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China: Whether forced abortions or sterilizations are still occurring; prevalence and location of forced abortions or sterilizations; reports of forced sterilization of men (2005 - 2007)

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News media and human rights sources indicate that China's one-child policy has led to human rights abuses in the country, including forced abortions and sterilizations (*The Washington Post* 24 Jan. 2007; NPR 17 Oct. 2006; ACCORD 17 Mar. 2006; AI 23 May 2006). According to Amnesty International (AI), "[d]espite laws prohibiting such practices [in China], many women continue to be subjected to forced abortions and sterilizations by local authorities attempting to comply with strict family planning policies" (ibid.; US 6 Mar. 2007, Sec. 1.f; ibid. 20 Sept. 2006, 111).

The 2006 annual report of the United States (US) Congressional-Executive Commission on China (CECC) similarly notes that Chinese officials "continue to use physical coercion, or threat of physical coercion, to enforce compliance" with the one-child policy (ibid.). According to the report, means employed to enforce the policy include "forced abortions, sterilization, and implantation of contraceptive devices" (ibid.). The government also reportedly enforces the policy through the use of group benefits and rewards, which affect, for example, a village, factory, or work unit so that women violating the one-child policy may feel ostracized and pressured into having an abortion (ibid.).

Under China's family planning law, local officials are tasked with conducting pregnancy tests on married women and providing "unspecified 'follow-up services'" (US 6 Mar. 2007, Sec. 1.f.). In certain provinces, such as Hebei and Henan, women who do not submit to periodic pregnancy tests may be fined up to 500 yuan [approximately CAD 73 (Canada 23 Apr. 2007)] (US 6 Mar. 2007, Sec. 1.f.).

According to a China expert from Germany, cited in a 17 March 2006 report on China of the 10th European Country of Origin Information Seminar, the penalties for "unauthorized" pregnancies may include fines as well as loss of employment, housing, or other property (ACCORD 17 Mar. 2006, 15). The expert also states that

[t]he provinces [of] Anhui, Hebei, Heilongjiang, Hubei, Hunan, Jilin, and Ningxia require the termination of pregnancy if the pregnancy violates the family-planning law. The regulations of Fujian, Guizhou, Guangdong, Gansu, Jiangxi, Qinghai, Sichuan, Shanxi, Shaanxi, and Yunnan have other [unspecified] punishments for contraventions. It is very common not only to terminate out-of-plan pregnancies, but also to sterilize one of the parents. (ibid.; see also US 6 Mar. 2007)

Country Reports on Human Rights Practices for 2006 indicates that in 2006, forced sterilizations and abortions continued to be reported in rural areas of China (US 6 Mar. 2007, Sec. 1.f.). In 2005 and 2006, there were reports of forced abortions in Hebei and Anhui, and of forced sterilizations of women in Chongqing municipality and Fujian province (US 20 Sept. 2006, 111; see also US 6 Mar. 2007). In July 2006, news sources reported that a pregnant woman fell to her death in Hefei city [Anhui province] while trying to escape

the forced abortion of her twins by local authorities (AP 1 July 2006; *South China Morning Post* 1 July 2006; US 6 Mar. 2007). During the same month, a Reuters article reported that a court in China had "lightly punished" two welfare workers and two doctors for the forced hysterectomies of two mentally disabled girls (6 July 2006). According to the article, one of the accused was sentenced to a one-year suspended jail sentence, while the other three were given six months probation (Reuters 6 July 2006). A lawyer of one of the doctors apparently defended his client's actions, stating that "such operations were common in China" (ibid.). The location in which the forced sterilizations took place was not identified in the article (ibid.).

In 2005, legal activist Chen Guangcheng was detained after trying to expose family planning abuses taking place in Linyi City [Shandong province], including forced late-term abortions and forced sterilization of at least 7,000 people (AFP 10 Aug. 2006; US 6 Mar. 2007, Sec. 1.f; see also BBC 20 Sept. 2005). In August 2006, Chen was sentenced to a jail term of four years and three months for allegedly damaging property and disrupting traffic, charges his supporters have called "fabricated" and "politically-motivated" (BBC 1 Dec. 2006; see also US 6 Mar. 2007, Sec. 1.f).

A 17 April 2007 article by Christian Aid Association (CAA), a non-governmental organization that advocates religious freedom in China (CAA n.d.), states that a "massive forced abortion campaign" is taking place in Guangxi Province [southwest China] (ibid. 17 Apr. 2007). The article indicates that, according to eyewitness reports, more than 40 pregnant women were forcefully taken to hospital to undergo abortions (ibid.). The article further notes that CAA has also received a report that a Christian woman in Laiyang city [Shandong province] was "facing increasing pressure" by local planning officials to have an abortion (ibid.).

Information on the forced sterilization of men in China was scarce among the sources consulted by the Research Directorate. As previously noted, a China expert from Germany, cited in the China report of the 10th European Country of Origin Information Seminar, stated that "[i]t is very common not only to terminate out-of-plan pregnancies, but also to sterilize one of the parents" (ACCORD 17 Mar. 2006, 15). However, according to a 3 August 2006 report by the Center for Reproductive Rights, "a nonprofit legal advocacy organization dedicated to promoting and defending women's reproductive rights worldwide" (Center for Reproductive Rights n.d.), sterilization rates among women in China are "significantly" higher than those for males (ibid. 3 Aug. 2006, 7).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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