MY FAVOURITE MOVIE AND CHINA'S ANTI-TRAFFICKING EFFORTS

The Chinese-language movie “Dearest” opened in September 2014 starring Zhao Wei, Huang Bo, Tong Dawei, Hao Lei, among others. According to film magazine, 'Screen Daily', the movie, directed by Peter Chan “topped the China box office for the week September 22-28 2015, grossing $15.85 m over its first four days.” From the title, you might think it is a romantic love story. No! It is not. It is based on a real case of child kidnapping. Among the last year’s new movies, this is my most favourite; not because of its cast, or because of the many awards it has won. As a child advocate in China for many years, I am more impressed with its proficiency to clearly and almost accurately draw the general picture of challenges and tensions in the current Chinese anti-trafficking movement. Its public education efforts are very effective, combining compelling story-telling and demonstrating the critical issues in anti-trafficking efforts.

The Movie: Dearest

Before I begin with my analysis about the challenges and tensions of anti-trafficking movement in China, I will start with the story first. A boy, named Tian Peng gets kidnapped. His parents Tian Wenjun (Huang Bo) and Lu Xiaojuan (Hao Lei) migrate to Shenzhen, the landmark city of China’s open and reform policy, to pursue their dreams. For some reason, this couple gets divorced. The Court ruled that the father will take custody of the boy. His father runs an electronic accessories store. One day, at the age of three, the boy gets kidnapped while he was alone on the streets. After the failure of business and marriage, Tian Peng is the only hope of his father Tian. The disappearance of Tian Peng nearly drives him mad. He starts a long winding journey in search of his son. This process is tortuous, but very typical among...
parents whose children are kidnapped or trafficked. He starts by putting his son’s photo on flyers, begs media outlets to publicize the search-notice, and mobilizes his friends and relatives to search street-by-street. He gets some information from different sources and travels to various cities to verify them. Among those who gave him information, some even aimed to cheat him for money. After some time, there was no news anymore. What he could do further is to leave his job and search for his son full-time. Meanwhile, his ex-wife’s life has also changed and she was having a hard time with her current husband. She also focuses on looking for Tian Peng.

As the media commented, no nightmare is more chilling than having one’s child stolen. For these parents, their distress is not just monetary and physical but also psychological. They are like a small leaf, adrift on the vast sea, aimlessly and hopelessly searching for their son. Tian Wenjun said, “I even miss the days of being cheated because the cheating information at least provided me some hope.” He said, hope was as important as meals for him. He needed it for searching his son. No single parent can sustain such a nightmare of a searching process. Fortunately, Tian found a group called Missing Child Support Group, composed of parents who share the same experience. He joins them and has a community to share sufferings and new information as well as to exchange encouragements and support in moments of desperation. This helps Tian sustain his efforts to hunt for his son. The Missing Child Support Group tries to cling on to any chance of finding their son. For example, when they heard that the police department had arrested new trafficker suspects, they went there so that they could get some information about the missing child from the suspects. Meaningful information, however, was hard to come by. Sometimes the information was found negative. For example, a suspect said that a boy trafficked during the time of Tian Peng’s disappearance was smothered to death as he was crying loudly on the train. Hearing this, the mood of Tian and Lu became as cold as ice.

In China, most infants, toddlers and young children are bought and sold for illegal adoption by families and not for commercial exploitation. Compared to many parents who are searching their kidnapped or trafficked children, Tian and Lu are lucky because they are among the only few who finally get their child back. After three years of self-blaming, searching and relentless efforts, they got another piece of information about their son. Tian and Lu travel to a small village in Anhui province, far away from Shenzhen. They were confident that the boy was their son after recognizing the mark on his forehead even though Tian Peng’s name had been changed to Yang Jigang and was being raised by a woman called Li Hongqin (Zhao Wei). Before the arrival of police Tian and Lu couldn’t wait to take Tian Peng out of the village. A fight ensues between the villagers on behalf of Li Hongqin and Tian Peng’s biological parents that was stopped till the police arrived. Li was then taken to the police department for investigation. The surveillance camera shows that Li’s husband Yang was suspected of kidnapping Tian Peng in Shenzhen and taking him to his village. Yang was already dead due to cancer. Li’s “adoption” proved to be illegal. Meanwhile, DNA matching test proved that Tian and Lu are Yang Jigang’s biological parents. Yang Jigang alias Tian Peng was handed back to his true parents.
The movie doesn’t stop here. It then moves to another tension or challenge faced by Tian and Lu after the return of Tian Peng. The three years of separation has changed the relationship between the parents and son. Tian Peng has little memory of his biological parents. Instead, he has established close relationship with Li and his sister Jifang. At the police department, he even asks the police to punish his biological parents for “kidnapping” him away from Li. While living with his biological parents, Tian Peng was unhappy. Tian and Lu face a real challenge for integrating Tian Peng back to their life.

For Li, her situation is even more terrible. She and her husband Yang were infertile. When Tian Peng was handed back to his parents, the girl Jifang was also taken from Li and was placed at the State-run Child Welfare Institute. She lost both the children whom she had treated as her own children. It is obvious that she couldn’t get Jifang (Tian Peng) back because the police had found his parents. Her only hope was with the girl Jifang. Her husband had told her that Jifang was an abandoned baby. She thought if she was abandoned her parents would never come back to pick her up. In order to have Jifang back, she tried all her efforts to fight with police, to collect evidence of Jifang being abandoned, to hire a lawyer to sue the State-owned Child Welfare Institute. Unfortunately, all these efforts proved to be futile because her husband was suspected of being a child trafficker.

Beyond the Movie: Child Trafficking

Now let’s focus on the overall situation of child kidnapping or trafficking in China and some of the anti-trafficking efforts taken by the government and the civil society organizations. According to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000), child trafficking is defined as the “recruitment, transportation, transfer, harbouring, and/or receipt” of a child for the purpose of exploitation.

The child trafficking situation in China is a little bit different from the rest of the world or more complicated. In China, most infants, toddlers and young children are sold and bought for illegal adoption by families and is not for commercial exploitation. Infants and toddlers are either abandoned or sold by their parents, or stolen or kidnapped by traffickers. This strange phenomenon might result from factors such as Chinese family-planning policy, the rise of infertile rate and preference for boys. But it creates paradox for child replacement after they are rescued by the police. More on that later. For older children, most of them are trafficked for the purpose of prostitution, forced labour or for commercial exploitation. These children are usually cheated by online friends or by job intermediaries or they choose to run away due to abuse at home or lack of family care. In addition, based on the information released by police, most children begging on streets are either rented from or taken out by their own parents. Only some of them are trafficked to beg.
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This movie touches on one type of trafficking in China that of toddlers getting kidnapped for illegal adoption. The story of Tian Peng and Jifang clearly demonstrates the paradox of re-placement. Usually it takes several years for the trafficked children to be found by their biological parents. In Tian Peng’s case, it is comparatively short, three years. It showed that the reintegration into his biological parents’ family is very challenging. These kids usually establish close connection with their illegal parents. But it is morally and legally unacceptable to give them back to the illegal families. In Jifang’s case, there is no matching DNA information of parents in the data base. It is not sure whether she was abandoned by her parents or her parents didn’t know how to go for DNA sampling with the police department. According to the law, due to the indeterminate status of her guardianship, she can only be placed for foster care, not for adoption. There are a large number of children rescued by police who cannot get a long-term placement. Some of them have been placed in the State-run Child Welfare Institute for foster care over five years, which is definitely not good for their well-being.

You may also have a question about the role of police when you watch the movie. Why do these parents need to hunt for their children by themselves? After Tian Peng disappeared for three hours his father turned to police for help. But the police said they couldn’t start the investigation until 72 hours later. Due to this delay, police missed out on the right time to find the boy at the railway station. This was the police practice in dealing with child trafficking report before 2011.

On August 15th 2011, the General Office of the State Council issued a new policy called Opinions on Strengthening and Improving the Protection and Assistance to Street Children which requires the police departments to immediately conduct investigation once they get a report of suspected child trafficking. It also required police departments to take and keep DNA data of these parents without any charge. This is a great step for Chinese anti-trafficking of children. Before the issuance of this Opinion another meaningful step taken by the government was to establish the Anti-trafficking Office under the Ministry of Public Security in December 2007. Headed by Mr. Chen Shiqu, the Office is very committed to pushing
and enabling the police across the country to be more responsive to trafficking cases through developing National Anti-trafficking Plan, building partnerships with the civil society organizations and media outlets, and opening social media platforms to get case reports. In fact, the establishment of the Anti-trafficking Office was inspired by the civil-society-based anti-trafficking campaign. The issuance of the Opinion is the result of joint efforts of the Office and civil society organizations.

Child trafficking is one of the top concerns in China. The efforts described above are far behind the expectation of the public. There are still many questions in need of systematic response. How to protect children being abused or neglected? How to enable the society to know that a family has bought a child, at the first instance? How to prevent parents from abandoning and/or exploiting their children? These questions all point to the role of the state in ensuring the quality of child family care. On December 18th 2014, the Supreme People’s Court, the Supreme People’s Procuratorate, the Ministry of Public Security and the Ministry of Civil Affairs issued the Opinion on Several Issues in Handling Guardians’ Violations of Minors’ Rights and Interests in Accordance with Law which asks State intervention in some serious cases of violation by family members and establishes mandatory report systems for minors’ rights violation. Meanwhile, the Regulation on Child Welfare is in the drafting process which is expected to specify the role of State in family care support. Hopefully, with such comprehensive efforts, child trafficking will be substantially reduced in China in the near future.