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## Human Rights Council

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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by The Organization for Poverty Alleviation and Development, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[29 May 2023]

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\* Issued as received, in the language of submission only.



## **Bride Trafficking in South Asia and China's Dubious Role**

Our organisation would like to draw the attention of the United Nations Human Rights Council to the situation in South Asia, where bride trafficking still persists and, in some cases, is even rampant. This practice, which violates the human rights established by the Universal Declaration of Human Rights, is on the increase in the region despite numerous attempts by international organisations to eliminate it. The pervasive impunity and lack of adequate responses to this heinous crime remain a major challenge.

In Pakistan, bride trafficking mainly affects women and girls from ethnic minorities living in poor areas. Generally, on the margins of society in their own countries, with few opportunities for development, these marginalized and discriminated section of women and girls are extremely vulnerable and an easy prey for traffickers. Factors contributing to the vulnerability of women and girls include poverty, unemployment, insecurity, violence, and conflict, all of which create situations where marriage is seen as a social obligation, an economic necessity, or a means to a better life. Approached by illegal matchmaking agencies, families are lured by the promise of marriage to a rich Chinese man or the promise of a well-paid employment in China for their daughter. However, once the agreement has been reached and visa obtained, a real ordeal begins for these young women. The many testimonies gathered by local human rights organisations highlight the hell that these forced marriages lead to with domestic servitude, forced fertility treatments, physical and sexual abuse, forced labour and prostitution being a common occurrence. The growing crises ravaging the country, such as terrorism, social and economic crises, corruption, misgovernance and a deeply entrenched patriarchal mindset have only increased the risk of women and girls falling victim to this menace.

States aware of the problem affecting their populations are either powerless to address the situation, reluctant and more than often, complicit. In fact, for some countries, this represents an effective means of overcoming demographic disparity. This is particularly true for China. The one-child policy implemented between 1979 and 2015 in China, aimed at curbing demographic growth, has resulted in major social disparities within Chinese society. This social policy, reinforced by internal economic and socio-cultural factors, has created a gender imbalance and it is estimated that there are currently between 40 and 50 million "missing women"; women that were supposed to be born and alive today, but are not because of this policy. This disparity between the sexes undeniably encourages trafficking in women and girls. Men, particularly from modest and rural areas, are increasingly resorting to "importing" women from developing countries such as Pakistan, Viet Nam, and Myanmar. However, these women, who in most cases come from even poorer rural areas, often lured by the promise of a better life in China, end up as victims of human trafficking, not only for forced marriage but also for prostitution.

Pakistan, facing an unprecedented economic crisis, is seeing an increase in bride trafficking. The construction of the China-Pakistan Economic Corridor has strengthened the porous border between the two countries, facilitating illicit trade. Organized Crime, Human Trafficking and Sexual Exploitation; the China-Pakistan Economic Corridor has brought more than the people of Pakistan wished for. Illegal marriage centers set up by Pakistani and Chinese matchmakers have abused women, mainly from the Pakistani Christian community, with the promise of marriage to supposedly kind, wealthy and Christian Chinese men. Once married, these so-called "brides" find themselves forcibly recruited into huge prostitution networks. In 2019, an investigation by the Pakistani authorities revealed the scale of the problem and noted that more than 600 young Pakistani girls and women were sold as brides to Chinese men over a period of almost two years. The "fake Chinese marriages cases" affair shook Pakistani society, but bound hand and foot by the asymmetrical economic relationship between the two nations, the Pakistani authorities were unable to confront the Chinese authorities directly and decided to hush up the affair without providing any new solutions to prevent such attacks in the future. All the Chinese nationals arrested in the "fake Chinese marriages cases" affair were acquitted.

Human Rights Watch reported that the Chinese bride trafficking network established in Pakistan was unnervingly similar to that of other Asian countries, such as Viet Nam, Myanmar, Cambodia, the Lao People's Democratic Republic and the Democratic People's Republic of Korea. The creation of such human trafficking networks that operate with the sole purpose of providing Chinese men with women, in a most degrading and inhumane fashion, illustrates the devastating effect the one-child policy and its resulting gender imbalance has had not only in China, but in Asia as well. While both Pakistan and China have recognized the severity of the situation, neither has a particularly enviable track record when it comes to the protection of human rights, or women's rights.

Since the Taliban took power, the rate of child marriages, early marriages and forced marriages in Afghanistan has also risen drastically. Indeed, since the withdrawal of the international community and humanitarian aid, the dowry resulting from marriage constitutes an important - if not indispensable - financial windfall for Afghan families. Although considered by families as a "last resort", in particular to pay off debts owed to a third party or to obtain a source of income vital to the survival of the rest of the family, forced marriage is becoming increasingly widespread in the region. It is vital for the moral and physical integrity of Afghan women and girls that this Council pays the closest attention to this situation. In addition, the ban on women working and girls being educated facilitates early and forced marriage and it is therefore vital that women and girls once again have access to education and are allowed to work.

For many years, international organizations have been calling attention to this problem and countries have halfheartedly tried to put some safeguards in place to dismantle the trafficking of women and girls. However, these efforts are both inadequate and in decline, leaving vulnerable women under the grip of this trafficking. Taking advantage of State negligence and lax legal procedures, traffickers continue investing massively in this lucrative trade. According to fieldwork, non-governmental organizations have more information on forced, abusive and exploitative marriages than the criminal justice authorities due to the shame felt by the victims and the social consequences on one hand and on the other, because the legal framework surrounding these practices is often inadequate, or even punitive towards the victims. In Pakistan, despite the 2006 law for the protection of women, the crime of adultery - often invoked when a woman who has been raped is unable to prove the assault, as relationships outside marriage are prohibited - is punishable by 5 years' imprisonment and a fine.

Additionally, in international law, there is a legal vacuum surrounding forced marriages. As it has not been clearly defined, States are free to interpret and apply it in their national legal systems. Furthermore, the final version of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children does not mention forced marriages. The term "forced labor" includes cases of "forced marriage" or "marriage of convenience". Finally, the Protocol refers to "trafficking in persons under conditions analogous to slavery", thus encompassing trafficking for the purpose of domestic labor, "forced marriages" and "forced motherhood". China acceded to this final version, however, it has abstained from signing or ratifying the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.

Considering the recent and alarming deterioration of the condition of women in South Asia related to bride trafficking, it is imperative that the Human Rights Council seizes this issue by implementing all the punitive measures at its disposal. Therefore, we urge the Council to establish a Commission of Inquiry on China as well as fact-finding missions to accurately determine the extent of trafficking, the organizations involved and the role of government affiliated companies in this monstrous crime. A precise legal definition of "forced marriage" and "trafficking in wives", including abduction by deception, kidnapping, buying, selling, sending, receiving, and transferring for the purpose of sale of women, must also be incorporated into international law. As previous reports, such as the report on "Trafficking in women and girls: crises as risk multipliers" conducted under the aegis of the General Secretariat have not led to any reaction from the States in dispute, more drastic measures must now be adopted. China has made no mention of this direct violation of human rights in its third cycle Universal Periodic Review, further proof of its negligence and inaction regarding this crime.

In the absence of other voices to speak for them, the plight of these women deserves the close attention of this august Council, as does China's utter disregard for human rights. Both the UN and its member States must bolster their efforts to hold States accountable for the human rights violations they commit against their populations.

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The European Foundation for South Asian Studies, NGO(s) without consultative status, also share the views expressed in this statement.