Chinese officials continue to actively promote and implement coercive population planning policies which, as they are written and implemented, violate international standards. The PRC Population and Family Planning Law and provincial implementing guidelines limit couples’ freedom to build their families as they see fit by stipulating if, when, and how often they may bear children. Local implementing regulations across China still require that couples be married and obtain a birth permit to lawfully bear a child. The population planning policies of all of China’s 31 provincial-level jurisdictions limit couples to bearing one child. Exceptions for couples who meet certain criteria vary by province, and include some exceptions for ethnic minorities. Officials continue to coerce compliance with population planning targets using methods including heavy fines, forced abortions, and forced sterilizations.

Controls imposed on Chinese women and their families, and additional abuses engendered by China’s stringent 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. China was a state participant in the negotiations and adoption of both. Acts of official violence committed in the implementation of coercive population planning policies contravene provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which China has ratified. Furthermore, discriminatory policies against “out-of-plan” children (i.e., children born in violation of population planning policies) contravene the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights. China is a State Party to these treaties and has committed to uphold their terms.

Policy Revision

At the Third Plenum of the 18th Party Congress in November 2013, central Party authorities issued the Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms, which called for a broad range of reforms including the provision of a new exception to China’s population planning policy. The exception represents only a slight modification of the previous policy, adding couples in which just one parent is an only child to the category of families permitted to bear a second child. Rural couples, ethnic minority couples, and couples in which both parents are only children were among those already permitted under previous exceptions to bear a second child. As of August 2014, at least 15 provinces and municipalities had amended population and family planning regulations in accordance with the new policy. Experts predict that the impact of this most recent policy revision will be more noticeable in urban areas and that the change may affect 15 to 20 million people across China. Estimates for the additional number of births that could result from this change range from 1 to 3 million per year. Reports have also noted, however, that
many couples would not want to expand their families even if given the option, and thus far China has seen a smaller increase in births than predicted. As for the demographic challenges that precipitated the population policy change, a top family planning official pointed in particular to China’s decreasing working-age population, rapidly aging population, and persistent sex ratio imbalance. Chinese officials have emphasized the limited scope of the recent population planning policy revision, while Chinese and international critics continued to call for cancellation of the entire policy on family planning.

Coercive Implementation

Chinese law contains provisions that prohibit officials from infringing upon the “legitimate” rights and interests of citizens while implementing population planning policies but does not define what constitutes a citizen’s “legitimate” right or interest. Despite these provisions, however, abuses continued during the Commission’s 2014 reporting year. Provincial-level population planning regulations in at least 22 of China’s 31 provincial-level jurisdictions explicitly instruct officials to implement abortions, often referred to as “remedial measures” (bujiu cuoshi), for “out-of-plan” pregnancies, with no apparent requirement for parents’ consent. Officials also reportedly continued to use other coercive methods—including forced abortion under arbitrary detention, forced implantation of long-term birth control devices, and forced sterilization—to implement population planning policies.

OFFICIAL CAMPAIGNS

Language used in official speeches and government reports from jurisdictions across China continued to reflect an emphasis on harsh enforcement measures with an apparent disregard for restraint. The Commission noted that during this reporting year, as in previous years, official reports from several provinces and municipalities across China (e.g., Anhui, Beijing, Fujian, Guizhou, Hebei, Henan, Hunan, Jiangxi, Shandong, and Zhejiang) continued to promote “family planning implementation work” using phrases such as “spare no efforts” (quanli yifu or fenli) and “use all means necessary” (qian fang bai ji) to urge officials to implement harsh and invasive family planning measures. Implementation targets promoted in these reports were unrelenting, including some reports calling for a 100-percent implementation rate in compelling policy offenders to undergo “remedial measures” or the “four procedures” (i.e., intrauterine device (IUD) implants, first-trimester abortions, mid- to late-term abortions, and sterilization). For example, one government report from Guzhang county, Xiangxi Shijia and Miao Autonomous Prefecture, Hunan province, called upon local officials to implement “remedial measures” on 100 percent of women with “out-of-plan” pregnancies during an upcoming county-wide population planning “service” campaign. The same report promised to give town governments specific monetary rewards and public praise or to circulate a notice of criticism based on their achievement rate in implementing surgical procedures.
Representative Cases of Coercion

- **Guizhou.** In January 2014, more than 20 government personnel in Yuqing county reportedly took Tan Kaimei, who suffered from uterine fibroids, to the local family planning office where they signed her agreement on an operation consent form and pinned her down while performing a sterilization procedure on her. Tan and her husband reported to the U.S.-based human rights organization ChinaAid that officials refused to give them a legal explanation for the forced procedure.

- **Guangdong.** According to a January 2014 Xinkuai Net report, family planning officials in Baiyun district, Guangzhou municipality, were withholding hukous—household registration permits—for children or welfare disbursements from families if the mother refused to have an intrauterine device (IUD) inserted. While one district-level family planning official claimed that the registration of hukous and disbursement of welfare had been linked to IUD insertion for all 11 years of her involvement in family planning implementation, a higher level official interviewed for the report claimed such linking was not permitted.

- **Xinjiang.** In December 2013, local family planning officials in Hotan prefecture, Xinjiang Uyghur Autonomous Region, reportedly forced four Uyghur women to undergo abortions. According to Radio Free Asia, one of the women was in her ninth month of pregnancy. Local officials acknowledged the four abortions had taken place, stating that they were only following orders from higher authorities and that they planned to conduct two more. Officials at the hospital where authorities reportedly took the women denied having carried out any forced abortions.

- **Shandong.** In late September 2013, 20 officials in Weifang city broke into the home of Liu Xinwen, six months pregnant with her second child, and took her to a local hospital for a forced abortion. Officials prevented her husband from accompanying her and did not tell him where they had taken her. At the hospital, the officials reportedly forced her consent, and administered the abortion before her husband could find her.

Punishments for Noncompliance

Chinese authorities continued to use various methods of punishment to manage citizens’ compliance with population planning policies. In accordance with national measures, local governments have directed officials to punish noncompliance with heavy fines, termed “social maintenance fees” (shehui fuyang fei), which compel many couples to choose between undergoing an unwanted abortion or incurring a fine much greater than the average annual income of their locality. State-run media reported on one case in December 2013 in which a villager committed suicide after local officials convinced him to sell all his crops to pay “social maintenance fees.” The officials reportedly were not authorized to collect the fees and were later investigated and punished.

A court in Guangzhou municipality, Guangdong province, ruled in March 2014 that the provincial family planning authority’s decision not to disclose “social maintenance fee” data in response to a citizen’s Open Government Information request was an incorrect use of the law and that the family planning office must re-address his request. On July 29, the Guangdong province audit depart-
ment released the results of an audit of “social maintenance fee” collection across the province, finding that some local governments’ fee collection did not comply with regulations.68 During this reporting year, other reports emerged highlighting local governments’ misuse or incomplete disclosure of “social maintenance fees,” noting that in some localities officials were permitted to retain a percentage of the fees, and that in some cases officials had spent collected monies on personal expenditures.69 The PRC Population and Family Planning Law (PFPL) prohibits and provides punishment for the misuse of population planning-related funds.70

In addition to fines, officials imposed or threatened other punishments for family planning offenses. These punishments included job termination,71 expulsion from the Communist Party,72 destruction of personal property,73 arbitrary detention,74 forced abortion, and at least one reported forced sterilization.75 The PFPL prohibits and provides punishments for officials’ infringement on citizens’ personal, property, and other rights while implementing population planning policies.76

During this reporting year, authorities in some localities denied birth permits and hukous for children whose parents disobeyed local family planning requirements. In one such example, an April 2014 Shanghai Daily article reported that officials in Guangzhou municipality withheld birth permits for families who were eligible to have a second child, requiring that mothers agree to be sterilized after the birth before they would issue the permit.77 Higher level officials later reported that this requirement was not in accordance with the law and that family planning staff needed additional training.78 Authorities in some areas also withheld hukous from children born in excess of birth quotas until their parents paid the necessary “social maintenance fees” associated with their birth.79 In some localities, authorities would not issue hukous to children born to single parents, as they required the information of both parents to complete the necessary paperwork.80 People who lack hukous in China are commonly referred to as “illegal residents” (heihu)81 and face considerable difficulty accessing social benefits typically afforded to registered citizens, including health insurance, public education, and pensions.82 The UN Committee on the Rights of the Child conducted a periodic review of China’s compliance with the Convention on the Rights of the Child in September 2013. In its concluding observations, the Committee stated its concern about low rates of birth registration in China—in part due to China’s family planning policies—and recommended that China “reform family planning policies in order to remove all forms of penalties and practices that deter parents or guardians from registering their children” and “abandon the hukou system in order to ensure birth registration for all children.”83 [For additional discussion of China’s hukou system, see Section II—Freedom of Residence and Movement.]

Demographic Consequences

The Chinese government’s population planning policies continue to exacerbate the country’s demographic challenges, which include an aging population, diminishing workforce, and skewed sex ratio. Affected in recent decades by government restrictions on the num-
ber of births per couple, China’s total fertility rate has dropped
from 6.14 births per woman in 1949 to an estimated 1.55 births
per woman in 2014, contributing in part to a serious demographic
imbalance with regard to China’s increasing elderly population and
shrinking working-age population. Although Chinese authorities
continue to implement a ban on “non-medically necessary sex
determination and sex-selective abortion,” some people reportedly
continue the practice in response to government-imposed birth lim-
its and in keeping with a traditional cultural bias for sons. According
to state-run media, China’s male-female ratio at birth is severely
skewed and has “hovered at a high level since fetal ultrasound exams became common in China”—an apparent reference to sex-selective abortion. Chinese and international experts note that while the recent new exception to the one-child rule may improve China’s sex ratio at birth, it will not resolve the problem of China’s current sex ratio imbalance. The UN Committee on the Rights of the Child recommended in its October 2013 concluding observations that China “take immediate legal, policy and awareness-raising measures to prevent sex-selective abortions, female infanticide and abandonment of girls, including by addressing factors that reinforce cultural norms and practices that discriminate against girls.” While Chinese media reported that China’s sex ratio at birth has decreased in the past few years, according to the UN Population Division, as of 2012 it remained the highest in the world. Reports have also suggested a link between China’s large number of “surplus males” and an increase in the trafficking of women and children for forced marriage or commercial sexual exploitation.

Reports indicate that China’s population planning policies have
contributed in part to what the state-controlled Global Times has
called China’s “massive and lucrative baby market,” as a tradi-
tional preference for sons combined with birth limits is thought to
courage a black market for adoptions. In January 2014, a court
in Shaanxi province handed down a suspended death sentence to
an obstetrician involved in the illegal acquisition and sale of seven
babies under her care. The doctor allegedly convinced parents to
relinquish their newborn children, claiming they were seriously ill,
and then sold them to brokers.

Further contributing to illicit adoptions, parents who are unable
to afford “social maintenance fees” for “out-of-plan” pregnancies, in
some cases, give away their children. In one such case, in
Jiangxi province, a couple pregnant with their third child at-
ttempted to give away their baby through an online adoption forum
after determining they could not afford to pay the necessary family
planning fines to secure the child’s hukou. The adoption forum
was later shut down, and its founder arrested, during a February
2014 crackdown on fraudulent adoptions.

Notes to Section II—Population Planning

1 To avoid confusion, the Commission uses the official Chinese term “population planning”
when referring to the Chinese government’s official policy of limiting the number of children a
woman or couple may have and the methods employed by Chinese officials to coerce compliance
with this policy. Some Commissioners also use the term “population control” to describe these
policies.
2 PRC Population and Family Planning Law (Zhonghua renmin gongheguo renkou yu jihua
shengyu fa), passed 29 December 01, effective 1 September 02, art. 18. Article 18 stipulates,
“The State maintains its current policy for reproduction, encouraging late marriage and child-

bearing and advocating one child per couple. Where the requirements specified by laws and regulations are met, plans for a second child, if requested, may be made. For information on differing provincial implementing regulations that permit couples to have more than one child, see Chinese Human Rights Defenders, “I Don’t Have a Choice Over My Own Body,” 21 December 10, 6–7. Implementing regulations in different provinces vary with respect to the ages at which couples may give birth or the spacing permitted between children; most provinces have canceled limitations on birth spacing altogether. See, e.g., “Nine Provinces Formally Launch ‘Two Children for Single Only-Child Couples,’” 20 Provinces Put Forth Implementing Timetables” [9 shengfen zhengfu gongzuo “danbu lianghai” 20 shengfen tui shishui shijianhao], China News Net, 26 March 14; “19 Provinces in Our Country Cancel [Mandatory] Birth Spacing, Central [Authorities] Call for Strict Control of the Births of Multiple Children” [Wo guo 19 sheng qu xinzheng jian’ge zhengyang yaoyao yanyou duohai shengyu], Xinhua, reprinted in People’s Daily, 31 December 13.


3 PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua fa], issued 29 December 01, effective 1 September 02, art. 18. Article 18 stipulates, “[t]he State maintains its current policy for reproduction, encouraging late marriage and child-bearing and advocating one child per couple. Where the requirements specified by laws and regulations are met, plans for a second child, if requested, may be made.” For information on differing provincial implementing regulations that permit exceptions to the one child policy, see Gu Baofeng et al., “China’s Local and National Fertility Policies at the End of the Twentieth Century,” Population and Development Review, Vol. 33, No. 1 (2007), 134–135, Table 1.

4 Gu Baofang et al., “China’s Local and National Fertility Policies at the End of the Twentieth Century,” Population and Development Review, Vol. 33, No. 1 (2007), 134–135, Table 1. According to the report, these criteria include, for example, such conditions as: The first child was medically diagnosed as disabled, both members of the couple are only children, the couple are rural residents and their first child was a girl, or the couple are remarried.

5 Ibid., Table 1. Ethnic minority couples (couples in which at least one parent belongs to an officially recognized ethnic minority group) are permitted to bear a second child in all provincial-level jurisdictions except Jiangsu province, and Shanghai, Tianjin, and Beijing municipalities. Ethnic minority couples are permitted to bear a third child if they meet certain criteria in the Inner Mongolia, Tibet, Xinjiang, Yunnan, and Ningxia Hui Autonomous Regions, and Heilongjiang, Fujian, Hainan, Sichuan, Guizhou, Yunnan, and Qinghai provinces. Population and Family Planning Commission of Hubei Province, “Hubei Provincial Population and Family Planning Regulations” [Hubei sheng renkou yu jihua shengyu tiaoli], 2 February 09, art. 17(b).

6 In Hubei province, both members of the couple must belong to an ethnic minority to be able to bear a second child.

7 See, e.g., Shaanxi Provincial People’s Government, Shaanxi Provincial Implementing Measures for Collection and Management of Social Maintenance Fees [Shaanxi sheng shehui fuwu fei zhengguan banfa], issued 8 June 04, effective 1 August 04, art. 8(1). In Shaanxi province, individuals in violation of local population planning regulations can each be fined three to six times the amount of the average annual income of a resident in their locality, sometimes more, based on statistics from the previous year. See also Brittany Hi et al., “China Fines Zhang Yimou $1.2 Million,” Wall Street Journal, China Real Time Report (blog), 9 January 14; “Cost of a Second Child: Pair Fined 1.3m Yuan,” Shanghai Daily, reprinted in China Internet Information Center, 31 May 12; Chinese Human Rights Defenders, “I Don’t Have a Choice Over My Own Body,” 21 December 10, 19–20.


10 Beijing Declaration and Platform for Action (1995), 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, paras. 9, 17. The Beijing Declaration states that governments that 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 . . .” (para. 9) and “are convinced that [t]he explicit recognition and reaffirmation of the right of all women and girls, and of women in particular, to control all aspects of their health, in particular their own fertility, is basic to their empowerment . . .” (para. 17).

11 Programme of Action of the Cairo International Conference on Population and Development, 18 October 94, paras. 7.2, 8.25. Paragraph 7.2 states that, “[r]eproductive health therefore im-
plies 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, “[i]n no case should abortion be promoted as a method and to have access to safe, effective, affordable and acceptable methods of family planning of their choice. . . .”


13 For recent examples of acts of official violence in the implementation of population planning policies, see ChinaAid, “Guizhou Family Planning Official Says Woman Should Have Forced Sterilization ‘Because He Told Her To.’” 27 January 14; “Four Uyghur Women Forced To Abort Their Babies in Xinjiang,” Radio Free Asia, 30 December 13; Mark Stone, “China Couple Speak of ‘Forced Abortion.’” Sky News, 4 October 13.

14 UN 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 3 January 76, art. 1; UN Committee against Torture, 41st Session, Consideration of Reports Submitted by States Parties Under Article 19 of the Convention: Concluding Observations of the Committee against Torture, China, CAT/C/CHN/CO/4, 12 December 08, para. 29. In 2008, the Committee against Torture noted again with concern China’s “lack of investigation into the alleged use of coercive and violent measures to implement the population policy (A/55/44, para. 122).”

15 For recent examples of acts of official violence in the implementation of population planning policies, see ChinaAid, “Guizhou Family Planning Official Says Woman Should Have Forced Sterilization ‘Because He Told Her To.’” 27 January 14; “Four Uyghur Women Forced To Abort Their Babies in Xinjiang,” Radio Free Asia, 30 December 13; Mark Stone, “China Couple Speak of ‘Forced Abortion.’” Sky News, 4 October 13.

16 UN Convention on the Rights of the Child, adopted and opened for signature, ratification, and accession by UN General Assembly resolution 44/25 of 20 November 89, entry into force 2 September 90, arts. 2–4, 6, 24, 26, 28. China signed the convention on August 29, 1990, and ratified it on March 2, 1992. Article 2 of the CRC calls upon States Parties to “respect and ensure the rights set forth . . . to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s . . . national, ethnic or social origin . . . birth or other status.” Article 24 sets forth the right of the child to access healthcare. Article 25 sets forth the right of the child to social security, and Article 28 sets forth the right of the child to free primary education and accessible secondary education and higher education.

17 International Covenant on Economic, Social and Cultural Rights, adopted by UN General Assembly resolution 2290A (XXI) of 16 December 66, entry into force 3 January 76, art. 10(3).


19 UN Committee against Torture, 41st Session, Consideration of Reports Submitted by States Parties Under Article 19 of the Convention: Concluding Observations of the Committee against Torture, China, CAT/C/CHN/CO/4, 12 December 08, para. 29.


21 Chinese Communist Party Central Committee, Decision on Certain Major Issues Regarding Comprehensively Deepening Reforms (Zhonggong zhongyang guanyu guanhuang shehui gai 21 December 10, 26. Children born “out-of-plan” in China may be denied household registration (hukou) and thus face barriers to accessing education, social services, and in some cases employment.


25 Laney Zhang, “China: Provincial Family Planning Regulations Amended Allowing More Couples To Have a Second Child,” Global Legal Monitor, Library of Congress, 6 August 14. See, e.g., Heilongjiang Province Population and Family Planning Regulations [Heilongjiang sheng renkou yu jihua shengyu tiaoli], effective 1 January 03, amended 22 April 14, chap. 2, art. 13(2); Jiangsu Province Population and Family Planning Regulations [Jiangsu sheng renkou yu jihua shengyu tiaoli], effective 1 December 02, amended 17 June 04, 28 March 14, issued and effective 28 March 14, chap. 3, art. 22(1); Shanghai Municipal Population and Family Planning Regulations [Shanghai shi renkou yu jihua shengyu tiaoli], effective 15 April 04, amended 25 February 14, issued 25 February 14, effective 1 March 14, chap. 3, art. 25(1).


33 PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, effective 1 September 02, arts. 4, 39.

34 This number is based on Commission analysis of population planning measures. Jurisdictions to adopt “remedial measures” to “terminate ‘out-of-plan’ pregnancies (with no mention of a requirement for parents’ consent) include Tianjin and Chongqing municipalities; Lisingon, Jilin, Guangdong, Fujian, Hebei, Hubei, Shaaxi, Shanxi, Henan, Qinghia, Jiangxi, Sichuan, Anhui, Guizhou, Yunnan, Guizhou, Hunan, and Hainan provinces; and the Ningxia Hui and Xinjiang Uyghur Autonomous Regions. For two specific examples, see Guangdong Province Population and Family Planning Regulations Full Text 2014 [Guangdong sheng renkou yu jihua shengyu tiaoli], chap. 4, art. 3, amended 28 March 14, effective 1 April 14, and 25, and Jiangxi Provincial People’s Congress Standing Committee, Jiangxi Province Population and Family Planning Regulations (2014 Revisions) [Jiangxi sheng renkou yu jihua shengyu tiaoli (2014 nian xiu ding)],[], reprinted in Lawtime, 28 March 14, chap. 15, art. 15; Beijing Municipal Population and Family Planning Commission, “Early Term Abortion” [Zao rong qing fang song], 10 April 09. The Beijing Municipal Population and Family Planning Commission clearly draws the link between the term “remedial measures” and abortion: “Early term abortion refers to the use of surgery or pharmaceuticals to terminate a pregnancy before the 12th week of gestation; it is a remedial measure taken after the failure of contraception.” E.g., Mark Stone, “China Couple Speak of ‘Forced Abortion,’” Sky News, 4 October 13; “Four Uyghur Women Forced To Abort Their Babies in Xinjiang,” Radio Free Asia, 30 December


22. Guizhang County People’s Government, Circular Regarding Earnestly Organizing and Launching the All-County 2014 Annual First Family Planning Concentrated and Unified Service Activities [Guizhang zizhixian 2014 nian fudao huodong tongyi fuwu huodong jisheng jizhong tongyi fuwu huodong de tongzhi], 10 November 13; Beita District People’s Government, “Spare No Efforts in Fighting the Battle of Family Planning Concentrated Service Activities” [Fenli dahu jisheng jizhong tongyi fudao huodong gongzuohui], 12 December 13.


27. Guizhang County People’s Government, Circular Regarding Earnestly Organizing and Launching the All-County 2014 Annual First Family Planning Concentrated and Unified Service Activities [Guizhang zizhixian 2014 nian fudao huodong tongyi fuwu huodong jisheng jizhong tongyi fuwu huodong de tongzhi], 10 November 13.

28. Ibid.


30. Ibid. According to ChinaAid, Huang said that he and Tan Kaimei “have not violated any family planning policy that would warrant such actions against them.”


32. Ibid.

33. “Four Uighur Women Forced To Abort Their Babies in Xinjiang,” Radio Free Asia, 30 December 13.

34. Ibid.; “Uighur Woman Forced To Abort Six-Month Pregnancy While Ill,” Radio Free Asia, 13 January 14.

35. “Four Uighur Women Forced To Abort Their Babies in Xinjiang,” Radio Free Asia, 30 December 13.

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out a hukou, a child cannot apply for an ID card and thus does not have a legal identity, is not a citizen and consequently is deprived of the rights accorded to other Chinese citizens.”


81UN Committee on the Rights of the Child, Concluding Observations on the Combined Third and Fourth Periodic Reports of China, Adopted by the Committee at Its Sixty-Fourth Session (16 September–4 October 2013), CRC/C/CHN/CO/3–4, 29 October 13, paras. 39(a), 40(a), 40(b).

82China’s Sex Ratio at Birth Declines Four Years in a Row,” Xinhua, 5 March 13. According to Zhai Zhenwu, a professor at the Renmin University School of Sociology and an expert on population policy, this was due to the implementation of the one-child policy.

83For regulations prohibiting the practices of non-medically necessary gender determination tests and sex-selective abortion, see National Population and Family Planning Commission, Ministry of Health, State Food and Drug Administration, “Regulations Regarding the Prohibition of Non-Medically Necessary Gender Determination Examinations and Sex-Selective Termination of Pregnancy” (Guanyu jinzhi fei yixue xuyao de taier xingbie jianding he xuanze xingbie de rengong zhongzhi renshen de guiding), issued 29 November 02, effective 1 January 03. For discussion of these regulations, see “China Bans Sex-Selection Abortion,” Xinhua, reprinted in China Net, 22 March 03. See also PRC Population and Family Planning Law [Zhonghua renmin hukou ban hukou shi shehui guanli de benwei huigui], issued 29 November 02, effective 1 January 03. For a discussion of these regulations, see “China Bans Sex-Selection Abortion,” Xinhua, reprinted in China Net, 22 March 03. See also PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, effective 1 September 02, art. 22. According to Article 22, “Discrimination against, maltreatment, and abandonment of baby girls are prohibited.”

84National Health and Family Planning Commission, “Several Departments Jointly Uncover Cross-Ovitals, Strike Hard Campaign Against the Illegal Practice of Medicine and Crimes Against the Law” [Ji bumen lianhe pohuo kuasheng “liang fei” xingwei bingke weifan er “liang fei” xingwei bingke weifan], issued 29 November 02, effective 1 January 03.

85Shan Juan, “Gang Busted for Illegal Gender Selection Testing,” China Daily, 20 January 14. According to Zhai Zhenwu, a professor at the Renmin University School of Sociology and an expert on population policy, this was due to the implementation of the one-child policy.

86For regulations prohibiting the practices of non-medically necessary gender determination tests and sex-selective abortion, see National Population and Family Planning Commission, Ministry of Health, State Food and Drug Administration, “Regulations Regarding the Prohibition of Non-Medically Necessary Gender Determination Examinations and Sex-Selective Termination of Pregnancy” (Guanyu jinzhi fei yixue xuyao de taier xingbie jianding he xuanze xingbie de rengong zhongzhi renshen de guiding), issued 29 November 02, effective 1 January 03. For discussion of these regulations, see “China Bans Sex-Selection Abortion,” Xinhua, reprinted in China Net, 22 March 03. See also PRC Population and Family Planning Law [Zhonghua renmin gongheguo renkou yu jihua shengyu fa], passed 29 December 01, effective 1 September 02, art. 22. According to Article 22, “Discrimination against, maltreatment, and abandonment of baby girls are prohibited.”

UN Entity for Gender Equality and the Empowerment of Women, “Preventing Gender-Biased Sex Selection,” 2011, 5; Susan W. Tiefenbrun and Christie J. Edwards, “Gendercide and the Cultural Context of Sex Trafficking in China,” Fordham International Law Journal, Vol. 32, No. 3 (2009), 731, 752; Therese Hesketh et al., “The Effect of China’s One-Child Family Policy After 25 Years,” New England Journal of Medicine, Vol. 353, No. 11 (2005), 1173; Nicholas Eberstadt, “A Global War Against Baby Girls: Sex-Selective Abortion Becomes a Worldwide Practice,” Handbook of Gender Medicine, reprinted in All Girls Allowed, 1 May 11. According to the Eberstadt article, “Some economists have hypothesized that mass feticide, in making women scarce, will only increase their ‘value’—but in settings where the legal and personal rights of the individual are not secure and inviolable, the ‘rising value of women’ can have perverse and unexpected consequences, including increased demand for prostitution and an upsurge in the kidnapping and trafficking of women (as is now reportedly being witnessed in some women-scarce areas in Asia).”


102 Ibid. For additional information on the crackdown, see Bai Tiantian, “Police Save 382 Babies in Trafficking Crackdown,” Global Times, 1 March 14.