

110TH CONGRESS
1ST SESSION

H. CON. RES. 220

Concerning the response of the United States to forced abortion and the coercive one-child policy in the People's Republic of China, and the resulting "gendercide" of girls in that country.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2007

Mr. SMITH of New Jersey submitted the following concurrent resolution;
which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Concerning the response of the United States to forced abortion and the coercive one-child policy in the People's Republic of China, and the resulting "gendercide" of girls in that country.

Whereas since the 1980s the Government of the People's Republic of China (PRC) has enforced a general one-child policy, which limits most women to bearing one child, though some women in rural areas are permitted to bear a second child, particularly if their first child is female;

Whereas the PRC Government coerces compliance with this policy by pervasive propaganda, mandatory monitoring of women's reproductive cycles, mandatory contraception, mandatory birth permits, mandatory sterilization or con-

traceptive implantation, and government control of birth spacing;

Whereas the PRC Government coerces compliance with this policy by punishing failure to comply and refusal to abort “out-of-plan” children with fines (called “social compensation fees”) which often range from roughly one-half to ten times the average Chinese annual income;

Whereas the PRC Government coerces compliance with this policy and pressures women to abort “out-of-plan” children by means of job loss, group punishments (imposing penalties or denying benefits to entire villages, factories, and work units in the event of a single “out-of-plan” birth), and beating and abducting relatives of women who are pregnant “out-of-plan”, so that they are socially ostracized and put under social pressure to have an abortion;

Whereas the PRC Government physically destroys the homes of some of those who do not pay social compensation fees;

Whereas the PRC Government creates an atmosphere of fear in which most Chinese women feel they have little choice to comply with the Government’s draconian birth-limitation policy;

Whereas as recently as May 2007 it was credibly reported by the New York Times and the Washington Post that the PRC Government ordered a crackdown on population quotas and “out-of-plan” births in Guangxi province, that Guangxi family planning officials conducted a campaign of violence in detaining citizens, searching homes, confiscating valuables, and destroying homes, and that this campaign provoked riots in which thousands of citi-

zens in eight townships fought with riot police, overturned official vehicles, and damaged government offices, and that several officials were killed in these riots;

Whereas the PRC Government has passed legislation that makes it illegal to force women to have abortions;

Whereas at least 7 PRC provinces require abortion of children whose birth would violate provincial regulations, while at least 10 PRC provinces require unspecified “remedial measures”;

Whereas many Congressional hearings and reports in leading newspapers and newsmagazines throughout the world have established that PRC officials charged with implementing the one-child policy frequently violate PRC law by physically coercing abortions;

Whereas the PRC Government encourages its officials’ illegal coercion of abortions and sterilizations by making the promotions and bonuses of local officials depend on meeting population targets, and by failing to punish officials who physically coerce abortions;

Whereas PRC officials have punished citizens, including legal advocate Chen Guangcheng, who have publicized population planning abuses by local officials;

Whereas the PRC’s policy of coercive birth limitation has caused Chinese couples, many of whom have a cultural preference for sons, to abort or abandon female infants so that they may try later to have a son, resulting in a male to female birth ratio for first births of 121 to 100 and a male to female birth ratio for second births of 152 to 100, according to official PRC figures;

Whereas the male to female birth ratio has been growing steadily wider since the 1980s, according to official PRC figures;

Whereas the “gendercide” caused by the PRC’s policies has already created a generation of young men of whom tens of millions will not be able to find wives, due to the tens of millions of missing women;

Whereas the coercive birth limitation, in limiting most couples to one child, has created generations of young people, few of whom know what it is to have brothers or sisters, or aunts or uncles, and the cultural impact on the PRC of this historically unprecedented situation is unknown;

Whereas in June 2006 the PRC’s National People’s Congress withdrew a proposed law that would have criminalized sex-selective abortion;

Whereas the Population and Family Planning Law of the PRC contravenes standards set by the 1995 Beijing Declaration and the 1994 Programme of Action of the Cairo International Conference on Population and Development, to which the PRC is a signatory, by limiting the number of children that married women may bear and by banning unmarried women from bearing any children;

Whereas the PRC Government contravenes standards set by the Universal Declaration of Human Rights and the International Covenant of Economic, Social, and Cultural Rights, to which the PRC is a signatory, by discriminating against “out-of-plan” children by denying them basic health care, education, and the right to marry;

Whereas the PRC Government contravenes the 1994 Programme of Action of the Cairo International Conference

on Population and Development, to which the PRC is a signatory, by setting population targets;

Whereas the United Nations Declaration on the Rights of the Child proclaims that the child “needs special safeguards and care, including appropriate legal protection, before as well as after birth”;

Whereas since 1979 the United Nations Population Fund (UNFPA) has been involved in supporting, promoting, and facilitating the PRC’s oppressive one-child program;

Whereas Presidents Ronald Reagan, George H.W. Bush and George W. Bush have determined that UNFPA supports the PRC Government’s program of coercive abortion or involuntary sterilization;

Whereas UNFPA support for the PRC Government’s program of coerced abortion and involuntary sterilization violates the “Kemp-Kasten” provision of United States law;

Whereas former UNFPA Representative in Beijing, Sven Burmester, has said that, “China has had the most successful family planning policy in the history of mankind in terms of quantity and with that, China has done mankind a favor”;

Whereas former UNFPA Executive Director, Nafis Sadik, has said, “I have had the honor of being associated with China’s reproductive health and family planning programme for more than two decades. I was instrumental in initiating UNFPA’s cooperation with China in 1979 . . . I also feel proud that UNFPA made the wise decision to resist external pressures and continued its fruitful cooperation with China.”, and moreover claimed that, “the implementation of the policy [in China] and the accept-

ance of the policy is purely voluntary. There is no such thing as, you know, a license to have a birth and so on.”;

Whereas UNFPA Executive Director Sadik also said, “China has every reason to feel proud of and pleased with its remarkable achievements made in its family planning policy. The country could offer its experiences and special expertise to help other countries,” adding that the “UNFPA is going to employ some of [China]’s family planning experts to work in other countries and popularize China’s experiences in population growth control and family planning”; and

Whereas paragraph 31 of the UNFPA Country Program Document for China, issued on October 10, 2005, states that the UNFPA will seek to “enhance the role of China in the international arena, including through greater South-South collaboration” and to “seek to strengthen the capacity for South-South Collaboration in the areas of reproductive health, ageing, gender and HIV/AIDS”, thereby indicating its plans to assist the PRC Government in exporting its population planning program to other countries: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) strongly condemns the continued violations
4 of human rights by the Government of the People’s
5 Republic of China (PRC), including—

6 (A) the limitation of the number of chil-
7 dren a woman may bear, as well as the intru-
8 sive system that supports this limitation, which
9 includes setting population targets, mandatory

1 monitoring of women’s reproductive cycles, re-
2 quiring that women obtain “birth permits”, and
3 government control of birth spacing;

4 (B) coercing compliance with its birth limi-
5 tations through job loss, social ostracization,
6 fines, and the creation of an atmosphere of
7 fear; and

8 (C) violent enforcement of its birth limita-
9 tions through policies that encourage officials to
10 physically force women to have abortions and to
11 be sterilized, to destroy homes, to beat and
12 abduct the relatives and friends of women preg-
13 nant “out-of-plan,” and the punishment of
14 those who publicize such abuses;

15 (2) urges the PRC Government to cease these
16 policies, which have led to the social catastrophe of
17 “gendercide”;

18 (3) urges the United Nations Population Fund
19 (UNFPA) to cease all its activities in the PRC and
20 to withdraw from that country;

21 (4) affirms certain internationally recognized
22 human rights, including—

23 (A) the right of women to bear children
24 unconstrained by government policies which

1 would limit the number of children they bear or
2 prevent them from bearing children; and

3 (B) the right of children not to be dis-
4 criminated against by a government because
5 they were born contrary to a government plan;
6 and

7 (5) asks that the President and the Secretary
8 of State—

9 (A) raise the concerns expressed in this
10 concurrent resolution with the PRC Govern-
11 ment;

12 (B) call upon the PRC Government to
13 cease immediately the policies outlined in this
14 concurrent resolution; and

15 (C) continue to withhold funds from
16 UNFPA due to UNFPA's continued involve-
17 ment in supporting coercive abortion and steri-
18 lization, which violates the "Kemp-Kasten" pro-
19 vision of United States law.

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