficking and labor trafficking as defined under international law and, respecting due process, vigorously investigate, prosecute, and seek adequate penalties for convicted traffickers, including complicit government officials, which should involve significant prison terms.
- Institute and systematize proactive, formal procedures to screen, identify, and refer to protection services trafficking victims throughout the country – including male victims, labor trafficking victims, PRC victims returning from abroad, and victims among vulnerable groups, such as migrant workers, PRC and foreign fishermen, foreign women, North Korean workers, and PRC women and children arrested on “prostitution” charges – and train front-line officers on their implementation.
- Increase transparency and oversight of seafarer labor conditions in the PRC fishing industry, including by banning illegal and unregistered recruitment agencies; mandating international vessel registration; collecting and publishing information on vessel licensure, registered operating areas, and crew manifests; conducting random onboard inspections; and working with port country authorities to investigate and criminally prosecute distant water fleet (DWF) forced labor crimes.
- Ensure trafficking victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked.
- Expand victim protection services, including comprehensive counseling and medical, reintegration, and other rehabilitative assistance for male and female victims of sex and labor trafficking.
- Provide legal alternatives to foreign victims’ removal to countries where they would face mistreatment or retribution – particularly the Democratic People’s Republic of Korea (DPRK), consistent with obligations under UNSCR 2397.
- Increase the transparency of government efforts to combat trafficking and provide disaggregated data on investigations and prosecutions, victim identification, and service provision, including by continuing to share relevant data with international partners; and apply the 2000 UN TIP Protocol to Hong Kong.

PROSECUTION

The government maintained insufficient anti-trafficking law enforcement efforts, including by continuing to apply extensive law enforcement and paramilitary resources toward the mass detention and forced labor of members of ethnic and religious minority groups. The criminal code criminalized some forms of sex trafficking and labor trafficking. Various provisions of the criminal code could be used to prosecute sex trafficking offenses. Article 240 criminalized “the abduction and sale of women or children,” which included abduction by deceit, kidnapping, purchasing, selling, sending, receiving, and transferring for the purpose of sale; however, unlike the definition of trafficking in persons under international law, Article 240 did not explicitly link these acts to a purpose of exploitation. Article 240 prescribed penalties of five to 10 years’ imprisonment and fines for the abduction and sale of women and children. If an abducted woman was then forced into “prostitution,” the penalties increased to 10 years’ to life imprisonment, fines, and confiscation of property. These penalties were sufficiently stringent and commensurate with the penalties prescribed for other serious crimes, such as rape. Article 241 criminalized the purchase of abducted women or children and prescribed a maximum penalty of three years’ imprisonment, short-term detention, or controlled release; like Article 240, it did not require that the purchase be for the purpose of exploitation. Penalties under this provision were not alone sufficiently stringent; however, Article 241 stipulated that if an individual purchased an abducted woman or child and then subjected them to “forcible sexual relations,” they would face additional penalties under the criminal code’s rape provisions. Article 358 criminalized forced prostitution and prescribed penalties of five to 10 years’ imprisonment; if the offense involved a child under the age of 14, the penalties increased to 10 years’ to life imprisonment in addition to fines or confiscation of property. These penalties were sufficiently stringent and commensurate with the penalties

prescribed for other serious crimes, such as rape. Article 359 criminalized harboring prostitution or luring or introducing others into prostitution, and it prescribed a maximum of five years' imprisonment and a fine; if the offense involved a girl under the age of 14, it prescribed a minimum of five years' imprisonment and a fine. These penalties were sufficiently stringent; however, the penalties prescribed for offenses involving girls 14 to 17 years of age were not commensurate with the penalties prescribed for other serious crimes, such as rape. Labor trafficking offenses could be prosecuted under Article 244, which criminalized forcing a person "to work by violence, threat, or restriction of personal freedom" and recruiting, transporting, or otherwise assisting in forcing others to labor, and prescribed three to 10 years' imprisonment and a fine. These penalties were sufficiently stringent. The government adopted the Women's Rights and Interests Protection Law, which highlighted existing protections for women under Chinese law including the prohibition of the crimes relating to trafficking involving women as established under Article 240 and 241 of the criminal code. The law also directed all levels of government personnel to report, rescue, and provide protection services to women who have been subjected to these crimes. It further established that any personnel who fail to fulfill such obligations will be subject to penalties in accordance with relevant criminal laws.

Although the central government continued to prosecute and convict PRC nationals for trafficking crimes, authorities did not collect or report comprehensive law enforcement data. Courts likely issued lower, suspended sentences to traffickers who purchased commercial sex from trafficking victims than to traffickers who abducted or sold women into sex trafficking. Partial public records of anti-trafficking enforcement continued to feature crimes outside the definition of trafficking according to international law (including migrant smuggling, child abduction, custody disputes, and fraudulent adoption without the purpose of exploitation), making it difficult to assess progress. The government continued to handle most cases with indicators of forced labor as administrative issues through the Ministry of Justice (MOJ) and seldom initiated prosecutions of such cases under anti-trafficking statutes; observers noted authorities were more likely to persecute human rights advocates and organizations drawing attention to forced labor than to enforce labor laws. Some courts likely continued to prosecute trafficking crimes under laws pertaining to domestic violence, labor contract violations, and child abuse, all of which prescribed lesser penalties. In prior years, authorities did not disaggregate conviction data by the relevant criminal code statutes, and courts reportedly prosecuted the vast majority of these cases under Article 358 – especially for those involving commercial sexual exploitation – rather than under Article 240. Traffickers appealed at least two convictions during the reporting period; neither appeal was successful and courts affirmed a 42-month sentence for buying abducted women and rape in one case, and affirmed an 11 month jail sentence and 8,000 renminbi (RMB) (\$1,160) fine for migrant smuggling and human trafficking in the other case.

For the sixth consecutive year, the Ministry of Public Security (MPS) did not report the number of investigations initiated of possible trafficking cases (1,004 in 2016), but it claimed 701 cases from prior years remained under investigation during January to April 2022 (compared with 700 cases reported for January to April 2021). The government did not report initiating any prosecutions; it also did not report continuing prosecutions initiated in prior years (compared with 86 cases prosecuted in 2021), or provide further information on the status of these cases or the nature of the relevant alleged crimes. Authorities did not report investigating or prosecuting any PRC nationals allegedly exploiting victims in cyber-scam operations in Burma, Cambodia, or Laos. The government published limited data on convictions in human trafficking cases on a public judicial database; however the public database was incomplete. Unlike in 2020, the government did not provide data on the number of cases of "women trafficking and child abduction," "forced prostitution," or forced labor it concluded in 2022 (compared with 546 cases, 475, and 38, respectively, in 2020). The government did not report convicting any traffickers (compared with nine convictions in 2021; unreported in 2020; 2,355 convictions in 2019). The government again did not provide complete sentencing information, compared with sentencing nine traffickers to penalties ranging from one to 15 years' imprisonment with fines ranging from 5,000 to 50,000 renminbi (\$725 to \$7,250) in 2021.

Authorities engaged in law enforcement cooperation with European, Central Asian, South American, and Southeast Asian governments to investigate cases of PRC citizens subjected to

trafficking abroad, cases involving foreign nationals subjected to trafficking within the PRC, and to extradite PRC nationals suspected of human trafficking abroad. The government maintained anti-trafficking agreements with the five other Lower Mekong countries to jointly address trafficking via the forced and fraudulent marriage of their citizens to PRC-based individuals; some provincial governments maintained their own similar agreements with counterpart entities in bordering countries. Authorities previously reported maintaining coordinated anti-trafficking mechanisms with law enforcement and interior ministry counterparts in 34 countries, and these mechanisms were likely still in place. Some law enforcement personnel continued to report their PRC counterparts were unresponsive to requests for bilateral cooperation on cross-border trafficking cases, while others reported the PRC's cumbersome law enforcement bureaucracy hindered joint operations. Some foreign officials noted jurisdictional challenges when attempting to pursue trafficking investigations, including into cyber scam operations, inside of special economic zones (SEZs) in Lower Mekong countries, and single foreign investment project compounds in the Pacific operated by PRC national-owned companies.

For the second consecutive year, the government reported allocating funding to support capacity-building training for law enforcement on prosecuting trafficking cases, focusing on trafficking of women and children. Observers reported the need for training of officials on new changes to the criminal code. In previous years, PRC media outlets occasionally published accounts of corrupt officials arrested for allegedly shielding or profiting from criminal organizations engaged in commercial sex rings known to perpetrate sex trafficking. Officials found guilty of these crimes reportedly faced expulsion from the Chinese Communist Party, termination of their official positions, fines, and referral to the judicial system. However, authorities did not provide statistics on the number of investigations, prosecutions, or convictions resulting from these efforts. Despite continued reports of law enforcement officials benefiting from, permitting, or directly facilitating sex trafficking and forced labor, the government did not report any investigations, prosecutions, convictions, or administrative fines or demotions of law enforcement officials allegedly involved in the crime. Officials at multiple levels, including central party-state officials, were also complicit in state-sponsored forced labor by directing the PRC's mass detention, political indoctrination, and labor dispatch campaign against members of Turkic and/or Muslim minority groups, and some officials reportedly profited directly from this system. Authorities reportedly subjected Tibetans and members of other ethnic and religious groups to similar abuses. Xinjiang officials continued to obstruct meaningful access for international observers to sites across the region that would otherwise facilitate investigations into credible allegations of forced labor.

PROTECTION

The government maintained insufficient efforts to protect victims, including by continuing to facilitate the forced labor of its citizens domestically, and by failing to identify or provide services to PRC citizens subjected to forced labor abroad. For the sixth consecutive year, the government did not report how many victims it identified or referred to protection services, although media reports indicated authorities continued to remove some victims from their exploitative situations. The government delayed or altogether ceased identification and repatriation of foreign trafficking victims while diverting law enforcement resources to pandemic mitigation measures in 2022. Based on media and NGO reports, authorities continued to prioritize the identification of women and girls in sex trafficking to the near total exclusion of efforts to identify forced labor victims. The overly narrow definitions inherent to the PRC's anti-trafficking statutes significantly limited the scope of victim identification among key demographics; in practice, authorities did not screen men or boys over the age of 14 for any signs of exploitation in sex trafficking or forced labor. Authorities did not provide information on their use of an app-based system to track and remove missing children from exploitation – a population that likely included human trafficking victims – during 2022 (compared with more than 4,300 missing children recovered in 2021, and 4,600 in 2020); for the third consecutive year, authorities did not provide relevant statistics or information on subsequent identification or referral measures (compared with 120 victims identified among more than 4,000 children in 2019). The Ministry of Human Resources and Social Services (MOHRSS) operated and publicized three 24-hour hotlines that could benefit potential

trafficking victims – one for labor issues, one for child protection, and one for gender-based violence – but authorities did not provide statistics on their use.

PRC authorities participated in a training activity organized by an international organization on victim identification, referral, and service provision – while continuing to demonstrate significant shortcomings in all three areas – and a multilateral consultation workshop for the development of a Transnational Referral Mechanism for the Greater Mekong Subregion in 2022. The PRC lacked a standardized national referral mechanism, but MPS maintained written instructions promulgated in 2016 for law enforcement officers throughout the country aiming to clarify procedures for identifying trafficking victims among individuals in commercial sex and forced or fraudulent marriage. MPS officials reportedly maintained a procedure to screen for trafficking indicators among individuals arrested on suspicion of “prostitution” crimes. A 2016 policy limiting the detention of individuals arrested for alleged criminal sex to 72 hours remained in place. Despite the existence of these procedures, law enforcement officials in prior years arrested and detained foreign women on suspicion of “prostitution” crimes without screening them for indicators of sex trafficking – sometimes for as long as eight months – before deporting them for immigration violations; observers noted this likely continued in 2022. Due to a lack of formal identification procedures, authorities likely detained and arrested some unidentified trafficking victims. Authorities penalized victims of trafficking for commercial sex and immigration offenses committed as a direct result of being trafficked. Authorities may have detained some victims of sex trafficking – alongside individuals with drug addictions and men arrested for commissioning sex acts – in government “rehabilitation camps” known to have forced labor conditions.

The government did not provide data on victim service provision in 2022. The government previously reported maintaining at least 10 shelters specifically dedicated to care for PRC trafficking victims, as well as eight shelters for foreign trafficking victims and more than 2,300 multi-purpose shelters nationwide that could accommodate trafficking victims; it did not provide any information on these shelters for the fourth consecutive year. The Ministry of Civil Affairs, the All-China Women’s Federation, and community-based NGOs could provide victims with shelter, medical care, counseling, legal aid, and social services, as well as rehabilitation services in some cases; the government did not report providing these services to victims. Access to specialized care depended on victims’ location and gender; experts noted there were ad hoc referral procedures and an acute lack of protection services in the south, and male victims were far less likely to receive care nationwide. The law entitled foreign victims to the same benefits as PRC nationals, but this likely varied significantly in practice. As in previous years, rural border officials received reports involving the sex trafficking and forced labor of some foreign women and girls via forced and fraudulent marriage to PRC men, and officials provided them with temporary shelter and helped to fund and escort their repatriation. However, this assistance was reportedly ad hoc, often heavily bureaucratic, and less prevalent among front-line officers working farther inland, where some foreign victims escaped, reported these abusive circumstances to the authorities, and were summarily arrested and forcibly returned to their PRC “husbands” – sometimes in exchange for bribes from the men’s families. Authorities reportedly detained victims who sought help for up to eight months for immigration violations; authorities reportedly also gave victims the “choice” to return to their PRC “husbands” or be repatriated to their country of origin. If victims chose repatriation, authorities did not allow them to take their children with them. Authorities prevented independent legal experts from visiting or communicating with a woman identified as a victim of forced concubinage and child bearing in Jiangsu, did not report if they had provided her with victim services, and censored social media posts about the case. Widespread stigma against sex trafficking victims likely continued to discourage many from accessing protection services. MOHRSS reportedly could provide compensation and some protection services to labor trafficking victims, but authorities did not report information on the number of victims MPS referred for these services. Implementation of a law placing foreign NGOs in the PRC under MPS supervision continued to impose burdensome requirements and restrictions on the activities of civil society organizations, including those able to provide services for trafficking victims and communities vulnerable to the crime. Foreign embassies in the PRC could provide shelter or other protection services to victims, but pandemic mitigation measures likely limited these services in 2022.

The government did not report providing support to victims who assisted with investigations or prosecutions of trafficking cases in 2022. Authorities did not condition access to victim care on cooperation with law enforcement, but they did require victims to provide information to police and did not provide alternatives to speaking with law enforcement during investigations. The law entitled victims to obtain restitution during criminal prosecutions and claim compensation through civil lawsuits against traffickers, and observers assessed authorities likely did not apply this benefit equitably across all cases. The Guangzhou Intermediate People's Court ordered multiple criminal defendants pay 395,000 RMB (\$57,270) to the parents of a child trafficking victim, which authorities publicized as the first such order for a human trafficking case. Some forced marriage cases, many of which continued to demonstrate corollary indicators of sex trafficking and forced labor, were mediated at the village level; these proceedings rarely culminated in a guilty verdict through which to grant restitution to the victims. In prior years, MOJ officials reportedly provided some free legal assistance to trafficking victims, but government-affiliated NGO observers noted some victims faced difficulties accessing these services or had to pay for their own representation. PRC legal aid provisions provided legal assistance only for criminal defendants; authorities did not provide this assistance to victims involved in cases as witnesses or plaintiffs. The judicial system did not require victims to testify against traffickers in court and allowed prosecutors to submit previously recorded statements as evidence; however, authorities required some foreign victims to stay in the PRC to assist in police investigations until their conclusion.

The government's previously reported victim assistance abroad – including its eight border liaison offices with Burma, Laos, and Vietnam, along with victim funds, hotlines, and government-to-government agreements to assist victims – was not efficacious. The government did not report data on victim repatriation in 2022. PRC officials operating in other countries may have facilitated the sex trafficking of PRC nationals abroad through lax visa and immigration procedures and may have facilitated the labor trafficking of PRC nationals abroad in BRI projects. PRC authorities reportedly surveilled, harassed, threatened, attempted to discredit, and sought the extradition of Uyghurs, ethnic Kazakhs, and other forced-labor survivors seeking asylum abroad in retaliation for their contact with foreign media outlets.

As a result of pervasive, state-sponsored labor trafficking, the government was less likely to identify members of religious and ethnic minorities – including Uyghurs, Tibetans, ethnic Kazakhs, ethnic Kyrgyz, and members of other Turkic and/or Muslim minority groups – as trafficking victims. The government did not report any measures to screen for, or identify, forced labor indicators among the thousands of vulnerable migrant seafarers employed on PRC national-owned DWF vessels, nor within its extensive coastal offshore fishing fleet. PRC fishermen subjected to forced labor generally could not report abuses to local authorities or access protection services when returning to the PRC. The government did not report conducting any training on victim identification or assistance for its diplomatic services abroad. PRC consular officials often did not take steps to proactively identify, respond to, or assist PRC nationals subjected to forced labor under the auspices of BRI projects overseas, including when victims reported abuses to local PRC diplomatic missions. PRC municipal authorities were sometimes responsive to BRI-related complaints filed in conjunction with an international organization, including by requiring foreign-based PRC-run companies to follow victim protection, compensation, and repatriation protocols in some cases. The government did not undertake efforts to identify or refer to care trafficking victims within the PRC's highly vulnerable North Korean migrant population, nor did it provide suspected North Korean trafficking victims with legal alternatives to repatriation. Although significantly fewer North Korean nationals transited the PRC while seeking asylum in third countries due to pandemic-related border closures, authorities continued to detain North Korean asylum-seekers and forcibly return some to the DPRK, where they likely faced severe punishment or death, including in forced labor camps; the government did not report screening these individuals for trafficking indicators. The government continued to restrict access of UN agencies attempting to monitor and assist refugees near the PRC's border with the DPRK.

PREVENTION

The government maintained insufficient efforts to prevent trafficking and in some instances abetted or perpetrated trafficking. PRC authorities continued to perpetrate trafficking crimes in the country and abroad, including by committing genocide and crimes against humanity and using emerging technologies to carry out discriminatory surveillance and ethno-racial profiling measures designed to subjugate and exploit minority populations in forced labor in internment camps under the pretext of combating violent extremism and other social ills. The government denied verifiable accounts and took steps to ban discussion of trafficking related human rights violations and state-sponsored forced labor. The PRC continued its policies of mass detention and political indoctrination against more than one million Uyghurs, ethnic Kazakhs, ethnic Kyrgyz, and members of other ethnic and religious minority groups in Xinjiang since 2017, and it continued to transfer thousands of detainees into forced labor into dozens of other provinces, according to NGO estimates and media reports. Authorities forcibly transferred thousands of Uyghur youth into manufacturing jobs throughout the PRC to fill labor shortages in quarantine zones. National policies officially imposed “de-radicalization” duties on Xinjiang-based commercial entities and trade unions, further cementing their role in state-sponsored forced labor under the guise of public security measures. Local governments and businesses received tax breaks and financial subsidies for establishing new manufacturing sites and accepting or transferring detainees for these purposes, and officials reportedly received promotions and other benefits for their role in the process. According to official PRC government documents, local governments, at times, arrested Muslims arbitrarily or based on spurious criminal charges and administrative violations – including violation of birth restrictions – to meet detention quotas established specifically for this internment system. Reports indicate authorities partially staffed internment camp facilities using forced labor, including among vocational and language instructors. Authorities sent many detained individuals approved to “graduate” from these facilities to external manufacturing sites in close proximity to the camps or in other provinces and subjected them to forced labor; authorities transferred others and likely subjected them to forced labor within a separate – and growing – formal prison system. The government continued to transfer some members of non-interned minority communities designated arbitrarily as “rural surplus labor” to other areas within Xinjiang as part of a “poverty alleviation” program and exploit them in forced labor. Authorities also used the threat of internment to coerce members of some Muslim communities directly into forced labor in manufacturing. The government continued to subject Xinjiang’s ethnic minority communities to severe travel restrictions, including through prohibitions on access to passports, which compounded their vulnerability to arbitrary detention and state-sponsored forced labor. The Ministry of Foreign Affairs continued to confiscate, cancel, or refuse to renew the PRC passports of Uyghurs and individuals from other mostly Muslim ethnic minority groups living abroad, including those with legal permanent resident status or citizenship in other countries, as a coercive measure to lure them back to Xinjiang and likely detain them within the camps. There were also reports that authorities threatened, detained, and forcibly hospitalized these individuals’ family members in Xinjiang in an attempt to silence them and/or coerce their return. The PRC continued to seek the extradition of ethnic and religious minority group members who sought asylum abroad after fleeing exploitation in forced labor, among other human rights abuses, in Xinjiang. Nationwide, some school districts continued to compel ethnic Han students to participate in internship programs featuring forced labor indicators, including compulsory factory labor.

Authorities reportedly continued to place thousands of rural Tibetan herders and farmers in “military-style” vocational training and manufacturing jobs around the country under the auspices of a quota-based “surplus labor” transfer program ostensibly intended as a “poverty alleviation” measure. Although the program did not feature overt arrests or enforced disappearances, observers noted the system was likely highly coercive, given individuals’ relative inability to refuse participation amid the central government’s pervasive system of social control in Tibetan areas. Some of these Tibetans were subsequently subjected to forced labor in manufacturing. Authorities also exacerbated Tibetans’ vulnerability to trafficking by systematically dismantling the Tibetan rural economy through mass enforced relocations, and by forcing those who sought work in the state sector to renounce all ties to the Dalai Lama as a condition of employment.

The PRC government did not report continuing to implement or expand pilot programs initiated in prior years to reduce trafficking vulnerabilities among foreign seafarers hired informally or illegally to work onboard vessels in the PRC's global fishing fleet. PRC-owned and affiliated companies continued to employ PRC and foreign nationals at BRI project worksites abroad; the government did not exercise adequate oversight of recruitment procedures, which often featured worker-paid fees driving indebtedness to unregistered brokers, nor did it take steps to ensure worker contracts were free of abusive contract provisions. Many PRC nationals employed at BRI worksites abroad initially entered destination countries on tourist visas and were forced to work without contracts. In recognition of this insufficiency, authorities maintained policies and regulatory standards issued in 2017 barring the collection of recruitment fees or security deposits from job applicants, banning the use of tourist visas for travel to work in BRI destination countries, and instructing companies on safeguarding labor rights; however, these were largely nonbinding, and the government did not report efforts to enforce them. International visibility into BRI recruitment processes, labor contracts, and working conditions was constrained in part due to the PRC government's failure to establish a single governing entity for the program or to publish a list of worldwide BRI projects, bilateral negotiations for which were kept secret. In recent years, NGOs in countries receiving PRC migrant workers through other bilateral agreements reported the PRC government ignored abusive and potentially illegal contract stipulations, including fees and provisions requiring immediate repatriation for pregnancies or illnesses, which placed some PRC workers at higher risk of debt or punitive deportation as coercive measures to retain their labor; the government did not take steps to address these vulnerabilities during the reporting period. The PRC government's exertion of political pressure and operating restrictions on NGOs in Hong Kong had a negative impact on anti-trafficking coordination with the local authorities there.

NGOs reported PRC nationals sought assistance from government officials and foreign governments to escape conditions that may have been labor trafficking in cyber scam operations in Burma, Cambodia, and Laos; the government may have repatriated some PRC nationals from these countries. However, the government did not report providing assistance or services to any of these potential victims, or report taking efforts to address labor trafficking in cyber-scam operations, many of which were owned and operated by PRC nationals.

The PRC government did not report holding an annual inter-ministerial meeting to coordinate anti-trafficking efforts for the third consecutive year. The government maintained an Action Plan against Trafficking in Persons (2021-2030), focused on preventing fraudulent adoption, combating cyber-facilitated sex trafficking crimes, and improving labor recruitment procedures, with an emphasis on women and girls; it contained no explicit mention of men or boys and few mentions of forced labor, and in July 2022, MPS initiated the development of an implementation plan. Observers assessed the government devoted significant resources towards the implementation of the action plan primarily through law enforcement and media campaigns, but the government did not provide data on implementation during the reporting period. For the sixth consecutive year, the government did not report its funding for anti-trafficking activities in furtherance of the action plan (more than 55 million renminbi, or \$7.97 million, in 2016). The All-China Women's Federation, which was designated to lead or support dozens of workstreams in the national action plan, maintained provincial chapters. National and local authorities conducted media outreach campaigns on some forms of trafficking, although the content thereof generally focused on child abduction and forced and fraudulent marriage. Officials participated in trafficking prevention training activities in conjunction with international organizations. The government did not provide anti-trafficking training to its diplomatic personnel. The government did not provide anti-trafficking training to its troops prior to their deployment as peacekeepers.

PRC authorities did not take any steps to change policies in response to mounting public concern over Xinjiang abuses and the contamination of international supply chains with goods produced by state-sponsored forced labor there in 2022. To the contrary, the government and affiliated commercial entities continued to engage in a concerted campaign to dispel these accusations through vehement denial in public messaging; state-ordered politically motivated academic research; falsified cotton production and harvest mechanization data; localized propaganda campaigns targeting consumers in trade partner countries; the establishment of false supply chain policy initiatives as alternatives to preexisting international monitoring and compliance programs;

new sanctions on foreign government officials critical of PRC abuses; and pressure on international companies.

Academics and experts noted the gender imbalance created by the previous One-Child Policy likely continued to contribute to trafficking crimes in the PRC. The government *hukou* (household registration) system continued to contribute to trafficking risks of internal migrants by reducing access to social services, particularly for PRC victims returning from exploitation abroad, and by driving hundreds of millions of individuals to live and work illegally outside the jurisdiction of their registration. The government continued to address some of these vulnerabilities by requiring local governments to provide a mechanism for migrant workers to obtain residency permits. However, authorities disproportionately made these residency permits unavailable to rural ethnic Han migrants and members of ethnic minority groups, exacerbating their constrained access to employment and social services. The government did not make efforts to reduce the demand for commercial sex acts. The government did not report investigating or prosecuting any PRC citizens for child sex tourism, despite widespread reports of the crime. While the PRC government included Macau in its succession to the 2000 UN TIP Protocol in 2010, it stated the protocol “shall not apply” to Hong Kong.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in the PRC, and they exploit victims from the PRC abroad. Traffickers also use the PRC as a transit point to subject foreign individuals to trafficking in other countries throughout Asia and in international maritime industries. Highly organized criminal syndicates and local gangs subject PRC women and girls to sex trafficking within the PRC and abroad. Traffickers typically recruit them from rural areas and take them to urban centers, using a combination of fraudulent job offers and coercion by imposing large travel fees, confiscating passports, confining victims, or physically and financially threatening victims to compel their engagement in commercial sex. The PRC’s national household registry system (*hukou*) continues to restrict rural inhabitants’ freedom to legally change their residence, placing the PRC’s internal migrant population – estimated to exceed 169 million people – at high risk of forced labor in brick kilns, coal mines, and factories. Some of these businesses operate illegally and take advantage of lax government enforcement. PRC nationals in several countries are subjected to conditions indicative of forced labor at BRI worksites owned, managed, and/or operated with partial or full investment by PRC-based companies, PRC nationals, or the PRC government. PRC national-operated crime syndicates also subject PRC nationals and foreign victims to forced criminality in cyber scam operations in Burma, Cambodia, and Laos. African and Asian men reportedly experience conditions indicative of forced labor aboard PRC-flagged and PRC national-owned, foreign-flagged fishing vessels operating worldwide in the PRC’s DWF; men from other regions may be in forced labor aboard these vessels as well. Women and girls from South Asia, Southeast Asia, and several countries in Africa experience forced labor in domestic service, forced concubinage leading to forced childbearing, and sex trafficking via forced and fraudulent marriage to PRC men. Traffickers target adults and children with developmental disabilities and children whose parents have left them with relatives to migrate to the cities – estimated at 6.4 million – and subject them to forced labor and forced begging. State bodies reportedly subject members of predominantly Muslim minority groups and Tibetans to forced labor as part of arbitrary mass detention, political indoctrination, and labor transfer schemes.

State-sponsored forced labor is prevalent in the PRC. In 2013, the National People’s Congress ratified a decision to abolish “Re-education through labor” (RTL), a punitive system that subjected individuals to extra-judicial detention involving forced labor, from which the government reportedly profited. The government closed most RTL facilities by October 2015; however, the government reportedly converted some RTL facilities into state-sponsored drug rehabilitation facilities or administrative detention centers where, according to civil society and media reports, forced labor continues. State-sponsored forced labor persists under the government’s mass detention and political indoctrination campaign against predominantly Muslim and/or Turkic minorities in the Xinjiang Uyghur Autonomous Region (Xinjiang). Authorities have utilized

discriminatory surveillance technologies, including facial recognition and DNA sequencing technology, and arbitrary administrative and criminal provisions to detain more than one million Uyghurs, ethnic Hui, ethnic Kazakhs, ethnic Kyrgyz, ethnic Tajiks, and ethnic Uzbeks since 2017 in as many as 1,200 “Vocational Skills Education and Training Centers” – internment camps designed to erase ethnic and religious identities under the pretext of “deradicalization.” International observers reported authorities use similar surveillance technologies to collect DNA from ethnic Tibetans across Tibet as part of a “crime detection” program. Camp authorities reportedly force some individuals to work in staff positions within the camps, including in sewing and Mandarin language instruction. During detention within – and following “graduation” from – these facilities, government authorities and/or authorized commercial entities subject many of these individuals to forced labor in adjacent or off-site factories producing garments, automotive components, footwear, carpets, yarn, food products, construction materials, holiday decorations, building materials, solar power equipment polysilicon and other renewable energy components, consumer electronics, bedding, hair products, cleaning supplies, personal protective equipment face masks, chemicals, pharmaceuticals, and other goods for domestic and international distribution. Coercive conditions reportedly include threats of physical violence, confiscation of travel and identity documents, forcible drug intake, physical and sexual abuse, and torture, among others. Local governments have reportedly used the threat of internment to coerce some members of these communities directly into forced labor. A small number of ethnic Han individuals and members of other religious minority groups, including Christians, are also reportedly in detention within this system. Authorities offer tax breaks and other financial subsidies incentivizing PRC national-owned companies to open factories in close proximity to the internment camps and to receive transferred detainees at satellite manufacturing sites in other provinces, and local governments receive additional funds for each inmate forced to work in these sites at a fraction of minimum wage or without any compensation. The government has transported at least 80,000 of these individuals to other provinces for forced labor under the guise of poverty alleviation and industrial aid programs; authorities have formally convicted many more, perhaps hundreds of thousands, under spurious criminal charges and transferred them to more than 100 urban prisons throughout the country, where they suffer additional forced labor conditions. In total, the PRC has reportedly placed 2.6 million members of minority communities in agricultural and manufacturing jobs within Xinjiang and across the country through state-sponsored “surplus labor” and “labor transfer” initiatives featuring overt forced labor indicators.

Authorities in some localities also subject the families of men arbitrarily detained in Xinjiang to forced labor in their absence. Internment of these communities in false vocational training centers excludes them from genuine educational and vocational training and opportunities, thereby exacerbating survivors’ poverty and subsequent vulnerability to trafficking. Contacts report families separated by this system are also more likely to fall below the poverty line and are therefore at higher risk of sex trafficking and forced labor. Authorities place the young children of interned individuals in Xinjiang in state-run boarding schools, orphanages, and “child welfare guidance centers,” and force them to participate in political indoctrination activities and report on their families’ religious activities. Authorities reportedly place older children among these groups in vocational schools, where some may be victims of forced labor. Authorities have arbitrarily detained some Kazakhstani and Kyrgyzstani citizens visiting family in Xinjiang; their children, now unaccompanied abroad, are also at elevated risk of trafficking. NGOs report ethnic Han men may be increasingly able to force Uyghur and other women from minority communities into marriages under the government’s discriminatory ethnic assimilation policies, placing them at higher risk of forced labor in domestic service and other forms of exploitation. Members of these predominantly Muslim minority groups attempting to seek asylum abroad are vulnerable to immigration-related administrative and criminal charges in destination countries, as well as to PRC extradition and refoulement.

Xinjiang authorities issued a notice in 2017 abolishing rural obligatory labor under the *hashar* system, in which they had reportedly subjected thousands of Uyghur adults and children to forced labor in government infrastructure projects and agriculture each year. Despite this policy change, similar forms of state-sponsored forced labor continue in Xinjiang, including under the auspices of the Xinjiang Production and Construction Corps (Bingtuan) – an economic and paramilitary organization with administrative control over several areas in the region comprising

approximately 2.8 million personnel. According to NGO reports, Bingtuan regiments manage at least 36 agricultural prison farms throughout Xinjiang; unlike the aforementioned mass detention campaign, this system primarily subjects ethnic Han inmates – many of whom may be victims of arbitrary detention – to forced labor. Bingtuan authorities also force inmates to build new prison facilities in several areas of the province and may subject inmates to forced labor in coal, Uranium, and asbestos mining, as well as in lead and zinc smelting and fertilizer production. Authorities also subject some Xinjiang residents to forced labor in silica mining and processing for use in solar components, aluminum alloy, and silicone. The Bingtuan reportedly forces half a million Uyghur adults and children to pick and process cotton, tomatoes, sugar beets, and possibly apples and peanuts. The impact of formal discriminatory employment policies barring Uyghurs from jobs in many sectors – including in the annual cotton harvest – reportedly drives thousands of Uyghur farmers out of their communities in search of alternative work, placing them at higher risk of forced labor. The same is true of the government’s targeted forced-displacement programs, including the Bingtuan’s construction of new settlements designated for ethnic Han internal migrants, as well as its seizure of land from small-scale and subsistence farmers in Uyghur communities. This calculated land expropriation makes Uyghur farmers more likely to fall victim to coercive labor transfer programs; some are even subjected to forced labor on the land they had previously occupied. In some instances, the government reportedly relocates entire Uyghur farming communities to areas without agricultural prospects and in close proximity to factories in order to facilitate their forced labor in textile production. Observers note many Uyghur communities remain vulnerable to trafficking in other, ostensibly voluntary labor transfer situations, given the PRC government’s comprehensive control over nearly all aspects of life in Xinjiang.

The government subjects some Tibetans to arbitrary detention featuring similar political indoctrination and forced prison labor practices in the Tibet Autonomous Region (Tibet) and in neighboring provinces. Authorities have placed thousands of rural Tibetans in “military-style” vocational training and manufacturing jobs around the country under the auspices of a quota-based “surplus labor” transfer program ostensibly intended as a poverty alleviation measure. Although the program does not feature arrests or enforced disappearances, observers note the system is likely highly coercive, given individuals’ relative inability to refuse participation amid the central government’s pervasive system of social control in Tibetan areas. Reports indicate companies subject some of these Tibetans to forced labor in factories. Authorities also reportedly subject some Buddhist clerics to political indoctrination activities and forced labor in monasteries repurposed as factories. The government’s forced urban resettlement programs require Tibetans to bear a large portion of resettlement costs, placing many of them in debt and consequently at higher risk of forced labor. Elsewhere, religious and political activists held in legal education facilities continue to report forced labor occurring in pretrial detention and outside of penal sentences. The government subjects Christians and members of other religious groups to forced labor as part of detention for the purpose of ideological indoctrination; survivors report having been forced to work in brick kilns, food processing centers, and factories manufacturing clothing and housewares. Law enforcement officials detain some PRC and foreign women on “prostitution” charges without due process in “custody and education” centers, where they are subjected to forced labor. International media report local authorities force children in some government-supported work-study programs to work in factories. Some school districts compel students into forced labor in manufacturing under the guise of mandatory internships. Although information is limited, PRC nationals may experience conditions indicative of forced labor at large-scale rare earth mining operations within the PRC, and rural communities displaced by these activities and by concomitant environmental contamination may themselves be vulnerable to sex and labor trafficking.

Some host country nationals, PRC nationals, and other migrant workers employed at large-scale BRI and other PRC-affiliated construction projects, mining operations, and factories in African, European, Middle Eastern, Asian and Pacific, and Latin American and Caribbean countries experience conditions indicative of forced labor. These include deceptive recruitment into debt bondage; arbitrary wage garnishing or withholding; contract irregularities, including absence of contracts; confiscation of travel and identity documentation; forced overtime; resignation penalties; false promises of payment for return flights, which traffickers then use as collateral to retain their labor beyond the length of the original contracts; intimidation and threats; physical violence; denial

of access to urgent medical care; poor working and living conditions; restricted freedom of movement and external communication; and retaliatory firings, including after refusing to have sexual relations with employers and reporting sexual abuse. Pandemic-related travel restrictions in many of these countries and reentry restrictions imposed by the PRC government compound these vulnerabilities. In particular, the PRC government's constrained ability to send new workers overseas for BRI projects during the pandemic may have incentivized some companies to confine PRC nationals at BRI worksites beyond the length of their contracts under the pretext of public health restrictions. Some PRC nationals reportedly recruit local children from the communities in which BRI projects are underway and subject them to forced labor in hazardous work.

Traffickers, including those working for PRC national-run crime syndicates and with facilitation from PRC national-owned businesses, subject PRC men, women, and children to forced labor and sex trafficking in more than 80 other countries. They force PRC men, women, and girls to work in restaurants, shops, agricultural operations, and factories in overseas Chinese diaspora communities. Traffickers fraudulently recruit some PRC nationals as well as men, women, and children from countries in Asia, Africa, Europe, North America, and South America, for high-paying technical jobs abroad and then force them to engage in online gambling, internet, and telephone scams, primarily in casinos and commercial compounds in Burma, Cambodia, and Laos. Traffickers also reportedly subject some PRC nationals to forced criminality in cryptocurrency mining and in the cultivation, processing, and distribution of recreational drugs. PRC men in Africa, Europe, Maritime Southeast Asia, the Middle East, and South America experience conditions indicative of forced labor in factories, construction sites, and logging and mining operations; these conditions include non-payment of wages, restrictions on movement, withholding of passports, and physical abuse. PRC national-owned manufacturing facilities in South Africa have reportedly subjected PRC nationals to forced labor in the manufacturing of pandemic-related medical protective garments. Traffickers subject PRC women and girls to sex trafficking throughout the world, including in major cities, construction sites, remote mining and logging camps, and areas with high concentrations of PRC migrant workers. Companies operating under the auspices of the Japanese government's "Technical Intern Training Program" have subjected PRC nationals to forced labor, often through debt bondage, in food processing, manufacturing, construction, and fishing. Traffickers also subject PRC seafarers to forced labor on board fishing vessels in Taiwan's highly vulnerable DWF, in Papua New Guinea's exclusive economic zone and surrounding maritime territories, and on foreign-flagged cargo vessels operating in the Pacific Ocean.

PRC traffickers operating abroad subject local populations to sex trafficking in several countries in Africa, the Mediterranean region, and South America. PRC traffickers also subject women and girls in other Asian countries to sex trafficking and forced labor in sham businesses and entertainment establishments, including PRC national-owned casinos, constructed in close proximity to large-scale PRC-affiliated infrastructure and investment projects – at times under the auspices of the BRI – and in special economic zones with limited local government oversight. PRC national-owned factories and agricultural plantations in Burma reportedly subject local and internal migrant populations to forced labor; the same may also be true for PRC-owned logging operations there. Crime syndicates headed by PRC nationals reportedly assist traffickers in Southeast Asian countries in the production of counterfeit travel documents to facilitate trans-border trafficking. PRC national-owned companies operating under the auspices of the BRI also subject Southeast Asian migrant workers to forced labor at manufacturing facilities throughout the Balkan region. Congolese men and boys experience conditions indicative of forced labor in PRC national-owned mining operations in the Democratic Republic of the Congo.

Many men from countries in Africa, Asia (especially Indonesia and the Philippines), and other regions employed on many of the 2,900 PRC-flagged DWF fishing vessels operating worldwide experience contract discrepancies, excessive working hours, degrading living conditions, severe verbal and physical abuse, sexual abuse, denial of access to healthcare, restricted communication, document retention, arbitrary garnishing or nonpayment of wages, and other forced labor indicators, often while being forced to remain at sea for months or years at a time. This statistic does not include PRC national-owned DWF vessels that are flagged or registered through front companies in other countries; the true number of DWF vessels with PRC national beneficial

ownership may therefore be much higher than reported; it also does not include vessels owned by PRC national-owned companies that have not received formal DWF qualification from the PRC government but instead illegally “attach” themselves to qualified fishery companies, allowing vessel owners to hide ownership identities and illegal, unreported, and unregulated (IUU) fishing history behind qualified companies and avoid investigation and annual reviews. Many DWF crewmembers are recruited through unlicensed or poorly regulated informal brokerage networks within the PRC and abroad, exacerbating their risk of indebtedness through the imposition of unregulated hiring fees, commissions, and expenses accrued while being forced to reside in dormitories in the months leading up to their deployment. PRC fishing operators in turn require DWF crewmembers to pay “guarantee money” that places them at further risk of debt-based coercion. Some DWF senior vessel crew members also subject these fishermen to forced criminality in illegal, unreported, and unregulated (IUU) fishing and smuggling – including in areas under the jurisdiction of other coastal states – making them vulnerable to unjust civil and criminal liabilities in port countries. Some PRC national-owned fishing vessels reportedly operate in violation of UN sanctions off the coast of the DPRK and in the Indian Ocean while evading detection by maritime authorities, including by falsifying vessel registration numbers; the crew members aboard these ships are also vulnerable to forced labor in IUU fishing.

PRC traffickers subject women and children from neighboring Asian countries, Africa, and the Americas to forced labor and sex trafficking within the PRC. Traffickers promise African and South American women legitimate jobs in the PRC and force them into commercial sex upon arrival. The PRC government’s birth-limitation policy and a cultural preference for sons created a skewed sex ratio of 105 boys to 100 girls in the PRC, which observers assert continues to drive the demand for commercial sex and for foreign women to enter or be deceived into brokered marriages with PRC men – both of which may be procured and retained by force or coercion. Traffickers kidnap or recruit women and girls through marriage brokers and transport them to the PRC, where some are subjected to sex trafficking or forced labor. Illicit brokers increasingly facilitate the forced and fraudulent marriage of South Asian, Southeast Asian, Northeast Asian, and African women and girls to PRC men for fees of up \$30,000. The men – sometimes in partnership with their parents – often incur large debts to cover these fees, which they attempt to recover by subjecting the women and girls to forced labor or sex trafficking. Some PRC men reportedly circumvent this brokerage system by traveling to Southeast Asian capitals and entering into legal marriages with local women and girls, then return to the PRC and compel them into commercial sex. There are also reports of PRC men and their parents deceiving local and Southeast Asian women and girls into fraudulent marriages in the PRC, then confining them in forced concubinage involving rape leading to forced pregnancy. In cases where this forced pregnancy leads to childbirth, the men and their parents sometimes use the child as collateral to retain the women’s forced labor or sexual slavery, or use the women’s immigration status as coercion to dissuade them from reporting their abuses to the authorities. Traffickers also reportedly lure women from Burma, Vietnam, and Cambodia to the PRC under similar false pretenses, blindfold and transport them, then subject them to forcible artificial insemination in unregulated hospital facilities; they confine groups of these women in private residences until they give birth and then drive them across international borders to their home countries with impunity. A small number of PRC women are reportedly subjected to sex trafficking and forced labor via forced or fraudulent marriages to Taiwanese men. Exploitative marriages featuring elements of sex trafficking and forced labor have reportedly increased in some foreign countries where BRI construction projects are underway. Mongolian boys are at high risk of forced labor and sex trafficking under visa regimes that enable them to work indefinitely as herders, horse jockeys, and circus performers across the PRC border, provided they return with a chaperone once a month. African residents of the PRC, displaced through discriminatory eviction policies related to the pandemic, may be at higher risk of sex trafficking and forced labor due to ensuing homelessness and other economic hardships.

Many North Korean refugees and asylum-seekers living without formal immigration status in the PRC are particularly vulnerable to trafficking. Traffickers lure, drug, detain, or kidnap some North Korean women upon their arrival in the PRC and compel them into commercial sex in brothels and bars, through internet sex sites, or in relation to forced marriage. Traffickers – often DPRK “minders” – also subject these women to forced labor in agriculture, in domestic service, and at restaurants, karaoke bars, coffee shops, and factories; the “minders” reportedly restrict their

freedom of movement and communication, garnish their wages, and at times force them to engage in commercial sex with PRC customers. According to media and NGO reports, the DPRK government subjects its citizens to forced labor in the PRC as part of its revenue generation efforts for its weapons development programs, likely with the knowledge of PRC officials; this includes forced labor in hotels, restaurants, and in remote cyber operations. PRC national-owned manufacturing facilities reportedly also subject North Korean workers to forced labor in the production of protective medical garments for international export.