



**Prepared Statement for Harry Wu, Director of Laogai Research Foundation,
at Human Rights Commission in Washington DC, November 5, 2009**

I am honored to testify here on the coercive population control policy in the People's Republic of China. I appreciate the Commission's ongoing attention to human rights in China.

In 1998, 2001 and 2004, I testified alongside other witnesses on this issue before the US Congress. Regrettably, the impact of these hearings was minimal, as the coercive population control policy remains essentially unchanged in China, and the violations of human rights associated with this policy are still prevalent throughout the country.

Introduction

Since 1978, the Chinese government has gradually adopted a radical, draconian set of population control measures intended to curb the negative effects of overpopulation in China, home to one-fifth of the world's population. In 1978, the First Session of the Fifth National People's Congress introduced the concept of family planning into China's Constitution. China's then-deputy premier Chen Muhua, closely following Deng Xiaoping's instruction on the link between population control and China's modernization, set the goal of reducing the country's birth rate to 10% within three years. In January of 1979, the State Council refined the population control policy with the statement "one (child) is best, two at most, never a third." In 1980, the CCP Central Committee published "An Open Letter to All Communist Party and Communist Youth League Members on National Population Growth Control." The letter called on members of the Communist Party and Youth League take the lead in complying with the population control policy by having only one child for each couple. In the same year, the Third Session of the Fifth National People's Congress promulgated the *Marriage Law*, recognizing the draconian population control policy as a "fundamental national policy." Since then the "One Child Policy" has become a mandatory requirement for the whole country. Today, the Chinese Communist Party (CCP) boasts that, thanks to its family planning policies, it has "prevented" 300 million births in China since the rigorous population control policy was implemented.

Informally known as the One Child Policy, these measures are still in effect today and restrict the majority of Chinese couples to having only one child. All couples must apply for a birth permit before starting a pregnancy. After having the permitted number of children—one in most areas—women are required to accept intra-uterine device (IUD) insertion or sterilization. Unauthorized pregnancies must be terminated, and after an unauthorized birth, one spouse must be sterilized. Enforcement methods can be coercive and harsh, and include forced abortions and forced sterilizations. There are cases of over-zealous family planning officials forcing women who have not had any children to undergo forced IUD insertion or even sterilization. Other punishment measures, such as house destruction and heavy fines, are also used. These draconian enforcement methods are a clear violation of the human rights of one-fifth of the world's women.

For years, many western scholars and government officials have turned a blind eye to the abuses resulting from the CCP's coercive population control policy. Despite repeated disclosures of horrifying cases, such as forced late-term abortions (as late as nine months), forced sterilizations, and even infanticide, many in the West still believe that the One Child Policy is the correct approach on the whole. Their view holds that such population control measures further progress and development in China, and that other developing countries would do well to follow China's lead. As someone intimately familiar with human rights violations, however, I know this view is dangerously misguided. Moreover, even if this policy produced the desired economic benefits—which it does not—the policy would still be morally wrong. No government should have the power to tell a couple or an individual when to begin a family, and what that family should look like. Given repeated reports of forced IUD insertion, forced abortions, forced sterilizations, and the fact that thousands of children who are born outside of the system are denied access to education, health care and other public services, support of the one child policy is unconscionable. Moreover, family planning policies that focus on women's education and empowerment, as opposed to draconian punishments, have proven to effectively bring down birth rates in other countries.

Policy Implementation

In the early 1980s, Deng Xiaoping argued that because of limitations on natural resources, China's future modernization and development was dependent on controlling its population. The Chinese national policy, as stated in the 1991 document "Announcement on Using Achievements in Population Control as an Indicator for Government Officer Evaluation," is "a long-term national policy to enforce family planning, control population growth, and improve the quality of the population." To fully

implement this policy throughout the country, the State Family Planning Commission (SFPC) has approximately 520,000 full time cadres, and the Birth Planning Association, which assists government cadres in enforcement and implementation, has over 83 million part-time employees working at 1 million locations throughout China.

My organization has researched this issue for over a decade, and we know that violence and coercion are not uncommon in the implementation of the One Child Policy. The Chinese central government, however, invariably denies that it accepts or encourages the use of coercive means, blaming local cadres and their misguided “working methods” (*gongzuo fangfa*) for any brutalities resulting from the policy. In fact, my foundation’s research indicates it is precisely the top-down method of implementation and the institutionalization of the One Child Policy that makes the use of coercive means such a systemic phenomenon. In the aforementioned 1991 Announcement, the Chinese government tied the evaluations of local population control officials with their ability to meet birth quotas within their jurisdictions. The leaders of units who meet these birth quotas are more likely to get promotions and bonuses. If a particular area does not meet its birth quota, meaning that the number of children born are in excess of the number the government allows, the leaders of the local population control units would be held responsible for this failure and be disqualified for promotions or bonuses. As a direct consequence of this centrally administered policy, local officials were incentivized to employ more coercive measures to prevent, detect, and terminate unauthorized pregnancies, including:

- the use of local informants to discover unauthorized pregnancies
- forced late-term abortion
- forced IUD insertion
- forced sterilization
- the detention of pregnant women or their family members
- the destruction of the homes of those who violate the policy.

To this day, all departments of the government are required to closely cooperate in preventing out-of-plan births and punishing violators of the policy.

The use of coercive measures is far from uniform throughout the country. Typically, however, a newly-married couple is required to apply to the local family planning office for a birth permit, which is issued according to the birth quota allowed for this region, to bear one child. Upon the birth of their first child, numerous "precautions" are taken by local officials to prevent a second birth. In many localities, urine

tests and ultrasounds must be completed every three months on each fertile woman, and the local family planning office keeps detailed records for every woman's test results. If a woman tests positive for pregnancy, an abortion is carried out immediately. Rural couples whose first child is female may apply for a second child if the authorities determine they are eligible. After having that second child, however, unconditional sterilization follows. Women pregnant with an "out of plan" or illegal child are pressured, and often forced, to undergo an abortion, followed by a forced sterilization.

Those who manage to escape detection of an "out-of-plan" pregnancy still undergo great hardship once the child is born. In addition to incurring exorbitant fines that are often equivalent to several times the annual income of the violator, a couple found to be in violation of population control policies may face job loss, denial of household registration (*hukou*) for the newborn child (meaning the child will be unable to enroll in school or receive subsidized health care), loss of business licenses, loss of driving licenses, expulsion from the Communist Party, refusal of loans, denial of passports, and destruction of property, including one's home. Even if the couple successfully evades the family planning cadres, their parents, siblings, or other relatives can be detained by the authorities until the couple comes forward.

Socioeconomic Impacts of the Policy

The One Child Policy has directly given rise to many other human rights violations, including:

1. **Selective Abortion and Infanticide.** Due to increased access to ultrasound technology in China and the traditional preference for boys, millions of female fetuses have been aborted over the past 30 years. Even after baby girls are born, many of them are abandoned or consequently die from extreme neglect. As a result, the sex ratio in China has risen significantly over the past two decades. Today, there are 117 boys born for every 100 girls born in China, and in some areas such as Guangdong and Hainan provinces, the sex ratio is as high as 130 boys born for every 100 girls.
2. **Human Trafficking and Sexual Exploitation.** Due to selective abortions and infanticide of baby girls, it is estimated that there are approximately 30 million Chinese males who will not be able to marry due to the shortage of women in China. This gender imbalance is leading to an increase in trafficking in women and rampant sexual exploitation. According to a statement by the US State Department, not only Chinese women and girls fall victim to traffickers as a result

of the shortage of females in China, but tens of thousands of women from North Korea, Vietnam, Mongolia and Thailand are abducted and sold to Chinese men as sexual slaves.

3. **Black Children.** Couples who manage to evade family planning officials and give birth to an out-of-plan child often cannot afford to pay the penalties that would be necessary for them to register their child as a member of their household. Children without this household registration, or *hukou*, are typically referred to as “Black Children” (*hei haizi*). These children are essentially treated as *persona non grata* by the State and, hence, they are unable to access most public services, including education, health care and often employment. Some cannot marry because a household registration is required to register a marriage. It is not uncommon for a woman who becomes pregnant with a girl to choose to give birth to her in secret so that she can try later to have a son and register him instead.
4. **Pressures on Chinese Mothers and Female Suicide.** Chinese women are not only traumatized by forced abortions but are invariably pressured by their husbands and parents-in-law to give birth to baby boys. According to the World Health Organization, China has the highest female suicide rate of any country in the world, and it is the only nation in the world in which more women than men kill themselves. According to the latest State Department 2008 Human Rights Report on China, there are approximately 500 female suicides per day, which is three times higher than that for males. And China’s birth limitation policy is believed to be a major social factor contributing to the high female suicide rate.
5. **Rioting and Social Instability.** In May 2007, villagers in Guangxi province clashed violently with police after a severe crackdown on violators of the One Child Policy. It was reported that local family planning officials rounded up men and women for forced sterilizations and dozens of pregnant women underwent forced abortions. Those with second children were fined heavily, and if they could not pay, their valuables were confiscated, and in some cases, their homes destroyed. The villagers protested, and the protest escalated into a riot in which protesters broke into a government building and set it on fire.
6. **Ageing Population.** The One Child Policy has precipitated the ageing of the Chinese population. There are deep worries among Chinese and western demographers that, after the year 2030, the proportion of retirees to working population will be economically unsustainable. As China does not have a pension system for all senior citizens, many will be forced into poverty. The Chinese government has thus far not announced any plans to deal with this problem. The

economic effects of this demographic change could have great implications for the global economy at large.

Conclusion & Recommendations

The One Child Policy is not a pro-life or pro-choice issue. The sad reality is that the One Child Policy represents a morally unconscionable affront to one-fifth of the world's women. It raises grave concerns for the sustainable development of Chinese society, and also for the global economy. I urge the Chinese government to immediately end the One Child Policy, replacing it with programs focusing on increased education and empowerment of women which are in line with universal human rights values. I also urge the US government and the United Nations to publicly condemn the One Child Policy, and ensure beyond a shadow of doubt that no international development funds are being used to support it.

Appendix 1

The photographs below depict population control slogans that are very common throughout China. In August of 2007, the State Family Planning Commission issued a directive requiring local authorities to replace these slogans with ones that “sound softer and more humane.” However, softer slogans will not change the fact that human rights abuses caused by the One Child Policy continue, and will continue until the policy is abolished once and for all.



Start a great birth control revolution and allow no peace for violators. (计生大革命，叫你鸡犬不宁。)



One unauthorized birth will bankrupt your household. (超生多生，倾家荡产。)



Resistance to sterilization will bring you nothing but detention; refusal to abort will lead to destruction of your house and confiscation of your cattle. (该扎不扎，关人作押；该流不流，拆房牵牛)



Crack down with no mercy on unauthorized births, violators can run but they can't hide forever. (坚决打击躲生偷生，躲过初一躲不过十五)



Those who seek to evade IUD insertion or sterilization will be detained. (该环不环，该扎不扎，见了就抓。)



Resistance to IUD insertion, sterilization and paying fines will cause the total destruction of your home and property! Destroy! Destroy! Destroy! (拒不放环、结扎和缴交超生款的，砸！砸！砸！)

Appendix 2

Ms. Zhou Xiaoping, a Chinese peasant from Hunan Province, after having her first child, became pregnant again in 2001 without a birth permit, thus violating the One Child Policy. Fearing that she would be forced to abort, Ms. Zhou fled her hometown with her husband and daughter. The local family planning officials took away all of the family's possessions and destroyed their house. Before being caught by family planning officials in 2003, Ms. Zhou had two more children. In 2003, both Ms. Zhou and her husband were sterilized by government officials and forced to pay a penalty of 15,000 RMB. Unable to pay the heavy fine, Ms. Zhou and her family had to flee again. They arrived in Thailand in 2008. Their application for UN asylum was denied and their life became extremely difficult. Adding to the family's difficulties, Zhou's husband was arrested by the Thai government for participating in a protest before the Chinese embassy on June 4, 2009. Not having legal authorization to work in Thailand, Zhou and her children rely on aid from a local church to live. My organization has been in contact with Ms. Zhou and has tried to help her family. It is not uncommon for Chinese people who violate the One Child Policy to try to escape from China and seek asylum in other democratic countries. Unfortunately, few countries have adopted immigration laws that would allow victims of this policy to qualify for asylum.



Ms. Zhou Xiaoping and her children