

CHINA

CRC OPTIONAL PROTOCOL (ARMED CONFLICT)

RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Declaration:

1. The minimum age for citizens voluntarily entering the Armed Forces of the People's Republic of China is 17 years of age.

2. The Government of the People's Republic of China is applying the following safeguard measures in implementing the foregoing provision:

(1) The Military Service Law of the People's Republic of China provides that each year, male citizens who have reached 18 years of age by 31 December shall be recruited for active service. To meet the needs of the armed forces and on the principle of voluntary participation, male and female citizens who have not yet reached 18 years of age by 31 December of a given year may be recruited for active service. Citizens eligible for enlistment who have registered for military service but who have not been recruited for active service shall serve in the enlistees reserves, for which the minimum age is 18. The Regulations on the Recruitment of Soldiers formulated by the State Council and the Central Military Commission of the People's Republic of China on the basis of the Military Service Law of the People's Republic of China, provides that in order to meet the needs of the armed forces and on the principle of voluntary participation, male and female citizens who have not yet reached 17 years of age by 31 December of a given year may be recruited for active service.

(2) The Criminal Law of the People's Republic of China provides that whoever engages in favouritism and commits irregularities in conscription work or accepts or delivers unqualified recruits shall be sentenced to not more than three years of fixed-term imprisonment or criminal detention, if the circumstances are serious; such an offender is to be sentenced to not less than three years but not more than seven years of fixed-term imprisonment if the consequences are especially serious.

(3) Under the provisions of the Regulations on Honest and Non-Corrupt Recruitment, formulated by the State Council and the Central Military Commission of the People's Republic of China, neither the loosening of recruitment conditions nor the lowering of enlistment standards are to be allowed. They further provide for the implementation of a system of visiting the homes and work units of youth who enlist, and for verifying the ages of enlisting youth.