

China

Response to Information Request Number:	CHN99007.ZHN
Date:	16 April 1999
Subject:	China: Family planning
From:	INS Resource Information Center, Washington, DC
Keywords:	China / Family Planning

Query:

Family Planning: Whether a Chinese citizen who has given birth to two children while living with her husband in the United States will be forced to undergo sterilization upon her to Shanghai, China.

Response:

There are generally few exceptions to the one-child policy principle, and the regulations are complicated. In a 1995 paper, Canada's Research Directorate of the Immigration and Refugee Board cited Peng Xizhe's Demographic Transition in China: Fertility Trends since the 1950s as including a 1984 table listing 15 exceptions for allowing a second birth and charting them for 25 of the 30 provinces, municipalities and autonomous regions. The paper noted that virtually all areas allowed for a second birth if "one spouse in a second marriage has never had children and the other has one child from a previous marriage" (DIRB, January 1995). This exception, however, only applies to the situation where one spouse in a second marriage has never had children.

Dr. Susan Greenhalgh, a professor at the University of California, Irvine who specializes in China's population control policy, stated that the couple broke the law by having two children, which will require sterilization. Dr. Greenhalgh noted that while there is some flexibility to the one child policy in rural areas, such is not the case in Shanghai, which is a national leader for family planning in China.

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:

Documentation, Information and Research Branch (DIRB), Immigration and Refugee Board, Ottawa, January 1995. *China: One-Child Policy Update* (REFWORLD)

Greenhalgh, Susan. Professor of Anthropology, University of California, Irvine. Telephone Interview (Washington, DC: 5 April 1999).

Last Modified 06/14/2002