

# China

<b>Response to Information Request Number:</b>	CHN01004.ZSF
<b>Date:</b>	May 11, 2001
<b>Subject:</b>	China: Information on the One Child Policy, Particularly in Shandong Province
<b>From:</b>	INS Resource Information Center
<b>Keywords:</b>	Civil law / Family planning / Legislation

## Query:

The applicant produced a summons from her employer asking her to report for sterilization, in accordance with new regulations from the Lixia District in the City of Jinan Shandong province. The regulation, according to the applicant, was promulgated around August 2000 and applies to 30-45 year old women who in the past had violated one-child policy laws. The order reads: "In accordance with a newly released urgent document (00) Jishen Zi No. 12 from the Lixia District People's Government of Jinan City -- 'regarding the 30-45 years [sic] old females who once have seriously violated the government one-child policy to have a ligation of oviduct operation.' Now the hospital is formally notifying you to go the obstetrics & gynecology department...etc."

Is there a new law/order/ordinance/regulation passed in Lixia District, Jinan City, Shandong Province, or throughout China (around August of 2000) which requires all 30-45 year old women with past violations of the one-child policy to undergo sterilization?

## Response:

According to a Senior Legal Research Analyst at the Law Library of Congress (LLC), the LLC does not have information on any such legal measures from Lixia District or Jinan City. According to the 1988 Planned Birth Regulations in Shandong Province, persons who become pregnant in violation of the one child policy "are to be persuaded and educated to take steps to stop the pregnancy" (LLC 11 May 2001, p. 1). If persuasion and education fail to cause the person to end the pregnancy, and the birth is carried out, the individual is fined, "e.g. by docking wages" (LLC 11 May 2001, p. 1).

The LLC Analyst did find a news article which stated that "villages throughout China have been known to go on draconian campaigns aimed at sterilizing women of child-bearing who have already given birth to two children" (AFP 24 Nov. 2000). The Analyst pointed out, however, that the news article is "not considered authoritative for the purpose of law" (11 May 2001, p. 2).

For more information, see the attached full response from the LLC Research Analyst.

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

## References:

Agence France Presse. 24 November 2000. "Chinese Officials Set Up Own Prison and Mete Out Rough Justice." (WESTLAW)

Senior Legal Research Analyst. Law Library of Congress, Washington, D.C.. 11 May 2001.  
Letter to the INS Resource Information Center.

**Attachments:**

Senior Legal Research Analyst. Law Library of Congress, Washington, D.C.. 11 May 2001.  
Letter to the INS Resource Information Center.

*Last Modified 06/14/2002*