

The Government places no restrictions on the participation of women or minority groups in the political process; however, they are underrepresented in government and politics. Women freely exercise their right to vote in village committee elections, but only a small fraction of elected members are women. The Government and Party organizations include approximately 12 million female officials out of 61 million Party members. Women constitute 21.83 percent of the National People's Congress. The 15th Party Congress elected 22 women to serve as members or alternates on the 193-person Central Committee, an increase over the total of the previous committee. However, women still hold few positions of significant influence at the highest rungs of the Party or government structure. One alternate member of the 22-member Politburo is a woman, and women hold 2 of 29 ministerial-level positions.

The Government has made gender equality a policy objective since 1949. The Constitution states that "women enjoy equal rights with men in all spheres of life." The 1992 Law on the Protection of Women's Rights and Interests provides for equality in ownership of property, inheritance rights, and access to education. Women's economic and political influence has increased. Nonetheless female activists increasingly are concerned that the progress that has been made by women over the past 50 years is being eroded and that women's status in society regressed during the 1990's. They assert that the Government appears to have made the pursuit of gender equality a secondary priority as it focuses on economic reform and political stability. Social and familial pressure also has grown for women to resume their traditional roles as wives and mothers. A recent study of how women are portrayed in the media revealed that images of a woman's worth increasingly are linked to her ability to attract a wealthy husband and be a good mother.

According to official figures, in 1995 there were 145 million illiterate persons above the age of 15. Women made up approximately 70 percent of this total. A 1998 Asian Development Bank report estimated that 25 percent of all women are semi-literate or illiterate, compared with 10 percent of men. The Government's "Program for the Development of Chinese Women (1995-2000)" set as one of its goals the elimination of illiteracy among young and middle-aged women by the end of the century. The main priority was to increase the literacy of rural women, 80 percent of whom are wholly or partially illiterate. However, some women's advocates were skeptical that the Government's goal could be attained given the lack of resources.

While the gap in the education levels of men and women is narrowing, men continue to constitute the majority of the relatively small percentage of the population that receives a university-level education. According to figures released by the All-China Women's Federation, at the end of 1997 women made up 36 percent of all university students, and 30 percent of all graduate students. However, educators in the large cities have reported that there is a trend toward greater gender balance in universities. Some academics have reported that in some departments women are beginning to outnumber men—even in some graduate schools. However, women with advanced degrees report an increase in discrimination in the hiring process as the job distribution system has opened up and become more competitive and market driven.

Women have borne the brunt of the economic reform of state-owned enterprises. As the Government's plan to revamp state-owned enterprises is carried out, millions of workers have been laid off. Of those millions, a disproportionate percentage are women, many of whom do not have the skills or opportunities to find new jobs. A December 1998 Asian Development Bank report noted that almost 70 percent of the 23 million persons who could lose their jobs as a result of state-owned enterprise reform were women, even though they only constituted 36.4 percent of the work force. A 1998 All-China Federation of Trade Unions (ACFTU) report estimated that 80 percent of those laid off from state-owned enterprises in Heilongjiang Province were women. Women between the ages of 35 and 50 were the most affected, and the least likely to be retrained. In addition female employees were more likely to be required to take pay cuts when a plant or company was in financial trouble. There have been reports that many women have been forced or persuaded into early retirement as well. Discriminatory hiring practices appear to be on the rise as unemployment rises. Increasingly companies discriminate by both sex and age, although such practices violate labor laws.

Many employers prefer to hire men to avoid the expense of maternity leave and childcare and some even lower the effective retirement age for female workers to 40 years of age (the official retirement age for men is 60 years and for women 55 years). Lower retirement ages have the effect of reducing pensions, which generally are based on years worked.

The law promises equal pay for equal work. According to a 1997 World Bank report, women's salaries, on average, were 80 to 90 percent of the salaries of their male counterparts. However, a recent Government survey found that women were paid only 70 to 80 percent of what men received for the same work. Most women employed in industry work in lower skilled and lower paid jobs.

Violence against women is a problem. Violence against women can be grounds for prosecution under the law, but there is no national law specifically targeting domestic violence, although proposed amendments to the 1980 Marriage Law are aimed in part at providing protection against spousal abuse. In recognition of the seriousness of spousal abuse, 13 provinces and provincial-level cities have passed legislation to address the problem. Sociologists note that there has been no detailed research on the extent of physical violence against women. However, anecdotal evidence suggests that the reporting of domestic abuse is on the rise, particularly in urban areas, because greater attention has been focused on the problem. A July survey report by the All-China Women's Federation found that violence occurs in 30 percent of families, with 80 percent of cases involving husbands abusing their wives. The survey implies that one in four married women suffers abuse. Actual figures may be higher because spousal abuse still goes largely unreported. According to experts, the percentage of households in which domestic abuse has occurred is higher in rural areas than in urban centers. The July survey found that domestic violence occurs at all socioeconomic levels. According to some experts, many women do not report domestic violence to the police because, even when appropriate legislation exists, local law enforcement authorities frequently choose not to interfere in what they regard as a family matter. Nonetheless in two recent cases in Liaoning Province, men were successfully prosecuted for severe cases of domestic violence. Despite an increasing awareness of the problem of domestic violence, there are no shelters for victims of domestic violence. Rape is illegal.

Female infanticide, sex selective abortions, the abandonment of baby girls, and the neglect of baby girls remain problems due to the traditional preference for sons, and the family planning policy, which strictly limits urban couples to one child and rural couples to two. Regulations forbid the termination of pregnancies based on the sex of the fetus, but many families, especially in rural areas, have used ultrasound to identify female fetuses and terminate pregnancies. The use of ultrasound for this purpose is prohibited specifically by the Maternal and Child Health Care Law, which came into effect in 1995 and mandates punishment of medical practitioners who violate the provision. However, according to the SFPC, only a handful of doctors have been charged under this law. According to the latest available figures, compiled in 1994, the number of children abandoned each year is approximately 1.7 million, despite the fact that, under the law, child abandonment is punishable by a fine and a 5-year prison term. The vast majority of abandoned children eventually admitted to orphanages are female, although some are males who are either disabled or in poor health. Children put up for foreign adoption are almost exclusively girls. The neglect of baby girls that results in lower female survival rates is also a factor. Female babies also suffer from a higher mortality rate than male babies, contrary to the worldwide trend. One study found the differential mortality rates to be highest in areas where women have a lower social status, where economic and medical conditions are poor, and where family planning regulations are strictly enforced (although the correlation for this factor was weak). Government statistics put the national ratio of male to female births at 114 to 100; the World Health Organization estimates the ratio to be 117 to 100. The statistical norm is 106 male births to 100 female births. However, in July the Liaoshen Evening News reported that in a township of Liaoyang county, the male to female sex ratio was 306/100 for second children born between 1992 and 1999. After operating for 7 years, an illegal sex determination clinic was exposed when an outraged citizen called the Liaoyang City mayor's hot line. According to demographers in the country, currently there may be as many as 100 million more men than women. The state-run media are paying increasing attention to unbalanced birth ratios, and the societal problems, such as trafficking in women, which they cause. In the cities, the traditional preference for sons is changing; in the rural areas that preference continues.

The authorities have enacted laws and conducted educational campaigns in an effort to eradicate the traditional preference for sons; however, this preference remains strong in rural China. A number of provinces have sought to reduce the perceived higher value of boys in providing old-age support for their parents by establishing or improving pensions and retirement homes.

Central government policy formally prohibits the use of force to compel persons to submit to abortion or sterilization; however, the intense pressure to meet family planning targets set by the Government has resulted in documented instances in which family planning officials have used coercion against women, including forced abortion and sterilization, to meet government goals.

According to some estimates by experts, there are 4 to 10 million commercial sex workers in the country. The increased commercialization of sex and related trafficking in women has trapped thousands of women in a cycle of

crime and exploitation, and left them vulnerable to disease and abuse. According to the official Xinhua News Agency, one in five massage parlors in the country is involved in prostitution, with the percentage higher in cities. Unsafe working conditions are rampant among the saunas, massage parlors, clubs, and hostess bars that have sprung up in large cities. According to one estimate, there are 70,000 prostitutes in Beijing alone; other estimates have placed the number as high as 200,000 or more. Research indicates that up to 80 percent of prostitutes in some areas have hepatitis. In light of this and, in particular, of the growing threat of AIDS among sex workers, the U.N. Convention on the Elimination of Discrimination Against Women (CEDAW) Committee in December 1998 recommended that due attention be paid to health services for female prostitutes. Although the central Government and various provincial and local governments have attempted to crack down on the sex trade, there have been numerous credible reports in the media of complicity in prostitution by local officials. Thus far actions to crack down on this lucrative business, which involves organized crime groups and business persons as well as the police and the military, have been largely ineffective.

A high female suicide rate is a serious problem. According to the World Bank, Harvard University, and the World Health Organization, some 56 percent of the world's female suicides occur in China (about 500 per day). The World Bank estimated the suicide rate in the country to be three times the global average; among women, it was estimated to be nearly five times the global average. Research indicates that the low status of women, and social and economic pressures due to the rapid shift to a market economy are among the leading causes.

There were credible reports of trafficking in persons, and the kidnapping of women for sale into prostitution or marriage is a serious problem.

There is no statute that outlaws sexual harassment in the workplace, although there has been some discussion by legislators about the need for such legislation. The problem remains unaddressed in the legal system and often in society. There have been reports that due to the lack of legal protections and to women's increasing economic vulnerability, many victims of sexual harassment do not report it out of fear of losing their jobs. However, experts state that more women are raising their concerns about sexual harassment because of greater awareness of the problem.

The 1992 Law on the Protection of Women's Rights and Interests was designed to assist in curbing gender-based discrimination. However, women continued to report that discrimination, sexual harassment, unfair dismissal, demotion, and wage discrepancies were significant problems. Efforts have been made by social organizations as well as the Government to educate women about their legal rights, and there is anecdotal evidence that women increasingly are using laws to protect their rights. For example, at Fudan University in Shanghai, the Women's Study Center with the support of Shanghai's labor union has established a hot line to inform workers, mainly women, of their legal rights. Nevertheless, women frequently encounter serious obstacles in getting laws enforced. According to legal experts, it is very hard to litigate a sex discrimination suit because the vague legal definition makes it difficult to quantify damages. As a result, very few cases are brought to court. Some observers also have noted that the agencies tasked with protecting women's rights tend to focus on maternity-related benefits and wrongful termination during maternity leave rather than sex discrimination or sexual harassment. The structure of the social system also prevents women from having a full range of options. Women who seek a divorce face the prospect of losing their housing since government work units allot housing to men when couples marry.

Country Report on Human Rights Practices in China: 2001
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