Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's Refworld website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment please email Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca.

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China: Family planning-related documents issued by the family planning authorities and/or hospitals in Guangdong Province, including whether authorities issue reports detailing abortions, sterilizations, and/or implantations of IUDs (intrauterine devices); whether the family planning authorities issue a "Birth Control Service Card"; whether the family planning authorities issue written notices to appear for sterilization and/or receipts for family planning violation fines; format and contents of documents (2010-2015) Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Family Planning Documents Issued by Hospitals in Guangdong

   In correspondence with the Research Directorate, an official at the Embassy of Canada in Beijing provided the following information pertaining to family planning procedures:

   - Most patients undergoing abortions, sterilizations, and/or the implantation of an IUD go to the hospital as outpatients.
   - Outpatient medical records are listed in a small booklet called the "Outpatient and Emergency Medical Record for Hospitals and Clinics," which contains a written listing of the patient's symptoms by a doctor.
   - The booklet is "distributed on a mandatory basis" and is kept by patients, not the hospital. In contrast, records for hospitalized patients are kept by both the hospital and patient.
   - Hospitals "issue reports [booklets] detailing medical records on abortions, sterilizations, and/or the implantation of an IUD to patients," however it is difficult to verify the reliability of a [booklet] because the information in the document is handwritten and "it is not difficult to get a booklet from a hospital." (Canada 10 Sept. 2015)

   A sample copy of the cover and interior page of the outpatient medical record booklet, provided to the Research Directorate by the embassy official, is attached to this Response.

2. Family Planning Documents Issued by family planning authorities in Guangdong

2.1 Birth Control Service Card

   The Guangdong Population and Family Planning Commission's 2009 document titled Measures Governing the Management of the Family Planning Services Certificate of the Province of Guangdong provides information on family planning documentation, including annexed templates such as the "Family Planning Services Certificate," and is attached to this Response. Articles 2, 7, and 8 of this document state the following:

   Article 2: All married women of child-bearing age whose household registration is in this province (including those who have given birth outside of wedlock, divorcees, widows, unmarried adoptive parents) shall obtain a Family Planning Services Certificate ... in the locality where their household is registered.
Article 7: When issuing the Services Certificate, the issuing agency shall accurately record family planning management services information pertaining to marriage, births, birth control, pregnancy checks, reproductive health and rewards and penalties as they apply to each woman of child-bearing age and enter this information accurately in the corresponding boxes. A married woman who hides information concerning marriage, birth, birth control or rewards and penalties, resulting in errors in the certificate and registered entries shall bear commensurate responsibility. Where there are changes to information regarding marriage, births, birth control, pregnancy checks, reproductive health or rewards and punishments, the married woman of child-bearing age shall go immediately on her own initiative to the issuing agency for the area in which she holds her household registration or in which she is now living to change the entry. The agencies involved shall make the changes promptly.

Article 8: After a family planning technical services facility has completed the IUD and pregnancy checks for a married woman of child-bearing age, it shall affix its examination seal in the "Record of IUD and pregnancy examination services" box in the Services Certificate. Where a married woman of child-bearing age has the IUD and pregnancy checks at a designated medical facility, the local agency responsible for population and family planning work shall affix its examination seal in the "Record of IUD and pregnancy examination services" box in the Services Certificate after reviewing the medical certificate issued by the medical facility. (Guangdong 1 Apr. 2009)

According to the embassy official, a "Birth Control Service Card" (also known as a "birth permit") is issued by the local family planning officials to married couples three months into a woman's pregnancy (ibid.). The same source stated that this permit allows parents to give birth to a child legally and is "a necessary document for the parents to enjoy maternity insurance, to get the birth certificate [for their child], and to register Hukou [household registration] for the child" (ibid.). The official noted that while a Birth Control Service Card is a national requirement, the procedure of applying for the card varies between cities and provinces (ibid.). A copy of a "Birth Control Service Card" could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.2 Notices to Appear for Sterilization

Information about whether written notices are issued to appear for sterilization procedures could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.3 Receipts of Payment of Family Planning Violation Fines

The Guangdong Population and Family Planning Commission's 2009 document titled Measures Governing the Management of the Family Planning Services Certificate of the Province of Guangdong states under Article 9 (2(a)) that "[w]here persons have given birth to a child outside policy restrictions, a Decision to Collect a Social Maintenance Fee as well as a collection invoice et alia shall be issued" (Guangdong 1 Apr. 2009).

The official at the Embassy of Canada in Beijing similarly stated that if a parent(s) is required to pay a social maintenance fee (family planning violation fine), the Guangdong family planning authorities should issue an official written document called a "Decision on Collection of Social Maintenance Fees" to the parent(s) (Canada 10 Sept. 2015). The same source stated that the parent(s) must sign upon receipt of this document and pay the fine within 30 days (ibid.). According to the embassy official, after the parents have paid their social maintenance fee to the "collection agency," they are provided with an "official standard receipt issued by the financial department at or above [the] prefecture level" (ibid.).

Sources state that family planning "certificates" are required in order for parents to access social services for their children in Guangdong (Global Times 29 May 2015; LifeSite 18 June 2013). According to LifeSite, a pro-life news website (ibid. n.d.), when registering for a household registration for a newborn in Huizhou, Guangdong, mothers must first present a "certificate that she has been fitted with an IUD" (ibid. 18 June 2013). Global Times, an English-language Chinese newspaper, further notes that some primary schools in Guangzhou, Guangdong are "requiring parents to submit family planning certificates, including proof of contraceptive ring implementation in the mothers' wombs or tubal ligation, in order for their children to enrol in the first grade" (29 May 2015). A copy of such a certificate could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

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 sources consulted in researching this Information Request.
References

Canada. 10 September 2015. Embassy of Canada in Beijing. Correspondence from an official to the Research Directorate.


Additional Sources Consulted

**Oral sources:** American Attorneys at Law; Grandall Legal Group; Guangdong Harbour Law Firm; Guangdong Hong An Xin Law Firm; H.J.M. International Law Offices; Human Rights in China; Law Offices of K.C. Li, Lehman, Lee, & Xu Law Firm; Marie Stopes International – China; professor at the Center for the Study of Aging and Human Development, Duke University; Women's Rights Without Frontiers.

**Internet sites, including:** Al Jazeera; All Girls Allowed; American University – Center for Human Rights and Humanitarian Law; Amnesty International; The Atlantic; Australia – Migration Review Tribunal; British Broadcasting Corporation; China – Embassy in Ottawa, Guangdong Population and Family Planning Commission, Permanent Mission to the United Nations; China Daily; The Diplomat; The Economist; Factiva; Freedom House; The Globe and Mail; Human Rights Watch; Radio Free Asia; United Nations – Human Rights Council, Refworld; United States – Congressional-Executive Commission on China, Department of State; Xinhua News Agency.

Attachment
