



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Twentieth session

Summary record of the 420th meeting

Held at Headquarters, New York, on Monday, 1 February 1999 at 3 p.m.

Chairman: Ms. González

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined third and fourth periodic reports of China (CEDAW/C/CHN/3-4 and Add.1 and 2; CEDAW/C/1999/I/CRP.1/Add.1) (continued)

1. *At the invitation of the Chairperson, Ms. Zhang Jianmin, Ms. Hao Linna and Mr. Qin Huasun (China) took places at the Committee table.*

2. **Ms. Zhang Jianmin**, replying to questions raised by the experts, said that more female workers had been laid off than men owing to rigorous structural adjustment programmes in the textile and other female-dominated industries. In 1997, however, women accounted for only 45 per cent of a total of 6.31 million laid-off workers. The aim of the Re-employment Project, begun in 1993, was to protect the right of all workers to employment. Policies that specifically targeted women included the creation of job opportunities in the tertiary sector, the development of community services in order to employ laid-off female workers, and the provision of free vocational training and guidance. Moreover, special measures favouring the re-employment of women had been introduced throughout China, and outstanding cases had been publicized in the mass media. In 1998, the re-employment rate of laid-off female workers in 11 provinces had been approximately 50 per cent.

3. The new Labour Law prohibited female staff and workers from engaging in the most arduous forms of physical labour and from working in mines below ground. Pregnant women were also not allowed to perform strenuous physical tasks, and women in their seventh month of pregnancy were forbidden to work extended hours or on night shifts. Any discrepancies between the incomes of male and female workers were mainly due to the fact that men and women engaged in different types of work. National legislation safeguarded the principle of equal pay for equal work, and China had ratified a convention on that subject in 1990.

4. Apart from the medical care and retirement pension enjoyed by all workers, women workers also benefited from maternal and childcare services, as well as special care and protection during menstruation, pregnancy, childbirth and breastfeeding. If the

employing unit violated the provisions of the Labour Law, the women workers concerned could apply to their unit's labour mediation committee; if mediation failed, they could take their case to an arbitration committee. If the results of arbitration were unsatisfactory, they could bring a lawsuit to the people's court.

5. All labour laws applied throughout China, including its economic development zones. The Labour Law stipulated that each employing unit should establish a system of occupational safety and health, that workers must strictly observe safety regulations and that the State should collect statistics on work-related injuries or deaths and occupational diseases and publish its findings.

6. All State-owned enterprises and female-dominated collectives were obliged to establish nurseries and kindergartens; individuals were encouraged to set up private childcare centres. In 1997, there had been at least 182,000 kindergartens in China, attended by some 25 million children. In 1998, 47.2 per cent of children had been enrolled in childcare facilities three years prior to starting primary school. Coverage in urban areas had been over 90 per cent.

7. The development of the socialist market economy had provided women with opportunities and challenges. Social attitudes were being shaped by the new economic situation, and women were under great pressure to earn. Determined not to lag behind men, many women had become entrepreneurs, managers and professionals. However, women had to balance their careers with their family responsibilities.

8. **Ms. Hao Linna** said that 90 per cent of urban women and 65 per cent of rural women had access to prenatal health services. The major cause of infant mortality was pneumonia. Each year, some 40 million women were screened for common diseases, including cervical and breast cancer. In view of the inadequacy of health-care services and high mortality rates in ethnic minority areas, the Chinese Government attached great importance to developing women's health-care facilities and training midwives, gynaecologists and paediatricians in those areas. Farming communities received visits from mobile medical teams, and free medical and prenatal care for women was provided in Tibet and other remote regions.

9. Since 1985, a total of 11,170 people, 16 per cent of them women, had been reported to be infected with the HIV/AIDS virus; the total number of infected persons was estimated to be over 300,000. If the current trend was not reversed, over a million people might be infected by the year 2000. Most medical institutions in urban areas were equipped to test for HIV/AIDS and to provide pre-test and post-test consultations; telephone hotlines had been set up in more than 20 provinces, autonomous regions and municipalities.

10. Premarital health care, including health instruction and sex education, had been well received by the public; it was designed to ensure the health of both mothers and babies, and to reduce the rate of birth defects. While premarital health certificates were required for both men and women, remote rural areas often lacked adequate premarital health services.

11. China's family-planning policy had been introduced in response to pressures resulting from its huge population. While family planning had been incorporated into overall economic and social planning, its success depended upon the voluntary cooperation of the population. The advocacy of one child per couple did not mean that all couples had only one child. In rural areas, for example, families wishing to have a second child for practical reasons were encouraged to do so provided that they observed proper birth spacing, and it was common for couples from ethnic minorities to have two or three children. Family planning was a social duty incumbent on all Chinese citizens, and traditional attitudes about marriage and childbearing were changing as a result of public-awareness campaigns and education programmes. Ninety-four per cent of counties and 70 per cent of townships had their own family-planning centres. The focus of family-planning activities was on rural areas. In recent years, there had been a significant increase in the budget allocated to family and population planning.

12. Although female infanticide was by and large a thing of the past, it still existed in remote mountainous regions. Rural families resorted to that practice because they depended on males to work on family farms and support their elderly parents. Some farmers still held the traditional feudal idea of male superiority. The Government was endeavouring to combat the practice of abandoning infants through extensive public-awareness campaigns, the establishment of a birth-registration system and the upgrading of children's

social welfare institutions. Government departments were making concerted efforts to improve statistical records on newborn babies in order to prevent under-reporting. The Government was doing everything possible to help eligible families to adopt children, and it had lowered the minimum age for adoptive parents from 35 to 30.

13. Available methods of contraception included interuterine devices, female sterilization, vasectomy, condoms and traditional herbal methods. Women were the primary users of contraception, although some 14 per cent of the country's men also made use of contraceptive methods.

14. The gap between the male and female birth rates had been widening since the mid-1980s and in 1990 had risen to 111 males per 100 females. The Government had consulted experts and taken a number of measures to address that problem, including campaigns to publicize the idea of the equal value of boys and girls; legal protection of the rights of mothers and babies; prohibition of the use of technical means to identify the sex of foetuses; improvement of family-planning services; strict implementation of the system of registering births and recording infant mortality; and provision of increased social security benefits to parents of girls.

15. **Ms. Shalev** said that it was clear that the Government was endeavouring to eliminate discrimination against women and to promote their advancement. That task was complicated by the size of China's population, ongoing economic reforms and such problems as illiteracy, unemployment and trafficking in women. She commended the Government's efforts to meet the needs of rural women, and change traditional attitudes towards women.

16. In future reports, statistics should be provided consistently either in percentages or in real numbers. The relevant statistics for men should be included, and the information should be arranged in such a way as to facilitate comparison with the previous report.

17. It was disturbing that the highest national mechanism for the promotion of women was the National Working Committee on Women and Children rather than an independent coordinating body on women. She also noted that, while much was being done to promote maternal welfare, little information had been provided on other aspects of women's health.

18. It was important to emphasize the concept of women's rights as human rights. The Convention and the Universal Declaration of Human Rights should be disseminated as widely as possible in order to make people understand that the advancement of women was closely linked to the overall development of Chinese society. In that regard, she wondered whether the Convention had ever been invoked in a court of law.

19. The Government should consider enacting specific legislation on domestic violence and establishing shelters for victims. China should study other countries' mechanisms for dealing with that problem. Furthermore, it was important to enforce the labour protection laws and ensure that women did not suffer discrimination after a change in their marital status. Prostitution should be decriminalized and prostitutes should receive adequate health care, particularly in view of the HIV/AIDS epidemic. Although the Government was endeavouring to address the high incidence of suicide among rural women through the provision of legal assistance and complaint mechanisms, the report made no mention of measures taken in the area of mental health.

20. She welcomed the Programme to Strengthen Maternal and Child Health and Family-Planning Services at the Grass-Roots Level, which focused on voluntary family planning. The new legislation on adoption and social security for older persons in rural areas was also commendable.

21. It was disturbing that only 14 per cent of Chinese men practised contraception. Moreover, there had been reports concerning abuse of State population policies by local officials and of such serious human rights violations as forced abortion and sterilization, and even the demolition of the houses of people who exceeded government birth quotas. The Government had spoken out against such violations, and it should take measures to publicize that fact and punish those who committed violations.

22. She was concerned at the frequency of sex-selective abortion, infanticide, child abandonment and failure to register the birth of girls, thereby denying them access to health care and education. The legislation that outlawed such practices must be enforced. The Government's population-reduction goals could be achieved through methods that did not entail human rights violations, including the expansion of reproductive choice through education and

counselling; efforts to promote the employment of women and the education of girls, particularly in rural areas; and the adoption of measures to protect older persons, ensure that farming families had an adequate number of workers, and combat traditional attitudes towards women. Despite the Government's flexible family-planning quotas for ethnic minorities, most complaints about family-planning had come from those population groups.

23. The Government should acknowledge the existence of human rights violations and publicly condemn them. Economic development could not be pursued at the expense of human suffering. The Government's goals, though commendable, were being achieved at too high a cost, and human rights must become a fundamental aspect of Chinese culture.

24. **Ms. Corti** requested further information on the gap between the male and female birth rates and asked why foetal sex testing had been prohibited.

25. It was unclear how women became members of the All-China Women's Federation. Moreover, it appeared from the report that the Federation was composed primarily of women's professional associations. She asked whether China had any women's non-governmental organizations in the true sense of the word. It would also be useful to have information on the level and responsibilities of women members of trade unions.

26. Despite the Government's efforts, traditional attitudes towards women persisted and there had been little progress in establishing a new culture of equality. She was surprised at the prevalence of trafficking in women and children, and asked what measures the Government had taken to prevent such offences.

27. The report provided little information on the problem of female unemployment during China's transition to a decentralized market economy. The delegation had stated that violation of legislation requiring equal pay for equal work was limited to foreign-funded private businesses, and she asked why those businesses were not subject to Chinese law. She also wondered how, in view of the current economic crisis, the Government could achieve its employment targets for women.

28. The fact that the State family-planning policy allowed members of minority groups to have more than one child constituted discrimination against the Han

Chinese majority. Lastly, she noted that the report made no mention of government efforts to implement international legal instruments, including the Convention.

29. **Ms. Gabr** said that she was concerned at the fact that women made up 70 per cent of the workforce in crop-farming and animal husbandry. While there had been efforts to provide training and to create jobs for unemployed women, particularly unemployed rural women, she wondered whether there were any microcredit or small-credit programmes for women. The fact that 22 per cent of women were still illiterate meant that greater efforts were needed to promote awareness of women's rights and change traditional attitudes towards women.

30. She expressed alarm at the growing suicide rate among rural women. An improved legal framework to protect rural women's rights, together with increased government assistance, would help to lower that rate. Lastly, she stressed that the Government must take more vigorous measures to provide adequate care for women, particularly elderly women.

31. **Ms. Ouedraogo** said that she supported the previous speakers' comments on the subject of rural women. In order to ensure the success of programmes to improve the situation of rural women — particularly in view of the poverty and traditional attitudes that prevailed in rural areas — women must, from the beginning, be involved in the planning and implementation of such programmes.

32. She expressed concern at the continuing tendency to prefer a male child to a female child. Although there was no real one-child policy, the Government's demographic objectives suggested such a policy. The identification of the sex of the foetus implied selection on the basis of sex and was one of the worst kinds of discrimination. A comprehensive strategy was necessary to provide information and promote awareness of family law, condemn infanticide and promote a dialogue between men and women in order to eliminate discrimination in favour of the male child.

33. With regard to literacy, measures must be taken to promote awareness of women's rights. Women, particularly rural women, and women's groups in general must be made aware of the provisions of the Convention, which should be taught in the schools. In order to bring about fundamental change in Chinese society and make a real contribution to the

advancement of women, the Government must create a culture of equality of the sexes.

34. In 1995, there had been 10,531 cases of trafficking of women but there had been only 3,600 court cases, and she wondered why there was such a striking discrepancy between those two figures. Lastly, she would appreciate more information on the number of children who were abandoned after birth.

35. **Ms. Myakayaka-Manzini** requested information on how the National Working Committee on Women and Children operated. She wished to know whether it was an interdepartmental coordinating body whose programmes required approval at the Cabinet level, and what measures were being taken to ensure that each department and ministry implemented and followed up on the National Working Committee's recommendations.

36. With regard to the status of rural women, she asked how village committees were structured and how measures to promote women's issues were being implemented, especially in the light of prevailing attitudes and the almost feudal character of rural society. She also asked how village courts functioned and how many cases they heard. She would welcome information on other measures being taken to improve the situation of rural women.

37. The figures provided by the delegation regarding complaints of violation of women's rights were much too approximate, and she wondered whether they represented reported cases or actual convictions. She was concerned at the need for women to obtain a health certificate before marriage and wondered what the procedure was for obtaining such a certificate and whether it was compulsory.

38. She stressed the need for more information about specific minorities, such as the health and living conditions of political prisoners in Tibet. The Committee had received reports from that region, and she wondered what the Government's official position was. She asked whether as much social and economic progress had been made in minority areas as in the rest of China.

39. **Ms. Ferrer** stressed that she was impressed by China's efforts to change traditional attitudes by encouraging the sharing of domestic tasks and promoting greater awareness of women's rights, although those efforts should rely more heavily on the

Convention. The equality of the sexes was guaranteed by law and was being promoted in the mass media. The Chinese Government was demonstrating its political will to eradicate traditional attitudes towards women and implement the provisions of the Convention.

40. The Government's family-planning and birth-control programmes were practical and contributed to its objective of ending discrimination against women and girls. The Government also seemed determined to punish and stamp out trafficking in women, and it was endeavouring to ensure that laws protecting women's rights were implemented and followed up. The All-China Women's Federation should continue its public advocacy role in the implementation of the Convention.

41. **Ms. Manalo** asked whether the Programme for the Development of Chinese Women included any measures to reintegrate women victims of trafficking into society so that they could make a positive contribution to the nation. She wondered whether China's woman Minister of Science and Technology had devised any programmes to promote the advancement of women in science and technology.

42. **Ms. Khan** said that women seemed to have paid a disproportionate price for China's economic progress, and they were especially affected by cuts in welfare programmes. She would have welcomed more detailed statistics on differences in income between rural and urban women and on the relative numbers of women living in rural and urban areas. She asked whether there were any programmes to help unemployed rural women to learn new skills. Training, education, microcredit and other programmes must be made available to women, especially rural women. In a market economy, it was often difficult to ensure that workers earned at least the minimum wage, and a strong trade-union movement was needed to protect workers' rights.

43. With regard to the problem of violence against women, she wondered whether school textbooks had been revised to eliminate all gender bias and whether the Convention was available in local languages. She asked whether China had any programmes to combat sexual stereotypes, especially in rural areas, and whether the electronic media were used to promote awareness of women's rights.

44. China's high illiteracy rate remained unacceptable, and she wondered what percentage of the

revenues generated by economic growth had been allocated to combat illiteracy and whether a time-frame had been established to achieve universal education. With regard to the one-child policy, there was a need to promote the use of condoms.

45. While the All-China Women's Federation was making great efforts to promote women's equality, the report did not indicate whether or not the Federation was taking steps to increase awareness of the provisions of the Convention. Perhaps China's preparation and presentation of reports in compliance with the requirements of the Convention could be used to promote awareness of women's rights. The Convention must be translated and made available in local languages.

46. She wondered what groups and sectors of society had been consulted in the preparation of the report and whether the drafting of the report had been publicized in the media and by women's organizations. She asked whether China intended to disseminate the Committee's concluding comments and whether those comments would be translated into local languages.

47. **Ms. Goonesekere** said that the detailed information that China had provided in its oral replies to the Committee's questions should in future be included in its written report. She regretted that no information had been provided on the situation of women in prison and expressed concern about possible violations of women's rights in custodial situations. She requested information on existing means of monitoring the actions of prison officials and on regulations concerning the treatment of women prisoners. She asked whether family and friends had access to female prisoners, and what measures were taken to ensure that female prisoners' human rights, including their right to bodily and personal integrity, were protected. More statistical information should be provided on women who were serving time in prison and on the reasons for which they had been sentenced to that form of punishment.

48. Trafficking in women was tantamount to slavery, and trans-border trafficking and the trade's contribution to the spread of AIDS were particular concerns. More information on the number of cases that had been brought before the courts would make it easier to evaluate the effectiveness of existing legislation. She wondered whether any bilateral

agreements existed between China and other countries in cases of trans-border trafficking.

49. The problem of child abandonment was not unique to China, and there was a real need for sex education and child-support programmes. Parents must be encouraged to accept their responsibilities. She requested more statistics on abandoned children; in particular, she wished to know how many of those children were illegitimate.

50. She expressed concern at the treatment of women workers in the private sector, especially in the free trade zones where, unless the State closely monitored the labour situation, working conditions could be terrible. She wondered whether any government department had the authority to inspect labour conditions.

51. **Ms. Schöpp-Schilling** suggested that, in view of China's size, ethnic diversity and politically decentralized system, it would be helpful if the information submitted in China's fifth report were broken down by province. While she was pleased to note that the Convention had the force of law in China, China should include in its national legislation on gender-based discrimination a clear definition of unintentional discrimination, which was likely to become increasingly prevalent as the State adopted more open market policies.

52. In the field of employment, it would be interesting to know in what fields unemployed women were being trained, how and by whom wage levels were determined, and how the jobs for which such women were being trained compared with jobs in other sectors. She was concerned that women might be disproportionately represented in the low-paid tertiary sector. It would be useful to have additional information on arrangements for the long-term monitoring of the programme under which subsidies were granted to companies that hired women. Statistics on length of employment, average age of women employed, types of jobs available to women and programmes to assist the long-term unemployed would also be welcome. Since the work units through which certain workers' rights, including the right to housing and a pension, could be claimed had been disbanded with the advent of the market economy, there was an increasing need to develop alternative mechanisms to protect those rights.

53. She would welcome information on the role of Chinese trade unions in promoting employment for women. It would be helpful to the Committee if China's fifth periodic report included statistics on the informal sector and on legislative and other measures taken by the Government to protect women employed in that sector.

54. She sought clarification of the legislative provisions under which landowners could pass ownership of land on to their children. She urged the Government of China to demonstrate its concern over the issue of violence against women by inviting the Special Rapporteur on violence against women to visit China.

55. **Ms. Regazzoli** said that it was not clear whether the process of economic liberalization that had begun in China in 1978 had been accompanied by a review of labour legislation to ensure that the rights of workers, especially those in the newly created free trade zones, were protected.

56. The Committee would welcome information on the proposed duration and funding of the educational programme that had been launched in order to eradicate existing stereotypes of the role of women in the family and in society. It would also be useful to know whether special legislation had been adopted to protect women from domestic violence and whether other services, such as shelters and telephone hotlines, were available to them.

57. **Ms. Abaka** noted that the Convention provided an appropriate legal framework for the implementation of the Beijing Declaration and Platform for Action. It would be particularly satisfying if China, whose capital had lent its name to the Declaration and Platform, set an example in the effective implementation of their provisions.

58. She regretted that the Labour Code did not provide for the right of workers to strike. That right was particularly important as a last resort, since it was common knowledge that workers in free trade zones were frequently victims of exploitation, including sexual harassment.

59. **Ms. Taya** said that China's policy of limiting each family to one child had helped to stem the growth in its population. Had that policy been adopted at an earlier stage, China might have been able to achieve

higher levels of development and more effective protection of human rights and of the environment.

60. The preference of Chinese, especially those living in rural areas, for male children was a deeply ingrained tradition that could be explained in part by the desire to see the continuation of the family name and ensure that male offspring were around to take care of their elderly parents. However, with the advent of a market economy and the consequent migration of male workers to the cities, the rural population was becoming increasingly feminized. She would welcome information on possible human rights violations that might have occurred as a result of China's one-child policy and how that situation had been affected by the increasing liberalization of the economy.

61. **Ms. Ryel** asked whether the trend towards increasing gender imbalance was the same in both rural and urban areas. On the subject of occupational safety standards for women, the legislation adopted should not undermine women's right to work on an equal footing with men.

62. While there was an understandable need for workers in certain sectors, such as the health-care sector, too much emphasis on those particular skills might produce a segregated labour market in which women were disproportionately represented in low-wage sectors.

63. With regard to the high suicide rates among women, she stressed the need for the State to provide counselling services. The experience of other States had shown that a decline in the number of male smokers was usually accompanied by an increase in the number of women smokers, and that trend should be taken into account in China's efforts to combat the problem of smoking.

64. **The Chairperson**, speaking in her personal capacity, suggested that the text of the Convention should be disseminated through such means as regional seminars. Efforts should be made to encourage Chinese men to make greater use of contraceptive methods, including vasectomy.

65. **Ms. Hao Linna** (China) said, with reference to the gender imbalance in the population, that the figures given in the report were for 1990 and that a new census would be taken in the year 2000. Like the members of the Committee, her Government was concerned at the gender gap and had invited experts, including foreign

experts, to help find a solution. One cause of the imbalance was the fact that more females than males were aborted for reasons that had to do with deeply ingrained social traditions, especially in rural areas. She invited the experts to visit China to see for themselves how fiercely the typical Chinese family desired a male heir. That tradition was not confined to China and was common throughout Asia.

66. On the issue of forced abortions, she said that, in implementing its family-planning policies, the Government relied on education and on the willingness of women to use contraceptive and other methods to prevent pregnancy. It must be remembered, however, that China was a vast country and that educational levels were generally low. She did not doubt that there had been instances of coercion, but that was not the policy of the national Government. Indeed, national seminars had been held in 1993 and 1995 at which the use of coercive measures had been officially condemned.

67. **Mr. Qin Huasun** (China) said that the frank dialogue that his delegation had had with the Committee would be helpful to China as it sought to improve the status of Chinese women during the period of transition to a market economy. The comments and suggestions of the experts would be conveyed to the relevant authorities in China.

The meeting rose at 6.05 p.m.