

POPULATION CONTROL

Findings

- Authorities in the People’s Republic of China (PRC) continue to treat population growth, childbearing, and women’s fertility in China as subject to official control and policymaking. In response to demographic and economic pressure, PRC authorities ended the one-child policy in 2015, replacing it with the two-child policy in 2016 and the three-child policy in 2021. In July 2022, 17 Party and government entities jointly issued a set of “guiding opinions” that aim to incentivize marriage and child-birth by improving healthcare, education, employment conditions, insurance, and other benefits.
- Enforcement of birth limits in China has been characterized by the use of harshly coercive measures in violation of international human rights standards. This past year, U.N. experts raised concerns about reports of the use of coercive birth control measures against Uyghurs and other predominantly Muslim ethnic minority groups in the Xinjiang Uyghur Autonomous Region (XUAR), including forced abortion and sterilization, and the placement of contraceptive devices, that reportedly resulted in “unusual and stark” population declines in the XUAR from 2017 through 2019.
- Among the supportive measures to boost the population suggested during the March 2023 meeting of the Chinese People’s Political Consultative Conference was improving the rights of unmarried parents. Although several municipalities and at least one province reportedly allow unmarried women to register the birth of children, those children are not eligible for the household registration (*hukou*) permits that are crucial for access to public services. Moreover, an unmarried woman lost a lawsuit in July 2022 against a hospital in Beijing municipality which refused to allow her to undergo a procedure to freeze her eggs. An appeal hearing was held in May 2023, but the decision has not been announced.
- Many young people reportedly are reluctant to marry and have children due to the high cost of raising children, low incomes, and a weak social safety net. Public opinion reflected unease with the government’s focus on population growth as a national responsibility for the rising generation of young adults.

Recommendations

Members of the U.S. Congress and Administration officials are encouraged to take the following actions:

- In bilateral meetings, urge PRC government officials to abolish all birth restrictions on families, and employ an approach toward population policy based on international human rights standards.
- Urge PRC authorities to end all coercive population control practices targeting Uyghur and other ethnic groups in the XUAR and elsewhere. Use authorities provided in the Foreign Relations Authorization Act, Fiscal Year 2000 (Public Law No.

Population Control

106-113) and the Global Magnitsky Human Rights Accountability Act (Public Law No. 114-328) to sanction Chinese officials involved in the formulation, implementation, or enforcement of coercive population control policies, including those officials who have forced women to undergo sterilizations and abortions in the XUAR and elsewhere.

- Support the Uyghur Genocide Accountability and Sanctions Act (S. 1770), which gives the President authority to impose sanctions on individuals responsible for or complicit in forced sterilizations and forced abortions in the XUAR.

- Address in bilateral dialogue and in relevant multilateral institutions the regional humanitarian and security concerns stemming from the sex ratio imbalance exacerbated by the PRC's population control policies, including concerns about human trafficking, increased internal and external migration, and other social, economic, and political problems.

- Urge the PRC government to reform the household registration (*hukou*) system to extend legal citizenship to millions of persons who were born notwithstanding the previous one- or two-child policies and who therefore lack access to education, medical care, government services, and legal protection of their rights.

POPULATION CONTROL

International Standards and the PRC's Coercive Population Policies

Despite calls from experts and other observers to remove all birth limits in China on both demographic and human rights grounds,¹ the People's Republic of China (PRC) has continued to implement a birth limit policy—the “three-child policy”—in violation of international standards.² The one-child policy, in force from 1980 through 2015, restricted most couples to one child,³ though it was implemented locally with exceptions, most commonly in rural areas and for ethnic minority groups.⁴ Policy enforcement under the National Population and Family Planning Commission⁵ involved the participation of local officials⁶ and birth planning workers in rural villages and in urban work units and neighborhoods, who used fines to punish couples for exceeding birth limits, intrusively monitored women's fertility, issued birth permits, and employed coercive measures such as forced placement of intrauterine devices (IUDs), forced sterilizations, and forced abortions.⁷ Scholars have traced the use of these practices to the PRC's purported voluntary birth limit campaign begun in the 1970s.⁸

Coercive controls imposed on families, as well as additional abuses engendered by the PRC 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.⁹ China was a state participant in the negotiation and adoption of both documents.¹⁰ Acts of official coercion committed in the implementation of population control policies also contravene provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which China has ratified.¹¹ Scholars, moreover, have begun to theorize that forced abortion may constitute an international crime, noting that “reproductive violence is increasingly being recognized as a distinct form of harm requiring legal recognition, protection, and redress.”¹² The U.S. State Department has noted that coercive birth control measures employed against Uyghurs and other predominantly Muslim ethnic minority groups in the Xinjiang Uyghur Autonomous Region (XUAR) constitute acts of genocide and crimes against humanity.¹³

Experts at the United Nations highlighted the use of coercive birth control measures against Uyghurs and other predominantly Muslim minority groups in the XUAR in the August 2022 assessment of human rights concerns in the XUAR issued by the Office of the U.N. High Commissioner for Human Rights¹⁴ and during treaty body reviews in February and May 2023.¹⁵ Beginning in 2016, officials in the XUAR reportedly used forced abortion and sterilization as a means of limiting births among ethnic minority groups in the region.¹⁶ Research published in 2022 found that implementation of the policy had “drastically reduced birth rates of ethnic groups” in the XUAR.¹⁷ In the August 2022 assessment of human rights concerns in the XUAR, the U.N. High Commissioner for Human Rights noted the reduction in births from 2017 to 2019 in the XUAR, calling the decline in 2018 “unusual and stark.”¹⁸ The assessment also highlighted the sharp increase in the XUAR, in 2017 and 2018, in sterilizations and the placement of intra-

Population Control

uterine devices (IUDs), particularly in comparison to locations elsewhere in China.¹⁹ The assessment describes these measures as violations of “the right to the highest attainable standard of health compris[ing] sexual and reproductive freedom” and “an expansive notion of religious ‘extremism’, raising further concerns about discriminatory enforcement of these policies against Uyghur and other predominantly Muslim minorities.”²⁰ Similarly, the U.N. Committee on Economic, Social and Cultural Rights, in the concluding observations of its review of China’s implementation of the International Covenant on Economic, Social and Cultural Rights in February 2023,²¹ said that it “remains concerned about reports that coercive measures, such as forced abortions, sexual violence, forced sterilizations and torture, have been and are employed to accompany enforcement of family planning policies in the [XUAR] and in predominantly Uighur-populated areas, and that these have been a cause of the unusual and stark difference in birth rates, sterilizations and intrauterine device [IUD] placements in those areas in comparison with the rest of the State party...”²² The U.N. Committee on the Elimination of All Forms of Discrimination against Women that reviewed China’s compliance with the Convention on the Elimination of All Forms of Discrimination against Women in May 2023 called for “immediate steps to end, prevent and criminalize the use of coercive measures” against women in the XUAR, as well as the investigation and prosecution of those responsible for these measures, and “adequate compensation” to the victims.²³ [For more information on the August 2022 assessment by the Office of the U.N. High Commissioner for Human Rights, see Chapter 18—Xinjiang.]

Population Decline and Official Responses

In January 2023, the National Bureau of Statistics of China announced that in 2022, the total population of China declined to 1,411,750,000—a decrease of 850,000 from the prior year.²⁴ The announcement marked the first officially reported countrywide population decline since the widespread famine that resulted from the implementation of the Great Leap Forward in China (1958 to 1962),²⁵ in which an estimated 30 million died of starvation.²⁶ Birth rates also declined for the sixth straight year, from 7.52 births per thousand in 2021 to 6.77 births per thousand in 2022²⁷—a trend that experts expect will continue.²⁸

OFFICIAL POLICIES, ACTIONS, AND PROPOSALS

To address what senior officials refer to as the “great challenge” of the aging population and the below-replacement birth rate, the Chinese Communist Party Central Committee Political Bureau announced the adoption of a universal three-child policy in May 2021,²⁹ allowing all couples to have up to three children.³⁰ In July 2021, the Party Central Committee and the State Council promulgated the policy change in the “Decision of the Central Committee of the Chinese Communist Party and the State Council on Optimizing Childbirth Policies to Promote Long-Term Balanced Population Development.”³¹ Through an amendment to the PRC Population and Family Planning Law in August 2021,³² PRC authorities

Population Control

established a legal basis to promote an increased birth rate, balance the overall sex ratio, “optimize” the population structure, raise “population quality,” and “protect rights and interests of women in employment.”³³ The shift to the three-child policy, however, has not altered the basic premise of PRC authorities’ continuing “claim [of] sovereignty over childbearing of Chinese citizens,” as observed by political scientist Tyrene White.³⁴

At the seniormost level this past year, Party General Secretary Xi Jinping reiterated the importance of population growth at the 20th National Congress of the Chinese Communist Party in October 2022, saying that the PRC would raise the birth rate and “pursue a proactive national strategy” in response to the aging population.³⁵ Prior to this, seventeen Party and government agencies jointly issued the “Guiding Opinions on Further Improving and Implementing Active Fertility Support Measures” (“Guiding Opinions”) in July 2022, which outline ways to “strengthen reproductive health education and services, prevent unwanted pregnancies and reduce induced abortion for non-medical reasons.”³⁶ The Guiding Opinions also call for improvement in healthcare, insurance, childcare, education, employment, housing, taxation, and social services aimed at creating “a friendly atmosphere to raise children” and achieving “balanced population development.”³⁷ Some local governments, in an effort to increase birth rates, reportedly have begun to offer parents a range of subsidies and supportive measures for having children.³⁸ The Guiding Opinions also incorporate a gender-specific focus on women in the workplace with the creation of “family-friendly workplaces,” such as promoting designated rooms for women to rest when pregnant or nursing, and stronger implementation of labor safeguards.³⁹ Preventing discrimination against women in the workplace is also addressed in the amended PRC Law on the Protection of Women’s Rights and Interests, passed in October 2022 by the National People’s Congress.⁴⁰ [For more information on gender discrimination in the workplace, see Chapter 11—Worker Rights.]

In one effort to promote population growth, the China Family Planning Association (CFPA) announced in August 2022 the selection of 20 districts, municipalities, and one division of the Xinjiang Production and Construction Corps in the Xinjiang Uyghur Autonomous Region as sites in the “2022 New Type of Marriage and Childbirth Culture Construction Pilot Projects”⁴¹ and added 20 more pilot sites in May 2023.⁴² While the National Health Commission is the government entity in charge of implementing population control policy, the CFPA—as a “mass organization” under the Party—transmits Party policy to the people through propaganda and grassroots mobilization.⁴³ The new CFPA-administered pilot projects seek to reform cultural norms as a means of increasing the birth rate, such as reducing the burden of costly marriage customs like “bride prices” in rural areas and expensive weddings.⁴⁴ Staff working for the local family planning association in Miyun district, Beijing municipality—one of the first 20 pilot sites—reportedly will be assessed in part on their success in increasing marriages and births.⁴⁵ A professor of demography at Renmin University in Beijing observed that the pilot projects may provide illustrative local-level experience to inform policymaking and implementation absent

Population Control

public consensus about the meaning of the “new marriage and childbirth culture.”⁴⁶

During the March 2023 annual legislative meetings of the National People’s Congress and Chinese People’s Political Consultative Conference (CPPCC), several CPPCC members publicly proposed various incentives to promote population growth.⁴⁷ While the CPPCC is not a policymaking body, its members have the political space to raise suggestions to the government and thus can function as a conduit for public opinion.⁴⁸ Among the range of proposals were granting equal rights to children of unmarried parents; providing subsidies for a couple’s first child, rather than just for second and third children; and expanding free public education and access to fertility treatments.⁴⁹

Public Discontent with the Pro-Natal Population Policy

Even as central authorities and local governments have sought to encourage families to have more children, many young people reportedly are reluctant to marry and have children.⁵⁰ They note factors including the high cost of raising children, low incomes, and a weak social safety net.⁵¹ Online commentary and media reports, moreover, reflected unease in Chinese public opinion with the government’s focus on population growth as a national responsibility for the rising generation of young adults.⁵² Some social media users expressed resentment that the government seems to view people as “human mines” (*renkuang*) who produce children to be exploited for economic benefit.⁵³ The viral term “lying flat” (*tangping*)—which expresses a state of inertia as a form of resistance—has been linked to the younger generation’s frustration with the government’s official expectations that young people must work hard and have children with little promise of reward.⁵⁴ A video of a man refusing to leave home for a quarantine facility during the lockdown in Shanghai municipality in spring 2022 went viral on social media, resonating with those concerned about raising a child in authoritarian China.⁵⁵ Responding to an official who threatened him with punishment that would “affect your family for three generations,” the man said, “We are the last generation, thank you.”⁵⁶ A demographer also pointed to the discontent expressed by young Chinese people over PRC authorities’ continuing claim that childbearing is a “state affair.”⁵⁷ Although birth and marriage rates have been declining around the world, the “swift and sharp fertility crashes” taking place in China are unusual and reflect a “revolutionary, wildfire change in national mood,” according to the demographer.⁵⁸ Similarly, a Beijing-based political analyst said that young people’s growing discontent with authoritarian rule and reluctance to have children pointed to an “irreconcilable conflict” with China’s goal of economic growth and the “bankruptcy” of its economic model, which had relied on a cheap and abundant labor supply.⁵⁹

This past year, several researchers linked declining birth rates, in part, to Chinese women’s resistance to the official population control policy after bearing the brunt of its violent implementation for decades, including forced abortion, contraception, and sterilization.⁶⁰ Moreover, the researchers described the official pro-natal policy as another manifestation of the government’s attempt to con-

Population Control

trol women's fertility.⁶¹ Some observers also expressed concern that the government's pro-natalist push could contribute to the further erosion of women's rights, pointing out that the government's failure to enforce measures preventing workplace discrimination has contributed to gender discrimination for working women.⁶² In a commentary for the Lowy Institute, an Australian think tank, a scholar wrote that "[w]omen's rights in the Party's strategy have not emerged out of respect for human rights and individual choice. Rather, women are primarily viewed as a resource to be deployed for the benefit of the party state."⁶³ Authorities also have amplified "traditional gender roles" in official Chinese media outlets, as illustrated by the rhetorical claim that "women will find fulfillment through marriage and motherhood."⁶⁴

Rights of Unmarried Women with Children

The PRC does not explicitly ban unmarried women from having children, but many services, such as pre-natal healthcare and maternity leave benefits, require proof of marriage.⁶⁵ At a press conference in August 2022, an official from the National Healthcare Security Administration said that there is no national-level restriction on access to maternity benefits for unmarried mothers, and said local governments cannot ask women to provide marriage certificates in order to access benefits.⁶⁶ Beijing municipality and several provinces reportedly now allow single women to receive maternity leave benefits, and Sichuan province began to allow unmarried parents in February 2023 to register births in order to qualify for some benefits.⁶⁷ But while the births may be registered, those children are not eligible for enrollment in the household registration (*hukou*) system, which is critical to access public services.⁶⁸ In vitro fertilization for single women remained illegal throughout most of China, but media outlets reported in 2023 that health officials had begun discussing the possibility of allowing single women to freeze their eggs.⁶⁹ The issue is being litigated in court: In July 2022, a court in Beijing ruled in favor of a hospital that refused to freeze the eggs of a single woman, sparking online debate about the fairness of the ban.⁷⁰ The woman, surnamed Xu, appealed the decision at the Beijing No. 3 Intermediate People's Court in May 2023, but the court did not announce its decision at the time.⁷¹

Continuing Effects of the One-Child Policy

The legacy of the one-child policy continues to negatively affect many in China. This reporting year, two journalists concluded that the policy, which limited most families in China to one child, "exact[ed] a huge social and human cost on Chinese society. Forced abortions, sterilizations, the use of intrauterine contraceptive devices as well as hefty financial penalties left physical and emotional scars on millions of women and traumatized families."⁷² The government's population control policies, coercively enforced for decades, also contributed to the use of sex-selective abortion due to the preference for sons, especially in rural areas.⁷³ The sex ratio imbalance in China is stark, with researchers estimating 30 million fewer women in China as a result of the one-child policy.⁷⁴ Experts have attributed numerous social problems to the gender imbalance,

Population Control

with one saying the consequences “will be felt in the generation ahead.”⁷⁵ The sex ratio imbalance has intensified competition for brides in rural areas, driving up already financially burdensome “bride prices.”⁷⁶ Observers have also linked the sex ratio imbalance to the trafficking of women within China and from abroad into China for purposes of forced marriage and commercial sexual exploitation.⁷⁷ The PRC’s enforcement of population control policies has also led to other long-term harmful effects. An estimated 13 million people born in violation of China’s population control policies were not registered under the *hukou* system and therefore lack access to certain social welfare benefits, public services, and the rights conferred by citizenship, including formal identification, education, and employment.⁷⁸ [For more information on the trafficking of women, see Chapter 10—Human Trafficking.]

Notes to Chapter 9—Population Control

¹Yaqiu Wang, “It’s Time to Abolish China’s Three-Child Policy,” in *Essays on Equality: The Politics of Childcare* (London: The Global Institute for Women’s Leadership, King’s College London, 2023), 54–57; Farah Master, “Time and Money for Love: China Brainstorms Ways to Boost Birth Rate,” *Reuters*, March 15, 2023; “Ren Zeping: Kaifang bing guli shengyu ke bu ronghuan” [Ren Zeping: It is imperative to liberalize and encourage childbearing], *Northeast Net*, January 18, 2023; Ren Zeping, “Ren Zeping: Quanmian er hai hou fan’er chuxian shengyu duanya, ying liji quanmian fangkai bing guli shengyu” [Ren Zeping: Following the universal two-child policy, a fertility drop-off nevertheless occurred; [the policy] should be fully relaxed immediately and fertility should be encouraged], *Yicai*, February 3, 2021; Keith Zhai, “China Considers Lifting All Childbirth Restrictions by 2025,” *Wall Street Journal*, June 18, 2021; Sui-Lee Wee, “China Says It Will Allow Couples to Have 3 Children, Up from 2,” *New York Times*, September 27, 2021.

²Yaqiu Wang, “It’s Time to Abolish China’s Three-Child Policy,” in *Essays on Equality: The Politics of Childcare* (London: The Global Institute for Women’s Leadership, King’s College London, 2023), 54–57; Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women on September 15, 1995, and endorsed by U.N. General Assembly resolution 50/203 on February 23, 1996, Annex I, paras. 9, 17. The Beijing Declaration states that governments that have 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); “[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). United Nations Population Fund, Programme of Action, adopted at the Cairo International Conference on Population and Development, September 13, 1994, 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.”

³Susan Greenhalgh, “Why Does the End of the One-Child Policy Matter?,” in eds. Jennifer Rudolph and Michael Szonyi, *The China Questions: Critical Insights into a Rising Power* (Cambridge, MA: Harvard University Press, 2018), 183.

⁴Gu Baochang, Wang Feng, Guo Zhigang, and Zhang Erli, “China’s Local and National Fertility Policies at the End of the Twentieth Century,” *Population and Development Review* 33, no. 1 (March 7, 2007): 131–36.

⁵Rita Cheng, “Women Harmed by China’s Draconian Family Planning Policies Still Seek Redress,” *Radio Free Asia*, April 8, 2022; Li Wanxiang, “Wei renmin jiankang fuwu: Xin zujian de Guojia Weisheng Jiankang Weiyuanhui riqian guapai” [Serve the people’s health: Newly formed National Health Commission recently was launched], *Economic Daily*, April 4, 2018; “China to Merge Health Ministry, Family Planning Commission,” *Xinhua*, reprinted in *China Daily*, March 10, 2013; Andrew Mullen, “Explainer: China’s One-Child Policy: What Was It and What Impact Did It Have?,” *South China Morning Post*, June 1, 2021.

⁶Daniel C. Mattingly, “Responsive or Repressive? How Frontline Bureaucrats Enforce the One Child Policy in China,” *Comparative Politics* 52, no. 2 (2020): 2, 4–6.

⁷Shui-yin Sharon Yam and Sarah Mellors Rodriguez, “Reproductive Realities in Modern China: A Conversation with Sarah Mellors Rodriguez,” *Made in China Journal*, March 29, 2023; Daniel C. Mattingly, “Responsive or Repressive? How Frontline Bureaucrats Enforce the One Child Policy in China,” *Comparative Politics* 52, no. 2 (2020): 2, 4–6; Martin King Whyte, Wang Feng, and Yong Cai, “Challenging Myths about China’s One-Child Policy,” *China Journal* 74, (July 2015): 150–52.

⁸Martin King Whyte, Wang Feng, and Yong Cai, “Challenging Myths about China’s One-Child Policy,” *China Journal* 74, (July 2015): 150–52.

⁹Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women on September 15, 1995, and endorsed by U.N. General Assembly resolution 50/203 on February 23, 1996, Annex I, paras. 9, 17; United Nations Population Fund, Programme of Action, adopted at the Cairo International Conference on Population and Development, September 13, 1994, paras. 7.2, 8.25.

¹⁰United Nations, Report of the Fourth World Conference on Women, A/CONF.177/20/Rev.1, September 15, 1995, chap. II, para. 3, chap. IV, 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, Report of the International Conference on Population and Development, A/CONF.171/13/Rev.1, September 13, 1994, chap. II, sec. C, chap. VI, para. 1.

¹¹Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by U.N. General Assembly resolution 39/46 of December 10, 1984, entry into force June 26, 1987, art. 1; U.N. 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, February 3, 2016, para. 51. In 2016, the U.N. 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.” See also Convention on the Elimination of All Forms of Discrimination against Women, adopted by U.N. General Assembly resolution 34/180 of December 18, 1979, entry into force September 3, 1981, art. 16.1(e). Under article 16.1(e), “States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women: . . . The same rights to decide freely and responsibly on the number and spacing of their children and to have access to

Population Control

the information, education and means to enable them to exercise these rights[.]” See also International Covenant on Civil and Political Rights (ICCPR), adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976, art. 17. Under Article 17 of the ICCPR, “No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.”

¹²Ciara Laverty and Dienneke de Vos, “Forced Abortion as an International Crime: Recent Reports from Northern Nigeria,” *Just Security*, December 23, 2022.

¹³Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “2020 Country Reports on Human Rights Practices—China (Includes Hong Kong, Macau, and Tibet),” March 30, 2021; Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “2021 Country Reports on Human Rights Practices—China (Includes Hong Kong, Macau, and Tibet),” April 12, 2022; Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “2022 Country Reports on Human Rights Practices—China (Includes Hong Kong, Macau, and Tibet),” March 20, 2023. See also U.S. Department of State, “Determination of the Secretary of State on Atrocities in Xinjiang,” January 19, 2021; Congressional-Executive Commission on China, *2021 Annual Report* (Washington: March 2022), 273–74, 280–81.

¹⁴Office of the U.N. High Commissioner for Human Rights, “OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China,” August 31, 2022, paras. 104–14.

¹⁵U.N. Committee on Economic, Social and Cultural Rights, Concluding Observations on the Third Periodic Report of China, Including Hong Kong, China, and Macao, China, adopted by the Committee at its 30th Meeting (3 March 2023), E/C.12/CHN/CO/3, March 22, 2023, para. 70; Office of the U.N. High Commissioner for Human Rights, “Experts of the Committee on the Elimination of Discrimination against Women Commend China on Anti-Domestic Violence Legislation, Ask about Women’s Political Participation and Sex-Selective Abortions,” May 12, 2023; U.N. Committee on the Elimination of Discrimination against Women, Concluding Observations on the Ninth Periodic Report of China, adopted by the Committee at its 58th Session (8–26 May 2023), CEDAW/C/CHN/CO/9, May 31, 2023, paras. 43–44.

¹⁶“China Cuts Uighur Births with IUDs, Abortion, Sterilization,” *Associated Press*, June 29, 2020; Nathan Ruser and James Leibold, “Family De-Planning: The Coercive Campaign to Drive Down Indigenous Birth-Rates in Xinjiang,” International Cyber Policy Centre, Australian Strategic Policy Institute, Policy Brief Report no. 44 (2021): 4, 7, 16. See also Congressional-Executive Commission on China, *2021 Annual Report* (Washington: March 2022), 280–81.

¹⁷Adrian Zenz and Uyghur Tribunal, “The Xinjiang Papers: An Introduction,” February 10, 2022, 5.

¹⁸Office of the U.N. High Commissioner for Human Rights, “OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China,” August 31, 2022, paras. 107–8.

¹⁹Office of the U.N. High Commissioner for Human Rights, “OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China,” August 31, 2022, para. 108.

²⁰Office of the U.N. High Commissioner for Human Rights, “OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China,” August 31, 2022, paras. 112–13.

²¹Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland, “China Participates in 3rd Review of Implementation on Intl Covenant on Economic, Social and Cultural Rights,” February 16, 2023.

²²U.N. Committee on Economic, Social and Cultural Rights, Concluding Observations on the Third Periodic Report of China, Including Hong Kong, China, and Macao, China, adopted by the Committee at its 30th Meeting (3 March 2023), E/C.12/CHN/CO/3, March 22, 2023, para. 70. See also Office of the U.N. High Commissioner on Human Rights, “Committee on Economic, Social and Cultural Rights Commends China for Efforts to Reduce Poverty, Asks about Measures to Protect Ethnic Minorities from Reported Forced Labour and the Coverage of the Social Welfare System,” February 17, 2023. In response to the CESCR’s questions about these rights violations in the XUAR, the Chinese delegation denied the allegations, saying that “forced contraception was prohibited.” Regarding the population decline in the region, the delegation said, “The population in southern Xinjiang had dropped, but this was in line with China’s population trend. The drop had nothing to do with forced sterilization or arbitrary detention.”

²³U.N. Committee on the Elimination of Discrimination against Women, Concluding Observations on the Ninth Periodic Report of China, adopted by the Committee at its 58th Session (8–26 May 2023), CEDAW/C/CHN/CO/9, May 31, 2023, para. 44(d).

²⁴Wang Pingping, “Wang Pingping: Renkou zongliang le you xiajiang chengzhenhua shuiping jixu tigao” [Wang Pingping: Total population has slightly declined, urbanization levels continue to increase], *Economic Daily*, January 18, 2023.

²⁵Ian Johnson, “China: Worse Than You Ever Imagined,” *New York Review of Books*, November 22, 2012.

²⁶Alexandra Stevenson and Zixu Wang, “China’s Population Falls, Herald a Demographic Crisis,” *New York Times*, January 17, 2023; Brook Larmer and Jane Zhang, “China’s Population Is Shrinking. It Faces a Perilous Future,” *National Geographic*, March 22, 2023.

²⁷National Bureau of Statistics of China, “Statistical Communiqué of the People’s Republic of China on the 2022 National Economic and Social Development,” February 28, 2023; “China: Birth Rate 2022,” *Statista*, January 2023; Alexandra Stevenson and Zixu Wang, “China’s Population Falls, Herald a Demographic Crisis,” *New York Times*, January 17, 2023.

²⁸Alexandra Stevenson and Zixu Wang, “China’s Population Falls, Herald a Demographic Crisis,” *New York Times*, January 17, 2023; Shucai Yang, Quanbao Jiang, and Jesús J. Sánchez-Barricarte, “China’s Fertility Change: An Analysis with Multiple Measures,” *Population Health Metrics* 20, no. 1 (March 31, 2022): 12.

²⁹“Quanwei kuaibao: San hai shengyu zhengce lai le” [Authoritative announcement: Three-child policy has arrived], *Xinhua*, May 31, 2021.

³⁰*Zhonghua Renmin Gongheguo Renkou yu Jihua Shengyu Fa* [PRC Population and Family Planning Law], passed December 29, 2001, effective September 1, 2002, amended August 20, 2021, art. 18; “Quanwei kuaibao: San hai shengyu zhengce lai le” [Authoritative announcement: Three-child policy has arrived], *Xinhua*, May 31, 2021. See also Sui-Lee Wee, “China Says It Will Allow Couples to Have 3 Children, Up from 2,” *New York Times*, September 27, 2021.

³¹*Zhonggong Zhongyang Guowuyuan Guanyu Youhua Shengyu Zhengce Cujin Renkou Changqi Junheng Fazhan de Jueding* [Decision of the Central Committee of the Chinese Communist Party and the State Council on Optimizing the Fertility Policy and Promoting the Long-term Balanced Development of the Population], *Xinhua*, July 20, 2021.

³²*Zhonghua Renmin Gongheguo Renkou yu Jihua Shengyu Fa* [PRC Population and Family Planning Law], passed December 29, 2001, effective September 1, 2002, amended August 20, 2021, art. 18.

³³*Zhonghua Renmin Gongheguo Renkou yu Jihua Shengyu Fa* [PRC Population and Family Planning Law], passed December 29, 2001, effective September 1, 2002, amended August 20, 2021, art. 18; *Zhonggong Zhongyang Guowuyuan Guanyu Youhua Shengyu Zhengce Cujin Renkou Changqi Junheng Fazhan de Jueding* [Decision of the Central Committee of the Chinese Communist Party and the State Council on Optimizing the Fertility Policy and Promoting the Long-term Balanced Development of the Population], *Xinhua*, July 20, 2021.

³⁴Tyrene White, “Policy Case Study: Population Policy,” in ed. William A. Joseph, *Politics in China: An Introduction, Third Edition* (New York: Oxford University Press, 2019), 435. White’s comment about ongoing control of fertility in China by PRC authorities was made in relation to the shift to the two-child policy in 2016, but it remains relevant for the shift to the three-child policy. See also Nicholas Eberstadt, “Opinion: China’s Collapsing Birth and Marriage Rates Reflect a People’s Deep Pessimism,” *Washington Post*, February 28, 2023.

³⁵“Xi Jinping tichu, zengjin minsheng fuzhi, tigao renmin shenghuo pinzhi” [Xi Jinping proposes to improve the people’s livelihood and well-being and improve the people’s quality of life], *Xinhua*, October 16, 2022; Yew Lun Tian and Martin Quin Pollard, “Xi Says China Will Seek to Lift Birth Rate in Face of Ageing Population,” *Reuters*, October 16, 2022.

³⁶National Health Commission et al., *Guanyu Jinyibu Wanshan he Luoshi Jiji Shengyu Zhichi Cuoshi de Zhidao Yijian* [Guiding Opinions on Further Improving and Implementing Supportive Measures to Encourage Childbirth], July 25, 2022, sec. 2(3). For an unofficial translation of the Guiding Opinions, see “Guiding Opinions on Further Improving and Implementing Measures to Support Stimulation of Childbirth,” translated in *China Law Translate*, August 16, 2022. China Family Planning Association, “The Protection and Promotion of Human Rights in the Fields of Population, Family and Reproductive Health In China (2020–2022),” February 16, 2023, sec. 3.

³⁷National Health Commission et al., *Guanyu Jinyibu Wanshan he Luoshi Jiji Shengyu Zhichi Cuoshi de Zhidao Yijian* [Guiding Opinions on Further Improving and Implementing Supportive Measures to Encourage Childbirth], July 25, 2022, secs. 4(8–9), 7(16–18).

³⁸Luo Wangshu and Wang Xiaoyu, “Nation Takes Steps to Encourage More Births,” *China Daily*, August 17, 2022; Farah Master, “Factbox: How China Is Seeking to Boost Its Falling Birth Rate,” *Reuters*, January 17, 2023.

³⁹National Health Commission et al., *Guanyu Jinyibu Wanshan he Luoshi Jiji Shengyu Zhichi Cuoshi de Zhidao Yijian* [Guiding Opinions on Further Improving and Implementing Supportive Measures to Encourage Childbirth], July 25, 2022, sec. 7(16–18).

⁴⁰*Zhonghua Renmin Gongheguo Funü Quanyi Baozhang Fa* [PRC Law on the Protection of Women’s Rights and Interests], passed April 3, 1992, amended October 30, 2022, effective January 1, 2023, arts. 42, 46–49. For an unofficial translation, see “PRC Law on the Protection of the Rights and Interests of Women,” translated in *China Law Translate*, October 30, 2022.

⁴¹China Family Planning Association, “Zhongguo Jisheng Xie guanyu Queding 2022 Nian Xinxing Hun Yu Wenhua Jianshe Shidian Xiangmu Danwei de Tongzhi” [Circular of the China Family Planning Association on the 2022 New Type of Marriage and Childbirth Culture Construction Pilot Projects], August 24, 2022.

⁴²Dong Ruifeng and Tian Xiaohang, “Yingzao shengyu youhao shehui huanjing di er pi xin shidai hun yu wenhua jianshe shidian xiangmu jiang kaizhan” [Creating a birth-friendly social environment: The second batch of pilot projects for the construction of marriage and childbearing culture in the new era will be launched], *People’s Daily*, May 19, 2023; “Pilot Projects Launched in 20 More Cities to Build New-Era Marriage Culture,” *Global Times*, May 14, 2023; Liyan Qi, “Enforcers of China’s One-Child Policy Are Now Cajoling People to Have Three,” *Wall Street Journal*, June 5, 2023.

⁴³China Family Planning Association, “Zhongguo Jisheng Xie jianjie” [China Family Planning Association brief introduction], December 28, 2018; Yanfei Hu and Gavin Hilson, “Philanthropic Foundations and Institutional Change under Rigid Authoritarianism: Exploring the Ford Foundation’s Historical Grantmaking in the Chinese Family Planning Field (1991–2005),” *Journal of Social Policy* (2023): 6. See also Judith Audin and Jérôme Doyon, “Intermediary Political Bodies of the Party-State: A Sociology of Mass and Grassroots Organisations in Contemporary China,” *China Perspectives*, no. 2 (2019): 3–4.

⁴⁴Dong Ruifeng and Tian Xiaohang, “Yingzao shengyu youhao shehui huanjing: Di er pi xin shidai hun yu wenhua jianshe shidian xiangmu jiang kaizhan” [Creating a birth-friendly social environment: The second batch of pilot projects for the construction of marriage and childbearing culture in the new era will be launched], *People’s Daily*, May 19, 2023; “Pilot Projects Launched in 20 More Cities to Build New-Era Marriage Culture,” *Global Times*, May 14, 2023.

⁴⁵Liyan Qi, “Enforcers of China’s One-Child Policy Are Now Cajoling People to Have Three,” *Wall Street Journal*, June 5, 2023.

⁴⁶Zhao Meng, “40 ge dishi shidian, jiujiang hewei xinxing hun yu wenhua?” [With 40 local pilot sites, what exactly is the new marriage and childbearing culture?], *Jiemian*, May 18, 2023.

Population Control

⁴⁷ Farah Master, “Time and Money for Love: China Brainstorms Ways to Boost Birth Rate,” *Reuters*, March 15, 2023; Zhao Yusha, “Motions, Proposals for China’s 2023 Two Sessions Focus on Boosting Birth Rate,” *Global Times*, March 1, 2023.

⁴⁸ Shannon Tiezzi, “What Is the CPPCC Anyway?,” *Diplomat*, March 4, 2021.

⁴⁹ Farah Master, “Time and Money for Love: China Brainstorms Ways to Boost Birth Rate,” *Reuters*, March 15, 2023; Zhao Yusha, “Motions, Proposals for China’s 2023 Two Sessions Focus on Boosting Birth Rate,” *Global Times*, March 1, 2023.

⁵⁰ Christian Shepherd and Lyric Li, “China Wants More Babies. Women Want the Right to Say No,” *Washington Post*, January 23, 2023; Charmaine Jacob, “China Is Facing a Population Crisis but Some Women Continue to Say ‘No’ to Having Babies,” *CNBC*, April 9, 2023; Alexandra Stevenson and Zixu Wang, “China’s Population Falls, Heralding a Demographic Crisis,” *New York Times*, January 16, 2023; Mei Fong and Yaqiu Wang, “How to Fix China’s Population Crisis: Say Sorry to Women,” in *Disruptive Asia* 5, 2022, Asia Society Australia; He Huifeng, “Why Are China’s Gen Z Women Rejecting Marriage, Kids More than Their Male Counterparts?,” *South China Morning Post*, January 6, 2022; Nectar Gan, “Chinese Millennials Aren’t Getting Married, and the Government Is Worried,” *CNN*, January 29, 2021; Helen Davidson and Verna Yu, “Millions of Missing Women: China Grapples with Legacy of One-Child Policy as Population Ages,” *Guardian*, November 14, 2022.

⁵¹ Farah Master, “Time and Money for Love: China Brainstorms Ways to Boost Birth Rate,” *Reuters*, March 15, 2023.

⁵² He Huifeng, “Why Are China’s Gen Z Women Rejecting Marriage, Kids More than Their Male Counterparts?,” *South China Morning Post*, January 6, 2022; Farah Master, “Time and Money for Love: China Brainstorms Ways to Boost Birth Rate,” *Reuters*, March 15, 2023; Christian Shepherd and Lyric Li, “China Wants More Babies. Women Want the Right to Say No,” *Washington Post*, January 23, 2023; Alexandra Stevenson and Zixu Wang, “China’s Population Falls, Heralding a Demographic Crisis,” *New York Times*, January 16, 2023; Nectar Gan, “Chinese Millennials Aren’t Getting Married, and the Government Is Worried,” *CNN*, January 29, 2021; Helen Davidson and Verna Yu, “Millions of Missing Women: China Grapples with Legacy of One-Child Policy as Population Ages,” *Guardian*, November 14, 2022.

⁵³ Christian Shepherd and Lyric Li, “China Wants More Babies. Women Want the Right to Say No,” *Washington Post*, January 23, 2023; Chauncey Jung, “Human Mines: China’s Population Policy Flip-Flops Spark Anger,” *Diplomat*, January 31, 2023; “[Mingan ciku] Renkuang” [Sensitive Lexicon] Human Mine], *China Digital Times*, January 7, 2023; RFA Chinese (@RFA—Chinese), “Ji ‘tangping,’ ‘run’ zhihou, #renkuang huo le!...” [Following after “laying flat” and “Run away,” #human mine is now viral! ...], Twitter, January 5, 2023, 7:28 p.m.

⁵⁴ Yi-Ling Liu, “9 Viral Phrases That Explain China’s Work Culture,” *Rest of World*, February 10, 2023; Verna Yu, “The Last Generation: The Young Chinese People Vowing Not to Have Children,” *Guardian*, January 20, 2023; He Huifeng, “Why Are China’s Gen Z Women Rejecting Marriage, Kids More than Their Male Counterparts?,” *South China Morning Post*, January 6, 2022. See also Jill Disis, “China Blasts ‘996’ Excessive Work Culture,” *CNN*, August 27, 2021.

⁵⁵ Li Yuan, “The Last Generation: The Disillusionment of Young Chinese,” *New York Times*, May 24, 2022.

⁵⁶ Verna Yu, “The Last Generation: The Young Chinese People Vowing Not to Have Children,” *Guardian*, January 20, 2023; Barclay Bram, “The Last Generation: Why China’s Youth Are Deciding against Having Children,” Asia Society Policy Institute, January 2023.

⁵⁷ Nicholas Eberstadt, “Opinion; China’s Collapsing Birth and Marriage Rates Reflect a People’s Deep Pessimism,” *Washington Post*, February 28, 2023.

⁵⁸ Nicholas Eberstadt, “Opinion; China’s Collapsing Birth and Marriage Rates Reflect a People’s Deep Pessimism,” *Washington Post*, February 28, 2023. See also Mei Fong and Yaqiu Wang, “How to Fix China’s Population Crisis: Say Sorry to Women,” in *Disruptive Asia* 5, 2022, Asia Society Australia; “In Fast-Aging China, Elder Care Costs Loom Large,” *Voice of America*, May 23, 2021.

⁵⁹ Verna Yu, “The Last Generation: The Young Chinese People Vowing Not to Have Children,” *Guardian*, January 20, 2023.

⁶⁰ Mei Fong and Yaqiu Wang, “How to Fix China’s Population Crisis: Say Sorry to Women,” in *Disruptive Asia* 5, 2022, Asia Society Australia; Barclay Bram, “The Last Generation: Why China’s Youth Are Deciding against Having Children,” Asia Society Policy Institute, January 2023. See also Yun Jiang, “Beijing and the Birth Rate: A Question of Human Rights for Women,” *Interpreter*, Lowy Institute, March 8, 2023.

⁶¹ Mei Fong and Yaqiu Wang, “How to Fix China’s Population Crisis: Say Sorry to Women,” in *Disruptive Asia* 5, 2022, Asia Society Australia.

⁶² Mei Fong and Yaqiu Wang, “How to Fix China’s Population Crisis: Say Sorry to Women,” in *Disruptive Asia* 5, 2022, Asia Society Australia.

⁶³ Yun Jiang, “Beijing and the Birth Rate: A Question of Human Rights for Women,” *Interpreter*, Lowy Institute, March 8, 2023. See also Nicholas Eberstadt, “Opinion; China’s Collapsing Birth and Marriage Rates Reflect a People’s Deep Pessimism,” *Washington Post*, February 28, 2023.

⁶⁴ Yun Jiang, “Beijing and the Birth Rate: A Question of Human Rights for Women,” *Interpreter*, Lowy Institute, March 8, 2023.

⁶⁵ Helen Davidson, “Chinese Province Ends Ban on Unmarried People Having Children,” *Guardian*, January 30, 2023.

⁶⁶ Luo Meihan, “Amid Pro-Birth Blitz, China Pledges Benefits for Single Moms,” *Sixth Tone*, August 18, 2022; Chad de Guzman, “Why One of China’s Largest Provinces Is Lifting Birth Limits—Even for Unmarried Parents,” *Time*, February 2, 2023.

⁶⁷ Liyan Qi, “Single Mothers in China Face Fewer Hurdles as Beijing Tries to Boost Births,” *Wall Street Journal*, February 15, 2023; Meaghan Tobin, “China Province to Offer Benefits to Single Parents as Birthrate Drops,” *Washington Post*, January 31, 2023.

Population Control

⁶⁸Shui-yin Sharon Yam and Sarah Mellors Rodriguez, “Reproductive Realities in Modern China: A Conversation with Sarah Mellors Rodriguez,” *Made in China Journal*, March 29, 2023; Meaghan Tobin, “China Province to Offer Benefits to Single Parents as Birthrate Drops,” *Washington Post*, January 31, 2023.

⁶⁹Yang Caini, “China Mulls Allowing Single Women to Freeze Eggs,” *Sixth Tone*, March 14, 2023; Farah Master and Xiaoyu Yin, “China Weighs Giving Single Women IVF Access to Stem Population Decline,” *Reuters*, April 28, 2023.

⁷⁰Tara Subramaniam, “Unmarried Woman Loses Bid to Freeze Her Eggs—and Sparks a Gender Equality Debate in China,” *CNN*, July 29, 2022.

⁷¹Kai Di, “Zhongguo shouli danshen nüxing dong luan an ershen, dangshiren: pan faguan weihu shengyu quan” [Second-instance trial for China’s first-ever lawsuit of a single woman freezing her eggs, plaintiff: hopes the judge will protect the right to give birth], *Radio Free Asia*, May 9, 2023.

⁷²Helen Davidson and Verna Yu, “Millions of Missing Women: China Grapples with Legacy of One-Child Policy as Population Ages,” *Guardian*, November 14, 2022.

⁷³Mei Fong and Yaqiu Wang, “How to Fix China’s Population Crisis: Say Sorry to Women,” in *Disruptive Asia* 5, 2022, Asia Society Australia; Albee Zhang and Farah Master, “China’s First Population Drop in Six Decades Sounds Alarm on Demographic Crisis,” *Reuters*, January 18, 2023; Helen Davidson and Verna Yu, “Millions of Missing Women: China Grapples with Legacy of One-Child Policy as Population Ages,” *Guardian*, November 15, 2022. For more on the intersection of the one-child policy and traditional preference for sons, see Xiaojia Bao et al., “Where Have All the Children Gone? An Empirical Study of Child Abandonment and Abduction in China,” *Journal of Economic Behavior & Organization* 208 (April 1, 2023); Emily Feng, “China’s Former 1-Child Policy Continues to Haunt Families,” *NPR*, July 4, 2021; Andrew Mullen, “Explainer: China’s One-Child Policy: What Was It and What Impact Did It Have?,” *South China Morning Post*, June 1, 2021.

⁷⁴Laura Silver and Christine Huang, “Key Facts about China’s Declining Population,” Pew Research Center (blog), December 5, 2022; “China: Population by Gender 2022,” *Statista*, January 17, 2023; Ravinder Kaur, “Gender and Demography in Asia (India and China),” in *Oxford Research Encyclopedia of Asian History*, 2020; Carl Minzner, “Xi Jinping Can’t Handle an Aging China,” *Foreign Affairs*, May 2, 2023. Minzner directly links the sex ratio imbalance to the widespread practice of sex-selective abortion.

⁷⁵Mei Fong and Yaqiu Wang, “How to Fix China’s Population Crisis: Say Sorry to Women,” in *Disruptive Asia* 5, 2022, Asia Society Australia; Zhibo Tan, Shang-Jin Wei, and Xiaobo Zhang, “Deadly Discrimination: Implications of ‘Missing Girls’ for Workplace Safety,” *Journal of Development Economics* 152, (September 2021): 1, 8; “China’s Demographic Challenges: The Long-Term Consequences of the One-Child Policy,” Global Affairs and Strategic Studies, Universidad de Navarra, June 30, 2021; Emily Feng, “China’s Former 1-Child Policy Continues to Haunt Families,” *NPR*, July 4, 2021.

⁷⁶Nicole Hong and Zixu Wang, “In China, Marriage Rates Are Down and ‘Bride Prices’ Are Up,” *New York Times*, March 26, 2023.

⁷⁷Marta Kasztelan, “‘I Was Screaming for Help’: Sold as Brides in China, Few Cambodian Women Escape Their Fate,” *South China Morning Post*, August 21, 2022; Zhibo Tan, Shang-Jin Wei, and Xiaobo Zhang, “Deadly Discrimination: Implications of ‘Missing Girls’ for Workplace Safety,” *Journal of Development Economics* 152, (September 2021): 1, 8; Cheryl Heng, “China Home to 30 Million Men in Search of a Bride, Census Shows,” *South China Morning Post*, May 17, 2021; Eleanor Olcott, “China’s Chained Woman Exposes Horror of Beijing’s One-Child Policy,” *Financial Times*, March 7, 2022. See also Heather Barr, “China’s Bride Trafficking Problem,” *Diplomat*, October 30, 2019.

⁷⁸Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, “2022 Country Reports on Human Rights Practices—China (Includes Hong Kong, Macau, and Tibet),” March 20, 2023, 72; Samantha A. Vorthers, “China’s Missing Children: Political Barriers to Citizenship through the Household Registration System,” *China Quarterly* 238 (June 2019): 309, 312.