

POPULATION CONTROL

International Standards and China's Coercive Population Policies

During the Commission's 2017 reporting year, Chinese authorities continued to actively promote and implement coercive population control policies that violate international standards. 2016 marked the first full year that the Chinese Communist Party and central government authorities implemented the "universal two-child policy" that allows all married couples to have two children.¹ Authorities continued to place an emphasis on birth limits and adherence to family planning as a "basic national policy."² The amended PRC Population and Family Planning Law and provincial-level regulations limit couples' freedom to build their families as they see fit, and include provisions that require couples be married to have children and limit them to bearing two children.³ Exceptions allowing for additional children exist for couples who meet certain criteria, which vary by province, including some exceptions for ethnic minorities,⁴ remarried couples, and couples who have children with disabilities.⁵ Officials reportedly continued to enforce compliance with population planning targets using methods including heavy fines,⁶ detention,⁷ forced sterilization,⁸ and abortion.⁹

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.¹⁰ China was a state participant in the negotiation and adoption of both.¹¹ 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 (Convention),¹² which China has ratified.¹³ In November 2015, the UN Committee against Torture conducted its most recent periodic review of China's compliance with the Convention.¹⁴ In its concluding observations, the Committee stated its concerns about China's "use of coercive measures for the implementation of the population policy," and "reports of coerced sterilization and forced abortions, [and] the lack of information on the number of investigations into such allegations."¹⁵

Implementation of the Universal Two-Child Policy

Amid demographic and economic concerns voiced by population experts and research institutions,¹⁶ central Party authorities issued a decision at the Fifth Plenum of the 18th Central Committee of the Chinese Communist Party in October 2015 to adopt a "universal two-child policy" (*quanmian erhai*), thereby allowing all married couples to have two children.¹⁷ On December 27, 2015, the National People's Congress Standing Committee amended the PRC Population and Family Planning Law, which became effective on January 1, 2016.¹⁸ As of August 2017, 30 provincial-level jurisdictions had revised their population and family planning regulations in accordance with the amended national law.¹⁹ Despite these policy and legislative revisions, central government officials emphasized that family planning policy will remain a "basic national pol-

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icy” (*jiben guoce*)²⁰ and stressed the need to “maintain and strengthen” the family planning apparatus at the grassroots level.²¹ Human rights advocates, demographic experts, and others expressed concerns that the coercive implementation of family planning measures and human rights abuses will persist despite the adoption of the universal two-child policy.²²

Chinese government statistics showed that the universal two-child policy had limited to moderate impact during its first year of implementation in 2016. During the Commission’s previous reporting year, the National Health and Family Planning Commission (NHFPC) had predicted that the universal two-child policy would result in population growth,²³ with an additional 3 million children born per year²⁴ and an estimated total of 17.5 to 21 million children born per year during the 13th Five-Year Plan period (2016–2020).²⁵ According to data released by the National Bureau of Statistics of China (NBS) in January 2017, the number of total births in 2016 was 17.86 million, 1.31 million more births than the 2015 NBS figure of 16.55 million.²⁶ The NHFPC employed a different methodology; its data showed that the number of total births in 2016 was 18.46 million, or approximately 1.91 million more births than the 2015 NBS figure.²⁷ Although both the NBS and NHFPC figures were lower than the predicted annual growth of 3 million additional births, NHFPC officials stated that the growth had met official expectations²⁸ and that the universal two-child policy was effective,²⁹ and predicted that the growth would continue.³⁰ The numbers of total births in 2016 as reported by NBS and NHFPC—of which approximately 45 percent were second children—were the highest since 2000.³¹

Some government reports and observers differed from the NHFPC over the impact of the universal two-child policy, suggesting that the growth in the number of births in 2016 might be a short-term phenomenon.³² Some married couples were reportedly waiting for the government policy to change in 2016 in order to avoid fines associated with having a second child, while others were waiting to have a child in the Year of the Monkey, a more auspicious year for having children according to the traditional lunar calendar.³³ Reports suggested that the impact of the universal two-child policy may be limited in the long term, as the fertility rate is likely to remain low.³⁴ Other population experts, such as Yi Fuxian and Huang Wenzheng, expressed reservations about the official birth data, estimating a lower number of total births in 2016 in the range of 12 million to 13 million.³⁵ Some experts also noted that the universal two-child policy does not adequately address the issue of low fertility rate and the high costs associated with controlling fertility, and urged the Chinese government to end all birth restrictions.³⁶

Many married couples were reportedly reluctant to have a second child due to a number of factors, including the high cost of rearing an additional child,³⁷ lack of adequate child care and education options,³⁸ lack of energy to look after children,³⁹ disruption to career development,⁴⁰ and the perception that having one child is enough due to decades-long government propaganda.⁴¹ Central government authorities pledged to implement “supporting policy measures” to address these concerns, including efforts to enhance public services

for women and children's health care,⁴² child care, and education,⁴³ in order to "promote long-term and balanced population development."⁴⁴ During this reporting year, government authorities continued to implement the birth registration system and promoted registration of children online, allowing married couples to register their first two children without going through complicated approval or application processes⁴⁵ that were common prior to the 2016 amendment to the PRC Population and Family Planning Law.⁴⁶

Coercive Implementation

Abuses committed during the implementation of family planning policies continued during the Commission's 2017 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.⁴⁷ Some provincial-level population planning regulations and local family planning agencies, however, continued to explicitly instruct officials to carry out abortions, often referred to as "remedial measures" (*bujiu cuoshi*), for "out-of-plan" pregnancies.⁴⁸

OFFICIAL CAMPAIGNS

Language used in official speeches and government reports from jurisdictions across China continued to reflect an emphasis on the harsh enforcement of family planning measures. During this reporting year, as in previous years,⁴⁹ official reports from several provinces across China—including Hainan,⁵⁰ Henan,⁵¹ Hubei,⁵² Hunan,⁵³ and Jiangxi⁵⁴—continued to promote "family planning work" that entailed harsh and invasive family planning measures. Phrases such as "fight the family planning battle" (*da hao jisheng fanshen zhan*),⁵⁵ "resolutely implement" (*hen zhua*),⁵⁶ and "spare no efforts" (*quanli yifu*)⁵⁷ continued to appear in official speeches and government reports, indicating sustained efforts to promote these family planning campaigns.⁵⁸

Some local government authorities stated in official reports that the goal of "family planning work" is to "maintain a low birth level" (*wending di shengyu shuiping*),⁵⁹ while others emphasized the need to strictly control and punish "illegal reproductive behaviors"⁶⁰ and implement "remedial measures" to address "illegal pregnancies."⁶¹ Authorities imposed implementation targets,⁶² demanded family planning officials carry out the invasive "three inspections" (intra-uterine device (IUD), pregnancy, and health inspections)⁶³ and "four procedures" (IUD insertion, first-trimester abortion, mid- to late-term abortion, and sterilization),⁶⁴ and demanded the collection of "social compensation fees" (*shehui fuyang fei*).⁶⁵ In one example, a government report from Shaoyang municipality, Hunan, indicated that municipal authorities carried out 2,320 "birth-control" operations in 2016—1,790 IUD insertions, 430 IUD removals, 10 sterilizations, and 90 abortions.⁶⁶

Case of Forced Sterilization in Yunnan Province

According to state-funded news media Sixth Tone and Party-run media Beijing News, in February 2017, government officials in Luokan township, Zhenxiong county, Zhaotong municipality, Yunnan province, detained Hu Zhenggao and later beat him and forced him to undergo a vasectomy.⁶⁷ The alleged incident occurred when Hu, currently a registered resident of Sichuan province, returned to his hometown in Yunnan for the lunar New Year holiday.⁶⁸ Local authorities accused Hu, a father of four, of violating the family planning policy⁶⁹ and demanded that he either pay 20,000 yuan (approximately US\$2,900) or undergo a vasectomy.⁷⁰ Hu had three children with his ex-wife—who underwent sterilization afterward—and had paid a fine in 2000 for violating the family planning policy.⁷¹ In 2015, Hu had another child with his current wife in Sichuan, and Sichuan authorities reportedly approved the birth.⁷² Zhenxiong authorities denied that Hu had been threatened or maltreated, insisting that Hu had “volunteered to undergo the vasectomy,”⁷³ and that enforcement action was lawful.⁷⁴

According to Sixth Tone, village-level leaders in Zhenxiong confirmed that such operations are commonplace, as the county government imposes annual quotas on village officials to carry out sterilizations.⁷⁵ One village was punished by cuts in government funding and public sector jobs after it had failed to meet its sterilization target.⁷⁶ Following the news reports, the Yunnan Province Health and Family Planning Commission directed local authorities to investigate the incident.⁷⁷ According to a March 2017 Beijing Youth Daily report, the Zhenxiong County Party Standing Committee ordered the county’s Party Discipline Inspection Commission to “admonish” Luokan township leaders and urged them to hold relevant family planning personnel accountable.⁷⁸ Furthermore, the Yunnan Province Health and Family Planning Commission issued a circular forbidding local governments from carrying out forcible family planning operations.⁷⁹

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,⁸⁰ local governments have directed officials to punish noncompliance through heavy fines, termed “social compensation fees,” which reportedly compel couples to choose between undergoing an unwanted abortion and incurring a fine much greater than the average annual income in their locality.⁸¹ On November 10, 2016, official Chinese news media Taihai Net reported a case in which local authorities in Wuping county, Longyan municipality, Fujian province, launched a “special action group” to forcibly collect “social compensation fees” from violators who had children in excess of birth quotas.⁸² During an enforcement campaign, Wuping authorities detained two individuals surnamed Cheng and Lan who had refused to pay the fines.⁸³ The report also warned that the authorities would continue to forcibly collect “social compensation fees” within their jurisdiction and “to punish and educate” violators, in order to “effectively curb illegal births.”⁸⁴

This past year, domestic news media reported an increase in the number of administrative lawsuits Chinese citizens filed against family planning agencies for the collection of “social compensation fees.”⁸⁵ These cases were related to married couples who gave birth to a second child in violation of previous family planning policies and birth limits.⁸⁶ Some observers called on government authorities to rescind these imposed fines;⁸⁷ during the annual parliamentary meetings in March, several National People’s Congress delegates and members of the Chinese People’s Political Consultative Conference also urged the government to abolish the “social compensation fees system.”⁸⁸ The State Council issued draft Regulations on the Collection and Management of Social Compensation Fees in November 2014;⁸⁹ as of July 2017, the Commission had not observed reports of the Chinese government issuing the regulations.

In addition to fines, officials imposed or threatened other punishments for family planning violations. These punishments included detention,⁹⁰ forced sterilization,⁹¹ and abortion.⁹² The PRC Population and Family Planning Law prohibits and provides punishments for officials’ infringement on citizens’ personal, property, and other rights while implementing population planning policies.⁹³

Hukou Reform Addressing the Issue of “Illegal Residents”

During the Commission’s 2017 reporting year, central and local governments continued to implement household registration (*hukou*) reforms to register “illegal residents” (*heihu*), a term commonly used to refer to people who lack *hukou* in China. According to 2010 national census data, there were approximately 13 million “illegal residents” in China,⁹⁴ of whom over 60 percent were people born in excess of birth quotas.⁹⁵ Other reports indicated that the number of “illegal residents” might be higher than 13 million.⁹⁶ These “illegal residents” face considerable difficulty accessing social benefits typically afforded to registered citizens, including government-subsidized healthcare, public education, and social security.⁹⁷ According to U.S.-based news media Duowei, survey data from the Chinese Academy of Macroeconomic Research of the National Development and Reform Commission showed that nearly half of the 13 million unregistered population were illiterate or people who had never received formal education, and about 43.8 percent of the unregistered population were unemployed.⁹⁸

**Hukou Reform Addressing the Issue of “Illegal Residents”—
Continued**

Central Party and government authorities issued directives during the Commission’s previous reporting year to address the issue of “illegal residents.”⁹⁹ According to a March 2017 People’s Daily report, all 31 provincial-level governments have issued implementing opinions for *hukou* reform, and approximately 14 million “illegal residents” have registered for *hukou* since November 2012.¹⁰⁰ The state-run media China Central Television reported in February 2017 that authorities registered 1.435 million “illegal residents” in 2016.¹⁰¹ Some “illegal residents,” however, reportedly continued to face difficulty in registering for *hukou*, including those born to unmarried parents.¹⁰² According to a March 2017 People’s Daily report, a Ministry of Public Security (MPS) official stated that the MPS aims to completely resolve the issue of “illegal residents” within the next two to three years.¹⁰³ [For more information on China’s *hukou* system, see Section II—Freedom of Residence and Movement.]

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 1970s¹⁰⁴ to a reported 1.7 births per woman in 2017, below the replacement rate of 2.1 births per woman necessary to maintain a stable population.¹⁰⁵ The fertility rate is even lower in some major cities, such as Shanghai municipality, which has a fertility rate of approximately 0.7 births per woman, reportedly one of the lowest in the world.¹⁰⁶

China’s low fertility rate has contributed to a rapidly aging population and a shrinking workforce. According to a January 2017 National Bureau of Statistics of China (NBS) report, from 2015 to 2016, China’s working-age population (persons between the ages of 16 and 59) declined by 3.49 million people to 907.47 million, continuing a downward trend from the previous year.¹⁰⁷ At the same time, the elderly population (persons aged 60 or older) increased by approximately 8.86 million in 2016 to 230.86 million people, or 16.7 percent of the total population.¹⁰⁸ According to the 2017 State Council National Population Development Plan, 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 2030.¹⁰⁹ Some population experts suggested that the elderly population would account for approximately one-third of China’s total population by 2050, according to a China Daily report.¹¹⁰ These demographic trends reportedly may burden China’s health care, public services, and retirement systems,¹¹¹ and weaken China’s economy as labor costs rise and competitiveness erodes.¹¹²

The Chinese government’s restrictive family planning policies also have exacerbated China’s sex ratio imbalance. Although Chinese authorities continue to implement a ban on “non-medically

necessary sex determination and sex-selective abortion,”¹¹³ some people reportedly continue the practice in keeping with a traditional cultural preference for sons.¹¹⁴ According to an NBS report, China’s overall sex ratio in 2016 was 104.98 males to 100 females, and there were approximately 33.59 million more males than females in China (708.15 million males to 674.56 million females).¹¹⁵ Demographic experts have expressed concerns that the sex ratio imbalance in China could lead to “violent crime,”¹¹⁶ “sex crimes,” “trafficking of women,”¹¹⁷ and social instability.¹¹⁸ This past year, international media reports continued to suggest a link between China’s large number of “surplus males”¹¹⁹ and the trafficking of foreign women—from countries including Cambodia,¹²⁰ Burma (Myanmar),¹²¹ North Korea,¹²² and Vietnam¹²³—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 contributed to a black market for illegal adoptions.¹²⁴ In November 2016, public security authorities in seven provinces detained 157 individuals involved in the acquisition and selling of children, and rescued 36 children, some of whom reportedly were 10 days old when taken.¹²⁵ As of December 2016, authorities had not been able to locate the parents of at least nine of the children.¹²⁶ According to reports, some parents sold their children because of financial difficulty, while some buyers wanted male children due to a traditional preference for sons.¹²⁷

Notes to Section II—Population Control

¹National 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.

²State Council, National Population Development Plan (2016–2030) [Guojia renkou fazhan guihua (2016–2030 nian)], issued 30 December 16, chaps. 2(1), 3(1); 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; National Health and Family Planning Commission, “State Council Policy Regular Press Conference: ‘13th Five-Year Plan’ Health Plan and Deepening Medical and Health System Reform Plan During the ‘13th Five-Year Plan’ Period” [Guowuyuan zhengce lixing chufeng hui: “shisan wu’ weisheng yu jiankang guihua” ji “shisan wu’ qijian shenhua yiyao weisheng tizhi gaige guihua” youguan qingkuang], 23 December 16.

³PRC 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 stipulates, “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, 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 yu jihua shengyu tiaoli], issued 23 March 12, amended 13 January 14, 15 January 16, art. 13.

⁴See, 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, 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.

⁵For provincial population planning provisions that allow these exceptions for having an additional child, see, e.g., Zhejiang Province People’s Congress Standing Committee, Zhejiang Province Population and Family Planning Regulations [Zhejiang sheng renkou yu jihua shengyu tiaoli], issued 3 September 02, amended 28 September 07, 13 January 14, 14 January 16, reprinted in Zhejiang Province Health and Family Planning Commission, art. 18(1–4); Sichuan Province People’s Congress Standing Committee, Sichuan Province Population and Family Planning Regulations [Sichuan sheng renkou yu jihua shengyu tiaoli], issued 2 July 87, amended 15 December 93, 17 October 97, 26 September 02, 24 September 04, 20 March 14, 22 January 16, art. 13(1); Guangxi Zhuang Autonomous Region People’s Congress Standing Committee, Guangxi Zhuang Autonomous Region Population and Family Planning Regulations [Guangxi zhuang zu zizhi renkou yu 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, art. 9(2–3).

⁶See, e.g., Song Shiqing and Liu Jiaying, “China Fining Parents for Second Kid Born Before One-Child Policy Scrapped,” *Caixin*, 6 February 17; “Wuping Court Detains Another 2 People, Special Action To Forcibly Collect Social Compensation Fees Continues According to Law!” [Wuping fayuan you ju 2 ren yifa qiangzhi zhengshou shehui fuyang fei zhuanxiang xingdong zai chixu!], *Taihai Net*, 15 November 16.

⁷See, e.g., Sun Ruili and Li Jin, “Man Forcibly Sterilized in Zhenxiong, Yunnan: [I] Never Want To Go Back to That Place Again” [Yunnan zhenxiong bei qiangzhi jieza nanzi: yibeizi buxiang zai hui nage difang], *Beijing News*, 14 February 17; “Wuping Court Detains Another 2 People, Special Action To Forcibly Collect Social Compensation Fees Continues According to Law!” [Wuping fayuan you ju 2 ren yifa qiangzhi zhengshou shehui fuyang fei zhuanxiang xingdong zai chixu!], *Taihai Net*, 15 November 16.

⁸See, e.g., Sun Ruili and Li Jin, “Man Forcibly Sterilized in Zhenxiong, Yunnan: [I] Never Want To Go Back to That Place Again” [Yunnan zhenxiong bei qiangzhi jieza nanzi: yibeizi buxiang zai hui nage difang], *Beijing News*, 14 February 17; Zhao Meng and Fu Danni, “Sterilization Quotas Endure in Two-Child Policy Era,” *Sixth Tone*, 22 February 17.

⁹See, e.g., John Sudworth, “China’s Forbidden Babies Still an Issue,” *BBC*, 28 October 16. See also Reggie Littlejohn, *Women’s Rights Without Frontiers*, “Will You Let Them Get Away With This?” 19 December 16.

¹⁰Beijing 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, paras. 9(Annex 1), 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.” (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 (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., Wang Lianzhang, “Chinese Father of Four Forced To Undergo Vasectomy,” Sixth Tone, 14 February 17; John Sudworth, “China’s Forbidden Babies Still an Issue,” BBC, 28 October 16; “Wuping Court Detains Another 2 People, Special Action To Forcibly Collect Social Compensation Fees Continues According to Law!” [Wuping fayuan you ju 2 ren yifa qiangzhi zhengshou shehui fuyang fei zhuanxiang xingdong zai chixu!], Taihai Net, 15 November 16; Zhao Meng and Fu Danni, “Sterilization Quotas Endure in Two-Child Policy Era,” Sixth Tone, 22 February 17.

¹¹United Nations, Report of the Fourth World Conference on Women, A/CONF.177/20/Rev.1, 27 October 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 general agreement on the Programme of Action. The Programme of Action is provided as an annex to the above ICPD report.

¹²Convention 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 regrets 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., Wang Lianzhang, “Chinese Father of Four Forced To Undergo Vasectomy,” Sixth Tone, 14 February 17; Zhao Meng and Fu Danni, “Sterilization Quotas Endure in Two-Child Policy Era,” Sixth Tone, 22 February 17.

¹³United Nations Treaty Collection, Chapter IV, Human Rights, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, last visited 22 March 17. China signed the Convention on December 12, 1986, and ratified it on October 4, 1988.

¹⁴UN 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.

¹⁵Ibid., para. 51.

¹⁶“What’s It Like To Be an ‘Invisible’ Child Under China’s One-Child Policy?” Catholic News Agency, 5 March 17; Wang Ling, “Population Report to the Decisionmaking Level, Proposes To Immediately Implement Universal Two-Child [Policy]” [Renkou baogao shangdi juece ceng jianyi lijie fangkai quanmian sheng erhai], China Business Network, 16 October 15; Olivia Lowenberg, “Why China Is Shifting to a ‘Two-Child’ Policy,” Christian Science Monitor, Global News Blog, 21 October 15.

¹⁷Chinese Communist Party Central Committee, “Chinese Communist Party 18th Party Congress Fifth Plenum Announcement,” [Zhongguo gongchandang di shiba jie zhongyang weiyuanhui di wu ci quanti huiyi gongbao], 29 October 15; Peng Xiaofei et al., “China To Adopt Universal ‘Two-Child’ Policy” [Woguo quanmian fangkai “erhai” zhengce], Beijing Youth Daily, 30 October 15.

¹⁸National People’s Congress Standing Committee, Decision on Amending the Population and Family Planning Law [Quanguo renda changweihui guanyu xiugai renkou yu jihua shengyu fa de jue ding], issued 27 December 15; 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.

¹⁹“Social Compensation Fee [Collection] Standards Clearly Defined in 25 Provinces, How Much Is the Excess Birth Fine in Your Hometown?” [25 shengfen mingque shehui fuyang fei biao zhun ni de jiaxiang chaosheng fa duoshao?], People’s Daily, reprinted in Beijing Daily, 3 August 17.

²⁰State Council, National Population Development Plan (2016–2030) [Guojia renkou fazhan guihua (2016–2030 nian)], issued 30 December 16, chaps. 2(1), 3(1); 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; National Health and Family Planning Commission, “State Council Policy Regular Press Conference: ‘13th Five-Year Plan’ Health Plan and Deepening Medical and Health System Reform Plan During the ‘13th Five-Year Plan’ Period” [Guowuyuan zhengce lixing chufeng hui: “shisan wu” weisheng yu jiankang guihua” ji “shisan wu” qijian shenhua yiyao weisheng tizhi gaige guihua” youguan qingkuang], 23 December 16.

²¹National Health and Family Planning Commission, “National Health and Family Planning Commission General Office Bulletin on the State of Supervision and Inspection Work on the ‘Population and Family Planning Law’” [Guojia weisheng jisheng wei bangong ting guanyu “renkou yu jihua shengyu fa” jiandu jiancha gongzuo qingkuang de tongbao], 3 March 17, sec. 3(4); National Health and Family Planning Commission, “January 2017 Regular Press Conference Document Two: National Health and Family Planning Work Meeting Arranges Key Tasks for 2017” [2017 nian 1 yue lixing xinwen fabuhui cailiao er: quanguo weisheng jisheng gongzuo huiyi bushu 2017 nian zhongdian renwu], 9 January 17; State Council, “13th Five-

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Year Plan' Health and Wellness Plan" ["Shisan wu" weisheng yu jiankang guihua], 27 December 17, sec. 3(6).

²²See e.g., Reggie Littlejohn et al., "Continued Coercion: China's Two-Child Policy Threatens Human Rights and Prosperity" [Webcast], Heritage Foundation, Washington, D.C., 8 March 17; Jonathan Abbamonte, "Women Continue To Face Coercion, Crippling Fines Under Two-Child Policy," Epoch Times, 29 November 16; Zhang Jing, Women's Rights in China, "Can Implementing the Two-Child Policy Improve China's Human Rights Conditions?" [Kaifang erhai zhengce neng gaishan zhongguo renquan zhuangkuang ma?], 4 October 16; "China Birth Rate Up After One-Child Rule Change," BBC, 23 January 17.

²³National 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.

²⁴"Chinese Officials Say, Three Million Additional Births Per Year With the Universal Two-Child Policy" [Zhongguo guanfang shuo, kaifang ertai meinian duo sheng sanbai wan ren], Radio Free Asia, 10 November 15.

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