

## POPULATION CONTROL

*International Standards and China's Coercive Population Policies*

During the Commission's 2018 reporting year, Chinese authorities continued to implement coercive population control policies that violate international standards. The Chinese Communist Party and government authorities implemented for the third year in 2018 the "universal two-child policy" that allows all married couples to have two children.<sup>1</sup> The amended PRC Population and Family Planning Law and provincial-level regulations continued to limit couples' freedom to build their families as they see fit, and include provisions that require couples to be married to have children and limit them to bearing two children.<sup>2</sup> Exceptions allowing for additional children exist for couples who meet certain criteria, which vary by province, including some exceptions for ethnic minorities,<sup>3</sup> remarried couples, and couples who have children with disabilities.<sup>4</sup> Officials reportedly continued to enforce compliance with family planning policies using methods including heavy fines,<sup>5</sup> job termination,<sup>6</sup> detention,<sup>7</sup> and abortion.<sup>8</sup>

Coercive controls imposed on Chinese women and their families, and additional abuses engendered by China's population and family planning system, violate standards set forth in the 1995 Beijing Declaration and Platform for Action and the 1994 Programme of Action of the Cairo International Conference on Population and Development.<sup>9</sup> China was a state participant in the negotiation and adoption of both.<sup>10</sup> Acts of official coercion committed in the implementation of population control policies contravene provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>11</sup> which China has ratified.<sup>12</sup>

*Implementation of the Universal Two-Child Policy and Institutional Developments*

The Chinese Communist Party and government implemented the "universal two-child policy" for a third consecutive year in 2018,<sup>13</sup> and government statistics showed that the policy was not effective in spurring population growth. In 2016, the National Health and Family Planning Commission (NHFPC) predicted that the universal two-child policy would result in population growth,<sup>14</sup> with an additional 3 million children born per year<sup>15</sup> and an estimated total of 17.5 to 21 million children born per year during the 13th Five-Year Plan period (2016–2020).<sup>16</sup> According to data released by the National Bureau of Statistics of China (NBS) in January 2018, the number of total births in 2017 was 17.23 million, showing a decline of 630,000 births in comparison to the 2016 figure of 17.86 million.<sup>17</sup>

Population experts warned that the decline in births would continue and expected a 300,000 to 800,000 annual drop in the newborn population over the next 10 years,<sup>18</sup> a trend that could pose a long-term threat to China's development and may generate a heavier burden on social services due to an aging population and shrinking workforce.<sup>19</sup> Some experts attributed the decline in births to the shrinking number of women of childbearing age and the reluctance on the part of many married couples to have chil-

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dren.<sup>20</sup> Concerns that discouraged couples from having children reportedly included the high cost of rearing a child,<sup>21</sup> lack of adequate child care and education options,<sup>22</sup> lack of time and energy to look after children,<sup>23</sup> and disruption to career development.<sup>24</sup> Population experts and National People's Congress delegates urged the Chinese government to further relax the existing policy by adopting a three-child policy or ending all birth restrictions, abolish "social compensation fees," and offer incentives or supporting policies, such as tax breaks and subsidies, to encourage couples to have more children.<sup>25</sup>

During this reporting year, central Party and government officials pledged to strengthen supporting policies that facilitate implementation of family planning policies, and stressed the need for research into population development and evaluation of the universal two-child policy. At the 19th National Congress of the Chinese Communist Party held in October 2017, Party General Secretary Xi Jinping promoted the "dovetailing of family planning policies with relevant economic and social supporting policies" and "strengthening strategic research into population development."<sup>26</sup> Xi also emphasized in his speech the need to "proactively deal with the aging population."<sup>27</sup> In a detailed January 2018 response to Xi's speech, Li Bin, then director of the National Health and Family Planning Commission (NHFPC), pledged to "improve population policies to promote balanced population development . . . . Continue to implement well the universal two-child policy to achieve [its] policy effectiveness . . . . Dovetail family planning policies with social and economic supporting policies in taxation, housing, employment, . . . [and] childcare services . . . . Strengthen strategic research into population development by conducting fertility surveys and evaluation of the universal two-child policy, in order to scientifically judge the demographic situation."<sup>28</sup> This past year, some local governments introduced supporting policies—including longer paid maternity leave, financial incentives and subsidies, and other benefits—to encourage couples to have a second child.<sup>29</sup>

At the annual meetings of the National People's Congress (NPC) and Chinese People's Political Consultative Conference (CPPCC) in March 2018, central authorities issued a plan to restructure Party and government agencies, including merging the NHFPC and several other agencies to create a new National Health Commission (NHC) under the State Council.<sup>30</sup> According to the restructuring plan, the NHC will assume oversight of responsibilities related to family planning management and services, in addition to managing an aging population and other health-related matters.<sup>31</sup> Some observers suggested that the restructuring plan indicates the central authorities have deemphasized birth control in favor of actively tackling the demographic issue of an aging population.<sup>32</sup> Other observers saw it as an indication that authorities plan to eventually eliminate birth limit policies.<sup>33</sup> This past year, domestic and international news media reported that experts from academic institutions affiliated with the Party and government, as well as a Shaanxi provincial government report on population development, have called for ending the birth limit policies.<sup>34</sup> The NHC reportedly stated that authorities were considering ending the two-child birth limit.<sup>35</sup>

According to a May 2018 Bloomberg News report, central government authorities were considering and may have reached a decision to end birth limit policies due to demographic concerns of a declining birth rate, an aging population, and a shrinking workforce.<sup>36</sup> The report also cited international criticism of the policies as a factor in the decision.<sup>37</sup> Chinese authorities reportedly may replace the existing birth limit policies with one of “independent fertility,” allowing couples to decide for themselves the number of children to have.<sup>38</sup> According to the report, a decision may be announced toward the end of 2018 or in 2019.<sup>39</sup> Demographic experts and other observers, however, commented that a decision to lift all birth limits comes too late and would do little to reverse demographic trends that could have adverse effects on China’s economic development.<sup>40</sup> One American human rights advocate expressed concern that authorities could still coerce unwed mothers to pay large fines or undergo abortions, even if the birth limit policies are abolished.<sup>41</sup> [For more information on the demographic consequences of China’s population control policies, see Demographic Consequences of Population Control Policies later in this section.]

#### *Coercive Implementation*

Abuses committed during the implementation of family planning policies continued during the Commission’s 2018 reporting year. The amended PRC Population and Family Planning Law contains provisions that prohibit officials from infringing upon the “legitimate rights and interests” of citizens while implementing family planning policies.<sup>42</sup> Some provincial-level population planning regulations and local government authorities, however, continued to explicitly instruct officials to carry out abortions, often referred to as “remedial measures” (*bujiu cuoshi*), for illegal pregnancies.<sup>43</sup>

#### OFFICIAL CAMPAIGNS

During this reporting year, official speeches and government reports from provinces across China—including Anhui,<sup>44</sup> Fujian,<sup>45</sup> Guangdong,<sup>46</sup> Hubei,<sup>47</sup> Hunan,<sup>48</sup> and Sichuan<sup>49</sup>—continued to promote implementation of harsh and invasive family planning measures. Some local government authorities placed an emphasis on birth limits and adherence to family planning as a “basic national policy”<sup>50</sup> and stressed the need to “maintain a low birth level.”<sup>51</sup> Other official reports emphasized the need to strictly control and punish illegal births<sup>52</sup> and implement “remedial measures” to address illegal pregnancies.<sup>53</sup> Some local authorities imposed targets,<sup>54</sup> instructed family planning officials to carry out the invasive “three inspections” (intrauterine device (IUD), pregnancy, and health inspections)<sup>55</sup> and “four procedures” (IUD insertion, first-trimester abortion, mid- to late-term abortion, and sterilization),<sup>56</sup> and demanded the collection of “social compensation fees” (*shehui fuyang fei*).<sup>57</sup> In one example, a government report from Longhui county, Shaoyang municipality, Hunan, indicated that as of December 6, 2017, county authorities had carried out 290 “birth-control” operations during the winter of 2017—204 IUD insertions, 19 sterilizations, and 67 abortions.<sup>58</sup> County authorities also collected

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nearly 2.76 million yuan (approximately US\$437,000) in “social compensation fees.”<sup>59</sup>

### PUNISHMENT FOR NONCOMPLIANCE

Chinese authorities continued to use various methods of punishment to enforce citizens’ compliance with population planning policies. In accordance with national-level legal provisions,<sup>60</sup> local regulations and governments have directed officials to punish non-compliance through heavy fines, termed “social compensation fees,” which reportedly compel women to choose between undergoing an unwanted abortion and incurring a fine<sup>61</sup> often much greater than the average annual income in localities across China.<sup>62</sup> This past year, Chinese citizens continued to file administrative lawsuits against family planning agencies pertaining to the collection of “social compensation fees” from married couples who gave birth to a second child in violation of previous family planning policies and birth limits.<sup>63</sup> In recent years, population experts and observers have repeatedly called on government authorities to abolish “social compensation fees.”<sup>64</sup>

In addition to fines, officials imposed or threatened other punishments for family planning violations. These punishments included job termination,<sup>65</sup> detention,<sup>66</sup> and forced abortion.<sup>67</sup> The PRC Population and Family Planning Law prohibits, and provides punishments for, officials’ infringement on citizens’ personal, property, and other rights while implementing family planning policies.<sup>68</sup>

### Cases of Coercion

• **Xinjiang Uyghur Autonomous Region (XUAR).** According to two February 2018 ChinaAid Association (ChinaAid) reports, on January 5, 2018, family planning authorities in Burultoqay (Fuhai) county, Altay (Aletai) district, Ili (Yili) Kazakh Autonomous Prefecture, XUAR, detained ethnic Kazakh woman Kuliziya Mogudong for bearing a child in excess of birth quotas and forced her to undergo an abortion at a local hospital.<sup>69</sup> Authorities subsequently released Mogudong after the procedure and confiscated her passport and other legal documents.<sup>70</sup> A week later, Mogudong returned to the hospital due to physical weakness and nervousness.<sup>71</sup> After about 10 days, Mogudong asked to be released, but authorities denied her request, saying she had tuberculosis.<sup>72</sup> According to a May 2018 ChinaAid report, Mogudong remained in “soft detention” at her home until May 8, when authorities permitted Mogudong to leave for Kazakhstan to reunite with her husband Oman Anshakhan.<sup>73</sup> Local public security officials also detained Mogudong’s two older brothers—including Tursun, a local imam, on January 27—at unknown locations.<sup>74</sup> As of May 2018, Mogudong’s brothers remained in detention.<sup>75</sup> Anshakhan, a naturalized citizen of Kazakhstan, said he and Mogudong had not violated China’s family planning policies.<sup>76</sup>

• **Guangdong province.** According to December 2017 reports by state-funded news media The Paper and Party-run media Global Times, authorities in Guangzhou municipality, Guangdong, determined that a local government official surnamed Xiong had violated family planning policies and threatened to expel him from the Chinese Communist Party and terminate his job.<sup>77</sup> In November 2015, Xiong’s wife gave birth to their second child in the United States, before the universal two-child policy became effective in January 2016.<sup>78</sup> The couple reported the birth of the second child to their respective employers after they had returned to China in 2016.<sup>79</sup> Xiong’s employer referred the case to the Guangzhou Municipal Health and Family Planning Commission, which determined in January and September 2017 that the second child was born in violation of family planning laws and policies.<sup>80</sup> The Guangzhou Municipal Discipline Inspection Commission further determined that Xiong should be expelled from the Party and be dismissed from his job, in accordance with national and provincial provisions.<sup>81</sup> As of December 11, 2017, Xiong was still waiting for a final decision to be issued regarding this case.<sup>82</sup> In response to concerns that some local provisions mandating job termination for excess births violated national laws, the Legislative Affairs Commission of the National People’s Congress Standing Committee issued a statement in September 2017 urging seven provinces, including Guangdong, to amend their local family planning regulations.<sup>83</sup> As of April 2018, some provincial authorities had amended their family planning regulations accordingly, while others indicated that they had plans to do so.<sup>84</sup>

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### Cases of Coercion—Continued

• **Hebei province.** According to an April 2018 Wall Street Journal report, in or around March 2018, a high school teacher surnamed Sun—who had discovered that she was pregnant with a third child in March—in Tangshan municipality, Hebei, contacted the local family planning agency to inquire whether a third child was allowed in light of the central Party and government authorities’ March 2018 restructuring plan to create the new National Health Commission.<sup>85</sup> The local family planning agency reportedly indicated that a third child was still not allowed, and as a government worker, Sun would be fined and probably be dismissed from her job for violating family planning policies.<sup>86</sup> A few days after the phone call, Sun reportedly terminated the pregnancy by swallowing a pill.<sup>87</sup>

### *Demographic Consequences of Population Control Policies*

Decades of population control policies have exacerbated China’s demographic challenges, which include a rapidly aging population, shrinking workforce, and sex ratio imbalance. Affected in recent decades by government restrictions on the number of births per couple, China’s total fertility rate has dropped from approximately 3 births per woman in the late 1970s<sup>88</sup> to an estimated 1.6 births per woman in 2017, below the replacement rate of 2.1 births per woman necessary to maintain a stable population.<sup>89</sup> A U.S.-based Chinese demographer estimated that the 2017 fertility rate may have been as low as 1.24 births per woman.<sup>90</sup> The fertility rate is even lower in some major cities, such as Shanghai municipality, which has had a fertility rate of approximately 0.7 births per woman for several years, reportedly one of the lowest in the world.<sup>91</sup>

China’s low fertility rate has contributed to a rapidly aging population and a shrinking workforce. According to the National Bureau of Statistics of China (NBS), from 2016 to 2017, China’s working-age population (persons between the ages of 16 and 59) declined by 5.48 million people to 901.99 million, continuing a downward trend for a sixth consecutive year.<sup>92</sup> During the same period, the elderly population (persons aged 60 or older) increased by 10.04 million in 2017 to 240.90 million people, or 17.3 percent of the total population.<sup>93</sup> According to the State Council National Population Development Plan (2016–2030), China’s working-age population is expected to decline rapidly from 2021 to 2030, while the elderly population will increase markedly during the same period and is predicted to reach a quarter of the population by 2030.<sup>94</sup> Some observers suggested that the elderly population would account for approximately one-third of China’s total population by 2050.<sup>95</sup> These demographic trends reportedly may burden China’s health care, social services, and pension systems,<sup>96</sup> and weaken China’s economy.<sup>97</sup>

The Chinese government’s restrictive family planning policies also have exacerbated China’s sex ratio imbalance. Although Chinese authorities continued to implement a ban on “non-medically necessary sex determination and sex-selective abortion,”<sup>98</sup> some people reportedly continued the practice in keeping with a tradi-

tional cultural preference for sons.<sup>99</sup> According to a January 2018 NBS report, China's overall sex ratio in 2017 was 104.81 males to 100 females, and there were approximately 32.66 million more males than females in China (711.37 million males to 678.71 million females).<sup>100</sup> The NBS reported that the sex ratio at birth (SRB) in 2015 was 113.51 males to 100 females,<sup>101</sup> but it did not provide statistics on the SRB for 2016 and 2017 during which the universal two-child policy was implemented.<sup>102</sup> Demographic experts have expressed concerns that the sex ratio imbalance in China could lead to "violent crime,"<sup>103</sup> "sex crimes," "trafficking of women,"<sup>104</sup> and "social instability."<sup>105</sup> This past year, international media reports continued to suggest a link between China's sex ratio imbalance and the trafficking of foreign women—from countries including Burma (Myanmar),<sup>106</sup> Cambodia,<sup>107</sup> North Korea,<sup>108</sup> and Vietnam<sup>109</sup>—into China for forced marriage or commercial sexual exploitation. [For more information on cross-border trafficking, see Section II—Human Trafficking.]

Reports also indicate that decades of birth limits under China's population control policies combined with a traditional preference for sons may have encouraged a black market for illegal adoptions.<sup>110</sup> In January 2018, the Maoming Municipal Intermediate People's Court in Guangdong province sentenced 18 people for "child trafficking" and 8 others for "buying a trafficked child."<sup>111</sup> According to reports, the trafficking ring acquired infants in Funing county, Wenshan Zhuang and Miao Autonomous Prefecture, Yunnan province, and other locations, and sold them for 73,000 yuan to 98,000 yuan (approximately US\$11,600 to \$15,555).<sup>112</sup> Despite government efforts to combat "child trafficking," illegal adoptions reportedly continued to occur, and the problem appeared to have worsened in recent years.<sup>113</sup> [For inconsistencies in the definition of "child trafficking" between Chinese law and international standards, see Section II—Human Trafficking.]

### Notes to Section II—Population Control

<sup>1</sup>National Health and Family Planning Commission, “December 12, 2016, National Health and Family Planning Commission Regular Press Conference Text Record” [2016 nian 12 yue 12 ri guojia weisheng jishengwei lixing xinwen fabuhui wenzi shilu], 12 December 16; PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, amended 27 December 15, effective 1 January 16, art. 18.

<sup>2</sup>PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, amended 27 December 15, effective 1 January 16, art. 18. Article 18 of the Population and Family Planning Law provides that, “the state advocates two children per married couple.” For provincial population regulations that require couples be married to have children and limit them to bearing two children, see, e.g., Fujian Province People’s Congress Standing Committee, Fujian Province Population and Family Planning Regulations [Fujian sheng renkou yu jihua shengyu tiaoli], issued 29 April 88, amended 28 June 91, 25 October 97, 18 November 00, 26 July 02, 14 December 12, 29 March 14, 19 February 16, 24 November 17, arts. 8, 12; Guangxi Zhuang Autonomous Region People’s Congress Standing Committee, Guangxi Zhuang Autonomous Region Population and Family Planning Regulations [Guangxi zhuang zu zizhi renkou he jihua shengyu tiaoli], issued 23 March 12, amended 13 January 14, 15 January 16, art. 13.

<sup>3</sup>See, e.g., Fujian Province People’s Congress Standing Committee, Fujian Province Population and Family Planning Regulations [Fujian sheng renkou yu jihua shengyu tiaoli], issued 29 April 88, amended 28 June 91, 25 October 97, 18 November 00, 26 July 02, 14 December 12, 29 March 14, 19 February 16, 24 November 17, art. 9(4)–(5); Heilongjiang Province People’s Congress Standing Committee, Heilongjiang Province Population and Family Planning Regulations [Heilongjiang sheng renkou yu jihua shengyu tiaoli], issued 18 October 02, amended 13 December 13, 22 April 14, 17 April 15, 21 April 16, art. 13.

<sup>4</sup>For provincial population planning provisions that allow these exceptions for having an additional child, see, e.g., Fujian Province People’s Congress Standing Committee, Fujian Province Population and Family Planning Regulations [Fujian sheng renkou yu jihua shengyu tiaoli], issued 29 April 88, amended 28 June 91, 25 October 97, 18 November 00, 26 July 02, 14 December 12, 29 March 14, 19 February 16, 24 November 17, art. 9(1)–(3); Guangxi Zhuang Autonomous Region People’s Congress Standing Committee, Guangxi Zhuang Autonomous Region Population and Family Planning Regulations [Guangxi zhuang zu zizhi renkou he jihua shengyu tiaoli], issued 23 March 12, amended 13 January 14, 15 January 16, art. 14(1)–(5); Jiangxi Province People’s Congress Standing Committee, Jiangxi Province Population and Family Planning Regulations [Jiangxi sheng renkou yu jihua shengyu tiaoli], issued 16 June 90, amended 30 June 95, 20 June 97, 29 July 02, 27 March 09, 16 January 14, 20 January 16, reprinted in *People’s Daily*, 2 February 16, art. 9(2)–(3).

<sup>5</sup>See, e.g., Chen Hong, Longhui County Health and Family Planning Bureau, “Inspection Report for the 2018 Annual Family Planning Quality Service Activities During Winter and Spring” [2018 niandu jihua shengyu dong chun ji youzhi fuwu huodong de ducha tongbao], reprinted in *Longhui News*, 19 December 17; Qichun County People’s Government, “Qingshi Township 2018 Government Work Report” [Qingshi zhen 2018 nian zhengfu gongzuo baogao], 19 January 18.

<sup>6</sup>See, e.g., Yin Han, “Experts Call for Official Leniency Toward Parents of Illegal Second Child,” *Global Times*, 12 December 17; Zhao Meng, “Worker in Guizhou Fired Last Month for Having a Child in Excess of Birth Quotas 3 Years Ago, One Week Later ‘Excess Child Job Termination’ Provision Abolished” [Guizhou yi zhigong 3 nian qian chaosheng shang yue bei kai, yi zhou hou “chaosheng kaichu” tiaokuan feizhi], *The Paper*, 4 April 18.

<sup>7</sup>See, e.g., Qiao Nong, *ChinaAid*, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang muslim yunfu bei qiangzhi duotai gege ahong bei baofuxing jubu], 4 February 18.

<sup>8</sup>See, e.g., Qiao Nong, *ChinaAid*, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang muslim yunfu bei qiangzhi duotai gege ahong bei baofuxing jubu], 4 February 18. See also Liyan Qi and Fanfan Wang, “A Limit to China’s Economic Rise: Not Enough Babies,” *Wall Street Journal*, 29 April 18.

<sup>9</sup>Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women on 15 September 95, and endorsed by UN General Assembly resolution 50/203 on 22 December 95, Annex I, paras. 9, 17. The Beijing Declaration states that governments which participated in the Fourth World Conference on Women reaffirmed their commitment to “[e]nsure the full implementation of the human rights of women and of the girl child as an inalienable, integral and indivisible part of all human rights and fundamental freedoms;” (Annex I, para. 9) and “[t]he explicit recognition and reaffirmation of the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment (Annex I, para. 17). Programme of Action adopted by the Cairo International Conference on Population and Development, 13 September 94, paras. 7.2, 8.25. Paragraph 7.2 states, “Reproductive health therefore implies that people . . . have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the right of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice . . .” Paragraph 8.25 states, “In no case should abortion be promoted as a method of family planning.” For coercive controls imposed on Chinese women and their families, see, e.g., Qiao Nong, *ChinaAid*, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang muslim yunfu bei qiangzhi duotai gege ahong bei baofuxing jubu], 4 February 18; Chen Hong, Longhui County Health and Family Planning Bureau, “Inspection Report for the 2018 Annual Family Planning Quality Service Activities During Winter and Spring” [2018 niandu jihua shengyu dong chun ji youzhi fuwu huodong de ducha tongbao], reprinted in *Longhui News*, 19 December 17.



<sup>10</sup>United Nations, Report of the Fourth World Conference on Women, A/CONF.177/20/Rev.1, 15 September 95, chap. II, para. 3; chap. VI, para. 12. China was one of the participating States at the Fourth World Conference on Women, which adopted the Beijing Declaration and Platform for Action. United Nations Population Information Network, Report of the International Conference on Population and Development (ICPD), A/CONF.171/13, 18 October 94, chap. II, sec. C; chap. VI, sec. 1. China was one of the participating States at the ICPD, which reached a general agreement on the Programme of Action. The Programme of Action is provided as an annex to the above ICPD report.

<sup>11</sup>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by UN General Assembly resolution 39/46 of 10 December 84, entry into force 26 June 87, art. 1; UN Committee against Torture, Concluding Observations on the Fifth Periodic Report of China, adopted by the Committee at its 1391st and 1392nd Meetings (2–3 December 2015), CAT/C/CHN/CO/5, 3 February 16, para. 51. In 2016, the UN Committee against Torture noted its concern regarding “reports of coerced sterilization and forced abortions, and . . . the lack of information on the number of investigations into such allegations . . . [and] the lack of information regarding redress provided to victims of past violations.” For acts of coercion committed in the implementation of population planning policies, see, e.g., Qiao Nong, ChinaAid, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang musulin yunfu bei qiangzhi duotai gege along bei baofuxing jubu], 4 February 18.

<sup>12</sup>United Nations Treaty Collection, Chapter IV, Human Rights, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, last visited 12 July 18. China signed the Convention on December 12, 1986, and ratified it on October 4, 1988.

<sup>13</sup>PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, amended 27 December 15, effective 1 January 16, art. 18.

<sup>14</sup>National Health and Family Planning Commission, “Text Record of Director Li Bin and Others Answering Journalists’ Questions Regarding ‘The Implementation of the Universal Two-Child Policy’” [Li bin zhuren deng jiu “shishi quanmian lianghai zhengce” da jizhe wen wenzi shilu], 8 March 16.

<sup>15</sup>“Three Million Additional Births Per Year With the Universal Two-Child Policy, Chinese Officials Say” [Zhongguo guanfang shuo, kaifang ertai mei nian duo sheng sanbai wan ren], Radio Free Asia, 10 November 15.

<sup>16</sup>National Health and Family Planning Commission, “Department of Community Family Planning Official Answers Questions From Health News and China Population Daily Journalists Regarding the Number of Births in 2015” [Zhidaosi fuzeren jiu 2015 nian chusheng renkou shu da jiankang bao, zhongguo renkou bao jizhe wen], 20 January 16.

<sup>17</sup>National Bureau of Statistics of China, “The Economy Was Stable in 2017, and Exceeded Expectations” [2017 nian jingji yunxing wen zhong xiang hao, hao yu yuqi], 18 January 18; Ma Danmeng and Han Wei, “Couples Not Delivering on Beijing’s Push for Two Babies,” Caixin, 18 January 18. For the total number of births in 2016, see National Bureau of Statistics of China, “National Economy Achieved a Good Start for the ‘13th Five-Year Plan’ Period in 2016” [2016 nian guomin jingji shixian “shisan wu” lianghao kaiju], 20 January 17.

<sup>18</sup>Ma Danmeng and Han Wei, “Couples Not Delivering on Beijing’s Push for Two Babies,” Caixin, 18 January 18; Liang Jianzhang and Huang Wenzheng, “Birth Population Avalanche, Need To Cut Taxes and Provide Subsidies To Encourage Having More Children” [Chusheng renkou xuebeng wei yao haizi jianshui he butie], Caixin, 18 January 18; “China’s Declining Birth Rate Requires Policy Change,” Xinhua, 25 January 18.

<sup>19</sup>“China Sounds Population Alarm: It Is Imperative To End Birth Restrictions” [Zhongguo laxiang renkou jingbao: quanmian fangkai shengyu shizai bixing], Radio Free Asia, 26 January 18; Issaku Harada, “China’s Falling Births Expose Limits of ‘Two-Child Policy,’” Nikkei Asian Review, 23 January 18.

<sup>20</sup>“China Sounds Population Alarm: It Is Imperative To End Birth Restrictions” [Zhongguo laxiang renkou jingbao: quanmian fangkai shengyu shizai bixing], Radio Free Asia, 26 January 18; “China’s Declining Birth Rate Requires Policy Change,” Xinhua, 25 January 18; He Keyao, “Chinese Youth Say No to Having Kids on the Grounds of Financial Pressure, Happiness and Career Development,” Global Times, 6 February 18.

<sup>21</sup>“China Sounds Population Alarm: It Is Imperative To End Birth Restrictions” [Zhongguo laxiang renkou jingbao: quanmian fangkai shengyu shizai bixing], Radio Free Asia, 26 January 18; “China’s Declining Birth Rate Requires Policy Change,” Xinhua, 25 January 18; Feng Xixi, “Anxiety Over Having Two Children? 75% of Those Surveyed Believe the Pressure Can Be Controlled” [Sheng er hai hen jiaolu? 75% shoufang zhe renwei yali kekong], Jinyang Net, 22 February 18.

<sup>22</sup>Feng Xixi, “Anxiety Over Having Two Children? 75% of Those Surveyed Believe the Pressure Can Be Controlled” [Sheng er hai hen jiaolu? 75% shoufang zhe renwei yali kekong], Jinyang Net, 22 February 18; “China’s Declining Birth Rate Requires Policy Change,” Xinhua, 25 January 18; Issaku Harada, “China’s Falling Births Expose Limits of ‘Two-Child Policy,’” Nikkei Asian Review, 23 January 18.

<sup>23</sup>Leta Hong Fincher, “China Dropped Its One-Child Policy. So Why Aren’t Chinese Women Having More Babies?” New York Times, 20 February 18.

<sup>24</sup>He Keyao, “Chinese Youth Say No to Having Kids on the Grounds of Financial Pressure, Happiness and Career Development,” Global Times, 6 February 18; “China’s Declining Birth Rate Requires Policy Change,” Xinhua, 25 January 18.

<sup>25</sup>“China Sounds Population Alarm: It Is Imperative To End Birth Restrictions” [Zhongguo laxiang renkou jingbao: quanmian fangkai shengyu shizai bixing], Radio Free Asia, 26 January 18; Zhang Hui, “Latest Population Data Prompts Call for China’s Family Planning Policy To Be Abolished,” Global Times, 20 March 18; Paul Yip, “Does China Actually Need More Children To Replace Its Declining Working-Age Population?” South China Morning Post, 28 January 18;

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Zhang Hui, “Lawmaker Urges Lower Income Tax for Two-Child Families,” *Global Times*, 16 March 18.

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<sup>28</sup>Li Bin, “Implement the Healthy China Strategy (Earnestly Study, Promote, and Implement the Spirit of the Party’s Nineteenth Party Congress)” [Shishi jiankang zhongguo zhanlue (renzhen xuexi xuanchuan guanchedang de shijiuda jingshen)], *People’s Daily*, 12 January 18.

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<sup>30</sup>“Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfu “shenhua dang he guojia jigou gaige fang’an”], *Xinhua*, 21 March 18, sec. 3(28); State Council, Institutional Reform Plan [Guowuyuan jigou gaige fang’an], 17 March 18, sec. 1(5).

<sup>31</sup>“Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfu “shenhua dang he guojia jigou gaige fang’an”], *Xinhua*, 21 March 18, sec. 3(28); State Council, Institutional Reform Plan [Guowuyuan jigou gaige fang’an], 17 March 18, sec. 1(5).

<sup>32</sup>Liyan Qi and Fanfan Wang, “China’s Notorious Family Planning Agency Fades Into History,” *Wall Street Journal*, 14 March 18; “An Old Official’ Ma Xiaowei at the Helm of the National Health Commission, What Changes Can [He] Bring?” [“Lao jiang” ma xiaowei zhangduo guojia weisheng jiankang weiyuanhui, neng dailai shenme gaibian?], *Pharmacodia*, 20 March 18; Goh Sui Noi, “NPC 2018: China Proposes Sweeping Reorganisation of Cabinet,” *Straits Times*, 13 March 18; “China Establishes New National Health Commission, Dismantles NHFPC” [Zhongguo xin she guojia weisheng jiankang weiyuanhui chexiao weijiwei], *Duowei News*, 13 March 18. See also “Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfu “shenhua dang he guojia jigou gaige fang’an”], *Xinhua*, 21 March 18, sec. 3(28); State Council, Institutional Reform Plan [Guowuyuan jigou gaige fang’an], 17 March 18, sec. 1(5).

<sup>33</sup>Liyan Qi and Fanfan Wang, “China’s Notorious Family Planning Agency Fades Into History,” *Wall Street Journal*, 14 March 18; Zhang Hui, “China To Dismantle Family Planning Commission,” *Global Times*, 13 March 18; Zhang Hui, “Latest Population Data Prompts Call for China’s Family Planning Policy To Be Abolished,” *Global Times*, 20 March 18.

<sup>34</sup>Wang Jun, “China Human Resources and Social Security Magazine Article: Time To End Birth Limit Policies Without Delay” [“Zhongguo renli ziyuan shehui baozhang” zazhi kanwen: quanmian fangkai shengyu kebu ronghuan], *The Paper*, 21 July 18; Wang Jun, “Shaanxi Issues 2017 Population Development Report, Suggests Ending Birth Limit Policy at an Appropriate Time” [Shaanxi 2017 nian renkou fazhan baogao fabu, jianyi shishi quanmian fangkai jihua shengyu], *The Paper*, 21 July 18; Xi Yue, “Chinese Province Suggests Ending Birth Restrictions,” *Sixth Tone*, 23 July 18; “China State Researcher Predicts End to Child Birth Restrictions,” *Bloomberg News*, 10 August 18.

<sup>35</sup>Steven Lee Myers and Olivia Mitchell Ryan, “Burying ‘One Child’ Limits, China Pushes Women To Have More Babies,” *New York Times*, 11 August 18.

<sup>36</sup>“China Considers Ending Birth Limits as Soon as This Year,” *Bloomberg*, 21 May 18. See also Alexa Lardieri, “China To Eliminate 2-Child Policy,” *U.S. News & World Report*, 21 May 18; Lily Kuo, “China Shows Little Appetite for Lifting of Family Size Limit,” *Guardian*, 26 May 18.

<sup>37</sup>“China Considers Ending Birth Limits as Soon as This Year,” *Bloomberg*, 21 May 18. See also Alexa Lardieri, “China to Eliminate 2-Child Policy,” *U.S. News & World Report*, 21 May 18.

<sup>38</sup>“China Considers Ending Birth Limits as Soon as This Year,” *Bloomberg*, 21 May 18.

<sup>39</sup>Ibid.

<sup>40</sup>Ibid.; Liyan Qi and Fanfan Wang, “A Limit to China’s Economic Rise: Not Enough Babies,” *Wall Street Journal*, 29 April 18; Alexa Lardieri, “China To Eliminate 2-Child Policy,” *U.S. News & World Report*, 21 May 18; Michelle La Rosa, “China May Lift Its Two-Child Policy—Here’s What That Could Mean,” *Catholic News Agency*, 23 May 18; Gina Heeb, “China Is Thinking About Scrapping Birth Limits—But That Won’t Have the Impact It’s Hoping For,” *Business Insider Australia*, 23 May 18.

<sup>41</sup>Michelle La Rosa, “China May Lift Its Two-Child Policy—Here’s What That Could Mean,” *Catholic News Agency*, 23 May 18.

<sup>42</sup>PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, amended 27 December 15, effective 1 January 16, arts. 4, 39.

<sup>43</sup>He Yafu, “Deng Chao and Zhao Ruirui Who Were Almost Aborted” [Cha dian bei duotai de deng chao he zhao ruirui], *CNPOP*, 9 February 14. For examples of provincial-level population planning regulations instructing officials to carry out abortions, see Jiangxi Province People’s Congress Standing Committee, Jiangxi Province Population and Family Planning Regulations [Jiangxi sheng renkou yu jihua shengyu tiaoli], issued 16 June 90, amended 30 June 95, 20 June 97, 29 July 02, 27 March 09, 16 January 14, 20 January 16, art. 15; Hubei Province People’s Congress Standing Committee, Hubei Province Population and Family Planning Regulations [Hubei sheng renkou yu jihua shengyu tiaoli], issued 1 December 02, amended 29 No-

vember 08, 30 July 10, 27 March 14, 13 January 16, art. 12. For examples of local authorities instructing officials to carry out abortions, see Dongshan County Grain Bureau, “Dongshan County Grain Bureau Circular Regarding Issuing 2018 Family Planning Work Assignments to Subsidiary Units” [Dongshan xian liangshi ju guanyu xiada suo shu danwei 2018 nian jihua shengyu gongzuo zerenshu de tongzhi], 3 April 18; Baiyun District People’s Government, “Working Guidelines for Migrant Population To Apply for Family Planning Related Certificates in Baiyun District” [Baiyun liudong renkou shen ling jisheng xiangguan zhengming banshi zhinan], 30 November 17; Mianning County Health and Family Planning Bureau, “Mianning County Carries Out the First Seasonal ‘IUD and Pregnancy Monitoring’ Inspection Work” [Mianning xian kaizhan di yi jidu “huan yun qing jiance” ducha gongzuo], 3 April 18; Chen Tong, Huigou Township Health and Family Planning Office Information Office, “New Conceptional Path for Family Planning Development in Huigou Township, Lingbi County” [Lingbi xian huigou zhen xinxing jihua shengyu fazhan gouxiang zhi lu], 7 March 18. Illegal pregnancies are often referred to as “out-of-plan” pregnancies (*jihua wai huaiyun*) or “out-of-policy” pregnancies (*zhengce wai huaiyun*).

<sup>44</sup>Chen Tong, Huigou Township Health and Family Planning Office Information Office, “New Conceptional Path for Family Planning Development in Huigou Township, Lingbi County” [Lingbi xian huigou zhen xinxing jihua shengyu fazhan gouxiang zhi lu], 7 March 18.

<sup>45</sup>Dongshan County Grain Bureau, “Dongshan County Grain Bureau Circular Regarding Issuing 2018 Family Planning Work Assignments to Subsidiary Units” [Dongshan xian liangshi ju guanyu xiada suo shu danwei 2018 nian jihua shengyu gongzuo zerenshu de tongzhi], 3 April 18.

<sup>46</sup>Baiyun District People’s Government, “Working Guidelines for Migrant Population To Apply for Family Planning Related Certificates in Baiyun District” [Baiyun liudong renkou shen ling jisheng xiangguan zhengming banshi zhinan], 30 November 17.

<sup>47</sup>Qichun County People’s Government, “Qingshi Township 2018 Government Work Report” [Qingshi zhen 2018 nian zhengfu gongzuo baogao], 19 January 18.

<sup>48</sup>Chen Hong, Longhui County Health and Family Planning Bureau, “Inspection Report for the 2018 Annual Family Planning Quality Service Activities During Winter and Spring” [2018 niandu jihua shengyu dong chun ji youzhi fuwu huodong de ducha tongbao], reprinted in Longhui News, 19 December 17; Songbo Ethnic Yao Township Health and Family Planning Office, “Songbo Ethnic Yao Township 2017 Family Planning Work Summary and 2018 Work Plan” [Songbo yaouzu xiang 2017 nian jisheng gongzuo zongjie he 2018 nian gongzuo jihua], reprinted in Jiangyong County People’s Government, 20 December 17.

<sup>49</sup>Mianning County Health and Family Planning Bureau, “Mianning County Carries Out the First Seasonal ‘IUD and Pregnancy Monitoring’ Inspection Work” [Mianning xian kaizhan di yi jidu “huan yun qing jiance” ducha gongzuo], 3 April 18.

<sup>50</sup>See, e.g., Zhao Jingjing, “Lengshuijiang City Convenes Spring Family Planning Turning Up Heat and Increasing Pressure Work Conference” [Lengshuijiang shi zhao kai chun ji jihua shengyu shengwen jiaya gongzuo huiyi], Lengshuijiang News Net, 2 April 18; Dongshan County Grain Bureau, “Dongshan County Grain Bureau Circular Regarding Issuing 2018 Family Planning Work Assignments to Subsidiary Units” [Dongshan xian liangshi ju guanyu xiada suo shu danwei 2018 nian jihua shengyu gongzuo zerenshu de tongzhi], 3 April 18; Hengshui Municipality Health and Family Planning Comprehensive Supervision and Enforcement Bureau, “Shenzhou City Convenes Special Rectification Mobilization Meeting for Collection of Social Compensation Fees” [Shenzhou shi zhao kai shehui fuyang fei zhengshou zhuanxiang zhengzhi xingdong dongyuan huiyi], 27 November 17.

<sup>51</sup>See, e.g., Liannan County People’s Government, “Liannan County Convenes 2017 Population and Family Planning Work Meeting” [Liannan zhao kai 2017 nian renkou he jihua shengyu gongzuo huiyi], 6 November 17; Xu Siyuan, “Zhouwang Township Makes Arrangements To Carry Out 2018 Health and Family Planning Work” [Zhouwang zhen anpai bushu 2018 nian weisheng jisheng gongzuo], 29 March 18.

<sup>52</sup>See, e.g., Liannan County People’s Government, “Liannan County Convenes 2017 Population and Family Planning Work Meeting” [Liannan zhao kai 2017 nian renkou he jihua shengyu gongzuo huiyi], 6 November 17; Helan County Xigang Street Office, “Interpretation of the ‘Two-Child’ Policy” [“Quanmian lianghai” zhengce jiedu], 15 March 18; Hengshui Municipality Health and Family Planning Comprehensive Supervision and Enforcement Bureau, “Shenzhou City Convenes Special Rectification Mobilization Meeting for Collection of Social Compensation Fees” [Shenzhou shi zhao kai shehui fuyang fei zhengshou zhuanxiang zhengzhi xingdong dongyuan huiyi], 27 November 17.

<sup>53</sup>See, e.g., Mianning County Health and Family Planning Bureau, “Mianning County Carries Out the First Seasonal ‘IUD and Pregnancy Monitoring’ Inspection Work” [Mianning xian kaizhan di yi jidu “huan yun qing jiance” ducha gongzuo], 3 April 18; Chen Tong, Huigou Township Health and Family Planning Office Information Office, “New Conceptional Path for Family Planning Development in Huigou Township, Lingbi County” [Lingbi xian huigou zhen xinxing jihua shengyu fazhan gouxiang zhi lu], 7 March 18; Dongshan County Grain Bureau, “Dongshan County Grain Bureau Circular Regarding Issuing 2018 Family Planning Work Assignments to Subsidiary Units” [Dongshan xian liangshi ju guanyu xiada suo shu danwei 2018 nian jihua shengyu gongzuo zerenshu de tongzhi], 3 April 18. Illegal pregnancies are often referred to as “out-of-plan” pregnancies (*jihua wai huaiyun*) or “out-of-policy” pregnancies (*zhengce wai huaiyun*).

<sup>54</sup>See, e.g., Zhao Jingjing, “Lengshuijiang City Convenes Spring Family Planning Turning Up Heat and Increasing Pressure Work Conference” [Lengshuijiang shi zhao kai chun ji jihua shengyu shengwen jiaya gongzuo huiyi], Lengshuijiang News Net, 2 April 18; Dongshan County Grain Bureau, “Dongshan County Grain Bureau Circular Regarding Issuing 2018 Family Planning Work Assignments to Subsidiary Units” [Dongshan xian liangshi ju guanyu xiada suo shu danwei 2018 nian jihua shengyu gongzuo zerenshu de tongzhi], 3 April 18.

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<sup>55</sup> See, e.g., Longguang Township People's Government, "Longguang Township March Work Updates" [Longguang zhen 3 yue gongzuo dongtai], reprinted in Lingshui County People's Government, 4 April 18; Mianning County Health and Family Planning Bureau, "The Fourth Family Planning 'Three Inspections' Successfully Completed in Chengxiang Township, Mianning County" [Mianning xian chengxiang zhen jisheng di si ci "san cha" shunli jieshu], 8 December 17. See also Ma Jian, Women's Rights in China, "Investigation Into the 'Three Inspections' of Rural Family Planning" [Nongcun jihua shengyu zhong de "san cha" qingkuang diaocha], reprinted in Boxun, 15 April 09.

<sup>56</sup> See, e.g., Chen Hong, Longhui County Health and Family Planning Bureau, "Inspection Report for the 2018 Annual Family Planning Quality Service Activities During Winter and Spring" [2018 niandu jihua shengyu dong chun ji youzhi fuwu huodong de ducha tongbao], reprinted in Longhui News, 19 December 17; Songbo Ethnic Yao Township Health and Family Planning Office, "Songbo Ethnic Yao Township 2017 Family Planning Work Summary and 2018 Work Plan" [Songbo yaozu xiang 2017 nian jisheng gongzuo zongjie he 2018 nian gongzuo jihua], reprinted in Jiangyong County People's Government, 20 December 17; Qichun County People's Government, "Qingshi Township 2018 Government Work Report" [Qingshi zhen 2018 nian zhengfu gongzuo baogao], 19 January 18. See also Yu Han, "Chinese People Suffer From Family Planning [Policy's] Forced Sterilizations and Abortions" [Jihua shengyu qiangzhi jiezha renliu hai ku le zhongguo ren], Tencent, 15 June 12.

<sup>57</sup> See, e.g., Chen Hong, Longhui County Health and Family Planning Bureau, "Inspection Report for the 2018 Annual Family Planning Quality Service Activities During Winter and Spring" [2018 niandu jihua shengyu dong chun ji youzhi fuwu huodong de ducha tongbao], reprinted in Longhui News, 19 December 17; Songbo Ethnic Yao Township Health and Family Planning Office, "Songbo Ethnic Yao Township 2017 Family Planning Work Summary and 2018 Work Plan" [Songbo yaozu xiang 2017 nian jisheng gongzuo zongjie he 2018 nian gongzuo jihua], reprinted in Jiangyong County People's Government, 20 December 17; Qichun County People's Government, "Qingshi Township 2018 Government Work Report" [Qingshi zhen 2018 nian zhengfu gongzuo baogao], 19 January 18. "Social compensation fees" are also known as "social maintenance fees."

<sup>58</sup> Chen Hong, Longhui County Health and Family Planning Bureau, "Inspection Report for the 2018 Annual Family Planning Quality Service Activities During Winter and Spring" [2018 niandu jihua shengyu dong chun ji youzhi fuwu huodong de ducha tongbao], reprinted in Longhui News, 19 December 17.

<sup>59</sup> Ibid.

<sup>60</sup> State Council, Measures for Administration of Collection of Social Compensation Fees [Shehui fuyang fei zhengshou guanli banfa], issued 2 August 02, effective 1 September 02, arts. 3, 7. See also PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, amended 27 December 15, effective 1 January 16, arts. 18, 41.

<sup>61</sup> See, e.g., Liyan Qi and Fanfan Wang, "A Limit to China's Economic Rise: Not Enough Babies," Wall Street Journal, 29 April 18.

<sup>62</sup> For a list of provincial-level regulations that mandate collection of "social compensation fees," see "2018 Social Compensation Fee Collection Standards and Newest Regulations" [2018 nian shehui fuyang fei zhengshou biao zhun yu zui xin guiding], Shebao Chaxun Wang, 15 January 18. For examples of local governments that collected or demanded collection of "social compensation fees" during this reporting year, see, e.g., Chen Hong, Longhui County Health and Family Planning Bureau, "Inspection Report for the 2018 Annual Family Planning Quality Service Activities During Winter and Spring" [2018 niandu jihua shengyu dong chun ji youzhi fuwu huodong de ducha tongbao], reprinted in Longhui News, 19 December 17; Qichun County People's Government, "Qingshi Township 2018 Government Work Report" [Qingshi zhen 2018 nian zhengfu gongzuo baogao], 19 January 18; Gao Yong, Tengzhou City People's Government, "Nanshahe Township Writes a New Chapter for Health and Family Planning Work" [Nanshahe zhen puxie weisheng jisheng gongzuo xin pianzhang], 16 November 17; Tian Hongxiu, "Heyuan Municipality Health and Family Planning Bureau Director Yuan Chengzhang Discusses the Study and Implementation of the Nineteenth Party Congress Spirit" [Wo ju juzhang yuan chengzhang tan xuexi guanche dang de shijiuda jingshen], Heyuan Daily, reprinted in Heyuan Municipality Health and Family Planning Bureau, 28 December 17.

<sup>63</sup> See, e.g., Wang Lianzhang, "High Court Accepts Appeal Against Family Planning Fine," Sixth Tone, 22 November 17; Zhao Meng, "Should 'Having a Second Child Before the [Two-Child] Policy' Be Punished Retroactively? Another Jiangsu Couple Successfully Files Petition for Appeal" ["Zhengce qian er hai" shifou gai bei zhui fa? you yi dui jiangsu fufu shenqing zai shen huo li'an], The Paper, 21 November 17.

<sup>64</sup> See, e.g., "China Sounds Population Alarm: It Is Imperative To End Birth Restrictions" [Zhongguo laxiang renkou jingbao: quanmian fangkai shengyu shizai bixing], Radio Free Asia, 26 January 18; Sha Xueliang, "Huang Xihua: Birth Rate Dropped, Recommendation To Rescind Collection of Social Compensation Fees" [Huang xihua: renkou chusheng lu xiajiang jianyi quxiao zhengshou shehui fuyang fei], Beijing News, reprinted in Sina, 12 March 18; Wang Ling, "More 'Rush To Give Birth to Second Child' Cases Nationwide, Need To Clarify Whether To Keep or Abolish Social Compensation Fees" [Quanguo "qiang sheng erhai" anjian zengduo shehui fuyang fei cun fei dai mingque], Yicai, 24 March 17; Wang Ling, "NHFP: Administrative Lawsuits Related to Social Compensation Fees Increase in Some Areas" [Weiweiwei: bufen diqu shehui fuyang fei xiangguan xingzheng susong anjian zengjia], Chinese Business Network, 4 March 17.

<sup>65</sup> See, e.g., Yin Han, "Experts Call for Official Leniency Toward Parents of Illegal Second Child," Global Times, 12 December 17; Zhao Meng, "Worker in Guizhou Fired Last Month for Having a Child in Excess of Birth Quotas 3 Years Ago, One Week Later 'Excess Child Job Termination' Provision Abolished" [Guizhou yi zhigong 3 nian qian chaosheng shang yue bei kai, yi zhou hou "chaosheng kaichu" tiaokuan feizhi], The Paper, 4 April 18.

<sup>66</sup> See, e.g., Qiao Nong, ChinaAid, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang musulin yunfu bei qiangzhi duotai gege ahong bei baofuxing jubu], 4 February 18.

<sup>67</sup> *Ibid.*

<sup>68</sup> PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, amended 27 December 15, effective 1 January 16, arts. 4, 39(1)–(2). Article 4 of the PRC Population and Family Planning Law states that officials “shall perform their family planning work duties strictly in accordance with the law, and enforce the law in a civil manner, and they may not infringe upon the legitimate rights and interests of citizens.” Article 39 states that an official is subject to criminal or administrative punishment if he “infringe[s] on a citizen’s personal rights, property rights, or other legitimate rights and interests” or “abuse[s] his power, neglect[s] his duty, or engage[s] in malpractice for personal gain” in the implementation of family planning policies.

<sup>69</sup> Qiao Nong, ChinaAid, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang musulin yunfu bei qiangzhi duotai gege ahong bei baofuxing jubu], 4 February 18; ChinaAid, “Muslim Woman Forced Into Abortion,” 5 February 18. For more information on Kuliziya Mogudong, see the Commission’s Political Prisoner Database record 2018-00105.

<sup>70</sup> Qiao Nong, ChinaAid, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang musulin yunfu bei qiangzhi duotai gege ahong bei baofuxing jubu], 4 February 18; ChinaAid, “Muslim Woman Forced Into Abortion,” 5 February 18.

<sup>71</sup> Qiao Nong, ChinaAid, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang musulin yunfu bei qiangzhi duotai gege ahong bei baofuxing jubu], 4 February 18; ChinaAid, “Muslim Woman Forced Into Abortion,” 5 February 18.

<sup>72</sup> Qiao Nong, ChinaAid, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang musulin yunfu bei qiangzhi duotai gege ahong bei baofuxing jubu], 4 February 18; ChinaAid, “Muslim Woman Forced Into Abortion,” 5 February 18.

<sup>73</sup> Qiao Nong, ChinaAid, “[Ethnic] Kazakh Woman Underwent Forced Abortion, [She Was] Permitted To Leave After Several Months in Soft Detention” [Hasakesitan funu bei qiangzhi duotai ruanjin shuyue zhong huo likai], 14 May 18.

<sup>74</sup> *Ibid.*; Qiao Nong, ChinaAid, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang musulin yunfu bei qiangzhi duotai gege ahong bei baofuxing jubu], 4 February 18; ChinaAid, “Muslim Woman Forced Into Abortion,” 5 February 18. For more information on Tursun, see the Commission’s Political Prisoner Database record 2018-00108.

<sup>75</sup> Qiao Nong, ChinaAid, “[Ethnic] Kazakh Woman Underwent Forced Abortion, [She Was] Permitted To Leave After Several Months in Soft Detention” [Hasakesitan funu bei qiangzhi duotai ruanjin shuyue zhong huo likai], 14 May 18.

<sup>76</sup> Qiao Nong, ChinaAid, “Pregnant Muslim Woman in Xinjiang Underwent Forced Abortion, Her Brother, a Muslim Imam, Detained as Retaliation” [Xinjiang musulin yunfu bei qiangzhi duotai gege ahong bei baofuxing jubu], 4 February 18; ChinaAid, “Muslim Woman Forced Into Abortion,” 5 February 18.

<sup>77</sup> Zhao Meng, “Guangzhou Deputy Director-Level Cadre Had Second Child Before Family Planning Policy [Change], Faces Termination After Being Deemed Illegal by Municipal Health and Family Planning Commission” [Guangzhou fu chu ji ganbu shengyu zhengce qian er hai, bei shi weijiwei rending weifa mianlin kaichu], *The Paper*, 12 December 17; Yin Han, “Experts Call for Official Leniency Toward Parents of Illegal Second Child,” *Global Times*, 12 December 17.

<sup>78</sup> Zhao Meng, “Guangzhou Deputy Director-Level Cadre Had Second Child Before Family Planning Policy [Change], Faces Termination After Being Deemed Illegal by Municipal Health and Family Planning Commission” [Guangzhou fu chu ji ganbu shengyu zhengce qian er hai, bei shi weijiwei rending weifa mianlin kaichu], *The Paper*, 12 December 17; Yin Han, “Experts Call for Official Leniency Toward Parents of Illegal Second Child,” *Global Times*, 12 December 17.

<sup>79</sup> Zhao Meng, “Guangzhou Deputy Director-Level Cadre Had Second Child Before Family Planning Policy [Change], Faces Termination After Being Deemed Illegal by Municipal Health and Family Planning Commission” [Guangzhou fu chu ji ganbu shengyu zhengce qian er hai, bei shi weijiwei rending weifa mianlin kaichu], *The Paper*, 12 December 17.

<sup>80</sup> *Ibid.*

<sup>81</sup> *Ibid.* See also PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, amended 27 December 15, effective 1 January 16, art. 42; Guangdong Province People’s Congress Standing Committee, “Guangdong Province Population and Family Planning Regulations” [Guangdong sheng renkou yu jihua shengyu tiaoli], issued 2 February 80, amended 17 May 86, 28 November 92, 1 December 97, 18 September 98, 21 May 99, 25 July 02, 28 November 08, 27 March 14, 30 December 15, 29 September 16, art. 40.

<sup>82</sup> Zhao Meng, “Guangzhou Deputy Director-Level Cadre Had Second Child Before Family Planning Policy [Change], Faces Termination After Being Deemed Illegal by Municipal Health and Family Planning Commission” [Guangzhou fu chu ji ganbu shengyu zhengce qian er hai, bei shi weijiwei rending weifa mianlin kaichu], *The Paper*, 12 December 17.

<sup>83</sup> Zhao Yu, “There Are Still 7 Provinces That Haven’t Revised the ‘Extra Births Job Termination’ Provisions” [“Chaosheng ji citui” fagui hai you zhe 7 ge shengfen wei xiugai], *Red Star News*, reprinted in *China Youth Net*, 26 December 17. See also Zhao Meng, “Worker in Guizhou Fired Last Month for Having a Child in Excess of Birth Quotas 3 Years Ago, One Week Later

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'Excess Child Job Termination' Provision Abolished" [Guizhou yi zhigong 3 nian qian chaosheng shang yue bei kai, yi zhou hou "chaosheng kaichu" tiaokuan feizhi], *The Paper*, 4 April 18.

<sup>84</sup>Zhao Meng, "Worker in Guizhou Fired Last Month for Having a Child in Excess of Birth Quotas 3 Years Ago, One Week Later 'Excess Child Job Termination' Provision Abolished" [Guizhou yi zhigong 3 nian qian chaosheng shang yue bei kai, yi zhou hou "chaosheng kaichu" tiaokuan feizhi], *The Paper*, 4 April 18.

<sup>85</sup>Liyan Qi and Fanfan Wang, "A Limit to China's Economic Rise: Not Enough Babies," *Wall Street Journal*, 29 April 18. For more information on the reorganization of Party and government institutions, including the creation of the new National Health Commission, see "Chinese Communist Party Central Committee Issues 'Plan for Deepening Reform of Party and Government Agencies'" [Zhonggong zhongyang yinfa "shenhua dang he guojia jigou gaige fang'an"], *Xinhua*, 21 March 18; State Council, Institutional Reform Plan [Guowuyuan jigou gaige fang'an], 17 March 18, sec. 1(5).

<sup>86</sup>Liyan Qi and Fanfan Wang, "A Limit to China's Economic Rise: Not Enough Babies," *Wall Street Journal*, 29 April 18.

<sup>87</sup>*Ibid.*

<sup>88</sup>World Bank, "Fertility Rate, Total (Births Per Woman)," last visited 16 July 18.

<sup>89</sup>Serenitie Wang, "Recovering From One Child: China's Growing Fertility Problem," *CNN*, 7 May 18; Central Intelligence Agency, "World Factbook: China," last visited 15 May 18.

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<sup>104</sup>Andrea den Boer and Valerie M. Hudson, “The Security Risks of China’s Abnormal Demographics,” Washington Post, Monkey Cage (blog), 30 April 14; Peng Xunwen, “Who Will Marry the 30 Million ‘Surplus Men’” [3000 wan “shengnan” gen shui jiehun], People’s Daily, 13 February 17; Xiao Shan, “2030: 30 Million Bare Branches in China, Concerns About Crime” [2030 nian: zhongguo guanggun da jun 3000 wan you fanzui yinyou], Radio France Internationale, 13 February 17.

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