

Current situation and legal regulation of children's sexual exploitation in Northeast Asia

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- ▶ Tier 1- The Republic of Korea
 - ▶ Tier 2- Mongolia and Japan
 - ▶ Tier 3- The Democratic Republic of Korea
 - ▶ Tier 3: Down grade: The People's Republic of China
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- ▶ Tier 1
- ▶ Countries whose governments fully comply with the Trafficking Victims Protection Act's (TVPA) minimum standards.
- ▶ Tier 2
- ▶ Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards.
- ▶ Tier 3.
- ▶ Countries whose governments do not fully comply with minimum standards and are not making significant efforts to do so.

The People's Republic of China

Illegal adoption

- Deep rooted belief that only male heir can carry on family name and sonless marriage is a moral shame and due to the “One-child policy”
- Children under age of 7, boys in particular, are highly demanded in illegal adoption market

Bridal trade

- Trafficking, kidnapping and sale of young girls for the forced marriage are common practice in many Asian countries, especially in China and Mekong region.
- High percentage of girls in older age group is indicative of their more frequent outlet in sex industry and bridal trade.

Sexual exploitation

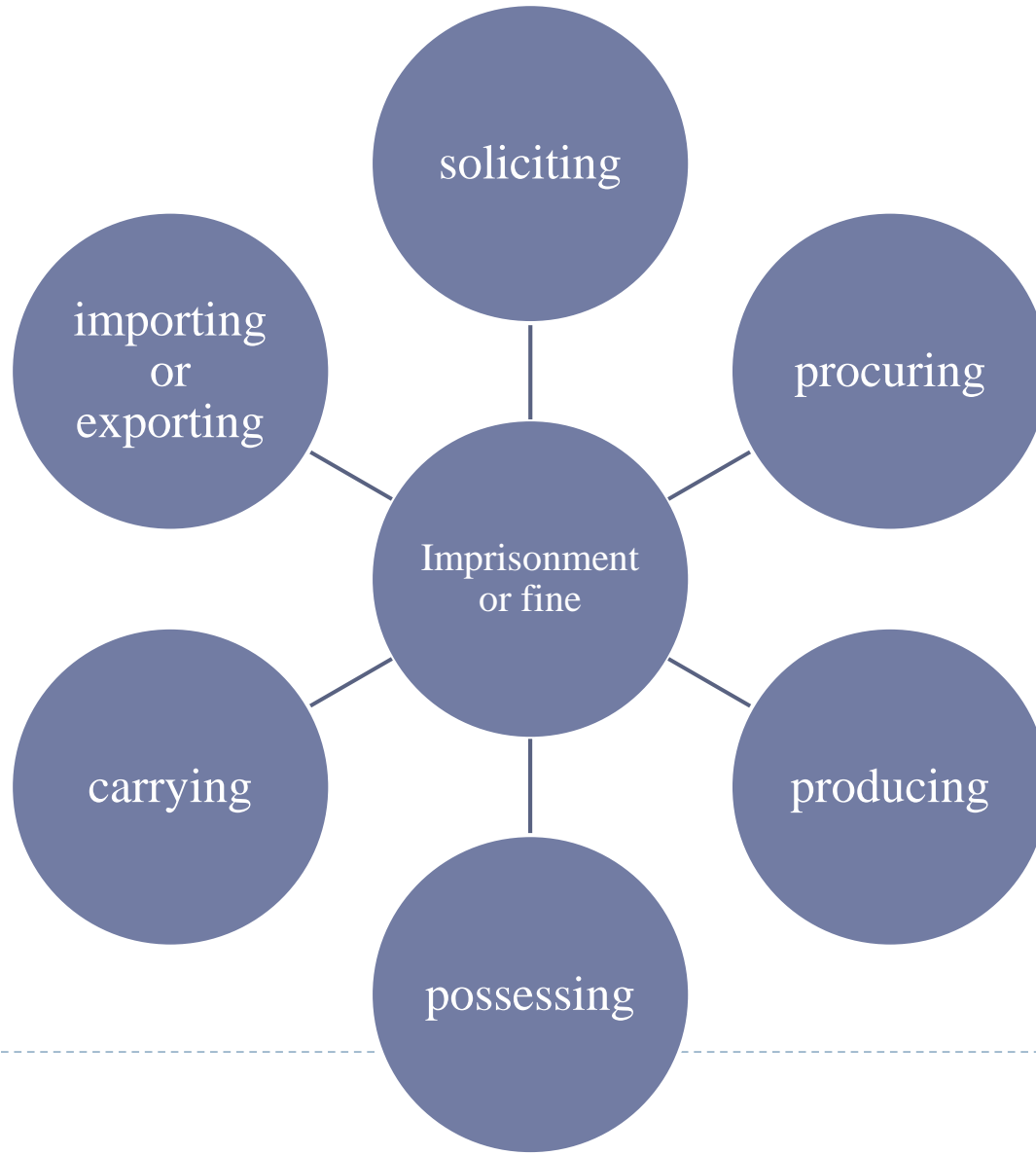
- China is also regarded as destination country for women and children who are trafficked from Northeast Asian countries such as Mongolia, North Korea and Russia
- A range of punishment from five-year imprisonment to the death penalty shall be imposed in the crime of abducting and trafficking a woman and child in China,

- ▶ Majority of women trafficked to Japan appear to be adult, although there is some evidence that some are under 18 years of age, probably traveling on forged passports and documents.
- ▶ Japanese school children are also victimized through “compensation dating” by using online platforms for meeting. These children can be at high risk of child trafficking when they are taken to another location for sexual exploitation such as for the production of pornography.

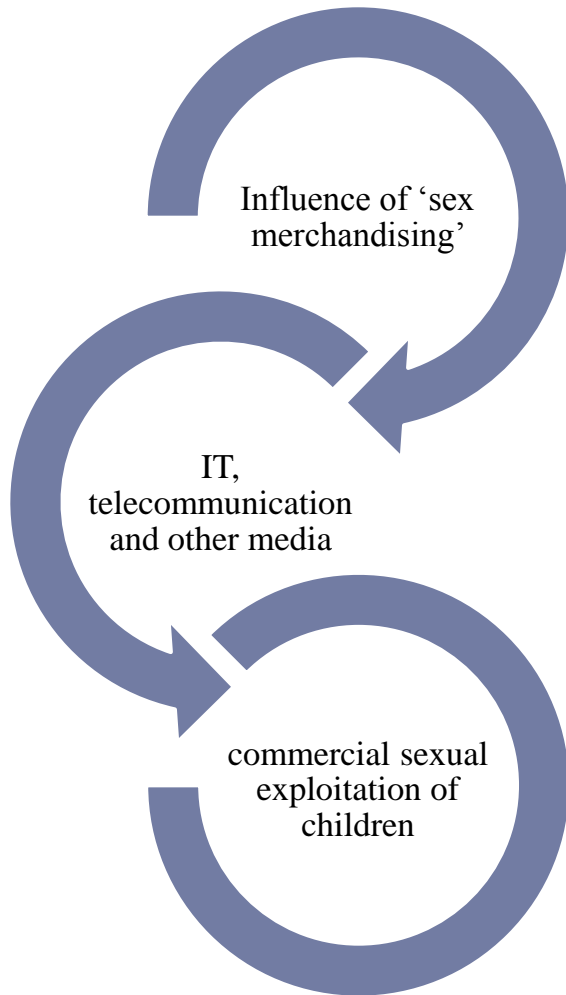
Japan

Destination country for the trafficking in person from Southeast Asia, Latin America and increasingly from Eastern Europe.

Recently, Japan has not been adopted any comprehensive anti-trafficking law that directly prohibit the trafficking of foreigners into the country.



The Republic of Korea



- ▶ South Korea is destination country for women trafficked for sexual purposes. Young females trafficked to this country come from Russia, Uzbekistan, Kazakhstan, Mongolia, China, North Korea, and the Philippines, Thailand, Cambodia and other Southeast Asian countries.

Vulnerable children are:



☐ Poorly educated

☐ Easy to overpower

☐ Easy to convince

Vulnerable children are:



☐ Street children

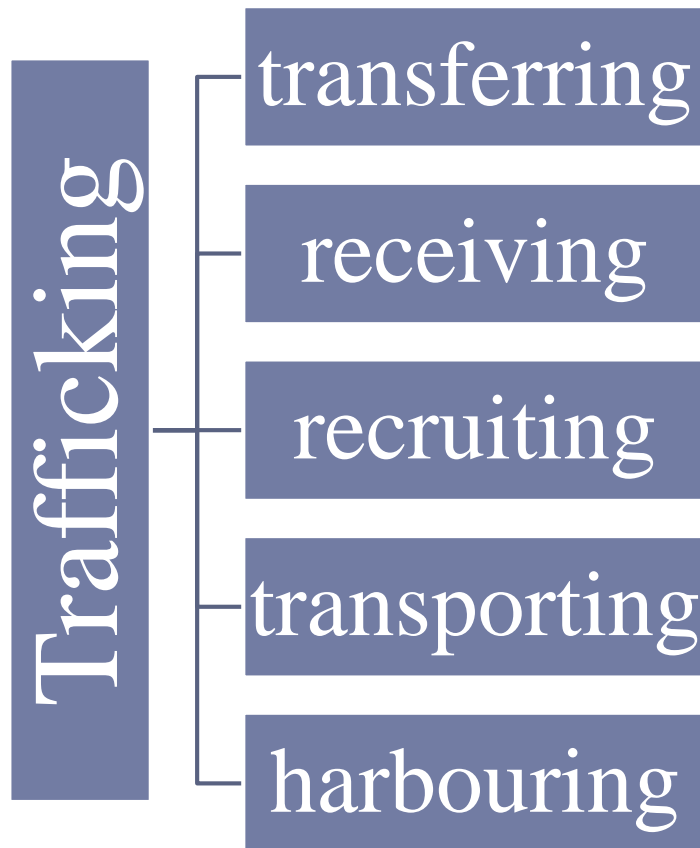
☐ Children in refugee camps

☐ Children whose family and community life has been disrupted and do not have someone to look out them



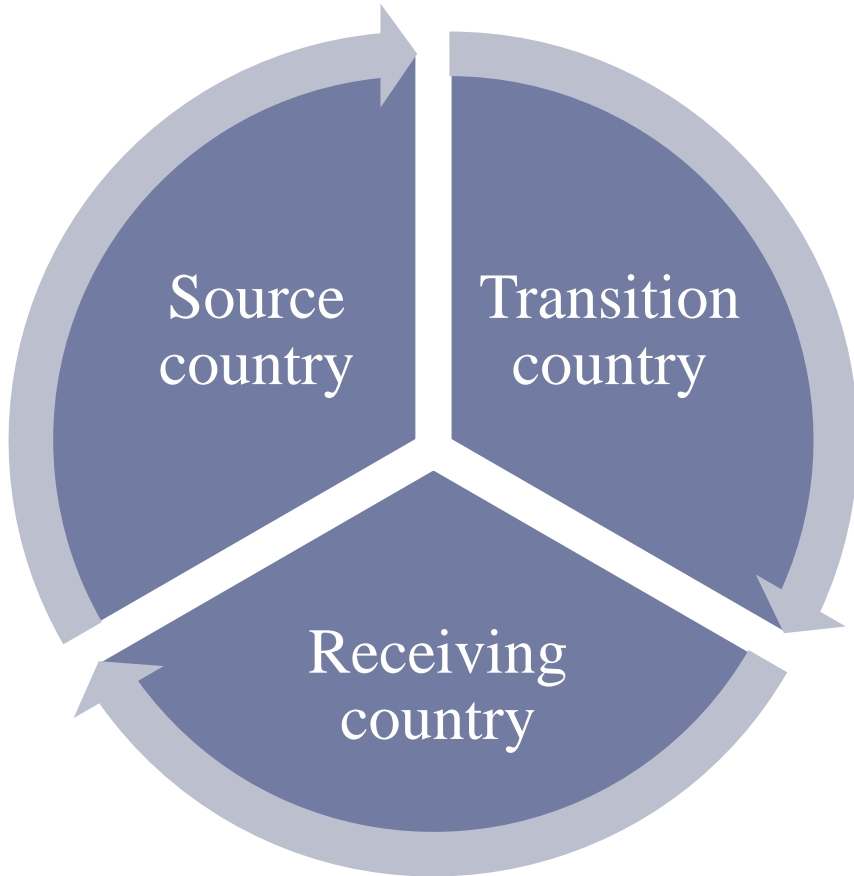
There is significant gap in its protection of children against trafficking for sexual purpose due to Korea has not ratifies the Palermo's Protocol.

But those acts must be carried out with a deceptive scheme, the use of force or other forms of coercion.



- ▶ Under South Korean law 'trafficking' involves the provision or promise of money or other remuneration. This contrasts with the international standard, in which trafficking is defined as transferring, transporting, receiving, recruiting or harbouring, regardless of the use if deceptive means, force, coercion or remuneration.

Mongolia



- ▶ Some Government officials, staff from embassies, local and foreign individuals and groups are involved in providing fake passport and illegal visas as well as processing false adoption of children by foreigners.
- ▶ Weak law enforcement, limited protection for victims and witnesses and social stigma prevent victims of trafficking from reporting their cases. Public awareness of the crime of human trafficking also appears to be low.

Under Article 113 of Criminal Code of Mongolia

Confiscation of property and three and up to five-year imprisonment shall be imposed for

☐

☐ human is incorporated in human trafficking crime

☐ transported, hidden, transferred and received for the purpose of exploitation

☐ by using violence, threatening to use violence, kidnapping, paltering, deceiving, seizing his/her vulnerability

Punishable by from five or up to ten-year imprisonment and his/her property shall be expropriated

☐

☐ Repeatedly;

☐ Two or more persons

☐ Under-aged person



The Democratic People's Republic of Korea



The Democratic People's Republic of Korea is a source country for men; women and children trafficked for the purposes of forced labor and commercial sexual exploitation



The most common form of trafficking involves North Korean girls subjected to involuntary servitude after willingly crossing the border into the People's Republic of China.



If girls are trafficked while she is in search of food and work in China, she is forced into marriage and sexual exploitation. If the victim of the trafficking complains, she is deported back to North Korea, where she is thrown into gulags or is executed.



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- ▶ Once in China, they are picked up by traffickers and sold as brides to Chinese nationals, often of Korean ethnicity. In some cases, girls may be sold to traffickers by their families and acquaintances. Many victims of trafficking, unable to speak Chinese, are held virtual prisoners. The illegal status of North Koreans in China and other Southeast Asian countries increases their vulnerability to trafficking for purpose of forced labor and sexual exploitation. There are no known laws specifically addressing the problem of trafficking in persons.
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Conclusion

- ▶ Southeast Asia is well known for the sexual exploitation especially Mekong region including China, Burma, Thailand, Cambodia and Vietnam is infamous for sex trade and tourism. But, they impact on other regions in particular their living condition is low, poverty is growing and economic development is weak.
- ▶ In Northeast Asia, China, Japan and South Korea are destination countries receiving and transition ports transmitting trafficked persons from under developed other countries in the region such as Mongolia and North Korea.

