

URGENT ACTION

THOUSANDS AT RISK OF FORCED STERILIZATION

Local officials aim to sterilize 9559 people by 26 April, some against their will, in a drive to meet family planning targets in Puning City, Guangdong Province, southern China.

According to reports in the Chinese media, on 7 April the local authorities in Puning City began a special campaign to sterilize people who already have at least one child, to ensure that local birth control quotas are met. The local authorities claim that by the end of 11 April, the 20-day campaign had already met 50 per cent of its target. A local doctor, quoted in the Chinese media, said that his team was working from 8am until 4am the next day performing surgeries for sterilization. Local reports suggest at least some people are not freely consenting to being sterilized. Amnesty International considers forced sterilizations carried out by officials to amount to torture and the haste of the procedures raises questions about their safety and possible health impacts.

In addition, the Puning City authorities have detained 1377 family members of couples targeted for sterilization. Most of the detained are elderly and some are held in cramped conditions in houses which the local authorities are using temporarily as unofficial places of detention. This is widely seen to be a mechanism to pressure their relatives to undergo sterilizations.

The Puning City local authorities have defended the campaign saying that there are large numbers of migrant workers who are of childbearing age in the area and that some of the residents have misunderstood and hence not complied with the family planning regulations.

PLEASE WRITE IMMEDIATELY in English, Chinese or your own language:

- ensure that anyone undergoing sterilization does so only with her or his informed consent in a context where she or he has a genuine option of denying consent and of not being sterilized
- ensure that surgeries for sterilization are undertaken under safe medical conditions
- immediately stop the detention of family members and threatening such detention to induce individuals to 'consent' to being sterilized
- investigate whether the birth control officials have "infringed on a citizen's personal rights, property rights or other legitimate rights and interest" or "abused power" in their pursuit of birth quotas, and if the act constitutes a crime, refer them for criminal prosecution and a trial in line with international fair trial standards without recourse to the death penalty;
- refrain from taking punitive measures against children considered 'illegal' and who are non-registered or the relatives of individuals who have had children in contravention of family planning policies

PLEASE SEND APPEALS BEFORE 26 APRIL 2010 TO:

Chairman of the Puning City Population
and Family Bureau
Hong Yuliang Zhuren
Liushajianshe Zhongduan
Puningshi 515300
Guangdongsheng
People's Republic of China
Fax: +86 663 2900055
Email: pnjs@puning.gov.cn
Salutation: Dear Chairman

Puning City Mayor
Chen Shengliang Shizhang
Puningshi Zhengfu Bangongdalou
Nanqu
Puningshi 40609
Guangdongsheng
People's Republic of China
Fax: +86 663 2246909
Email: pnxxzx@puning.gov.cn
Salutation: Dear Mayor

And copies to:

Secretary of the Jieyang City Party
Committee
Chen Hongping Shuji
Jieyangshi Jiguan Bangongdayuan
Linjianbeilu
Jieyangshi 522000
Guangdongsheng
People's Republic of China
Email: Email:jyqn311@163.com
Salutation: Dear Secretary

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

In September 2002, China introduced a Population and Family Planning Law in a stated attempt to standardize policies and practice in the implementation of family planning policies across the country and to safeguard citizens' rights. For example, coercion in implementation of the policy is forbidden by law. However, local birth quotas, upheld by stiff penalties as well as rewards, play a prominent part in the policy. Reports of coerced abortions and sterilizations have continued and few officials are believed to have been brought to justice or punished for such abuses.

In March 2007, approximately 30 delegates to the Chinese People's Political Consultative Conference, an official advisory body, supported a proposal calling for an end to China's restrictive family planning policies. The head of the State Population and Family Planning Commission did not rule out a future relaxation, but stressed that no change would be made for at least the next four years.

Children born outside the quota are not issued residency registration documents known as *hukou*. Without *hukou*, they have no access to health care, education or other social security provisions. In addition, the local authorities in Puning have stated that they will not be accepting the applications for building houses by families that have more than the allowed number of children or their relatives

According to the Puning City government website, Puning has a population of 2.228 million. According to reports in the Chinese media, Puning City's campaign also includes public education on birth control policy.

Amnesty International considers as forced sterilization any case in which informed consent is not possible – for instance, under circumstances when someone is made to agree to being sterilized by use of coercion or threats of coercion, including in regard of the detention of relatives or denial of permission to build a house or non-registration of children.

Forced sterilizations carried out by family planning officials or others acting in an official capacity are grave violations of physical and mental integrity and violate the prohibition of torture and other cruel, inhuman or degrading treatment. Considering China's fourth periodic report, the UN Committee against Torture in December 2008 called on the Chinese government to "implement [its] population policy in full compliance with the relevant provisions of the Convention and prosecute those responsible for resorting to coercive and violent measures in implementing such policy."

At the 1994 International Conference on Population and Development, governments agreed that:

- All couples and individuals have the right to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. This includes their right to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents.
- The aim of family-planning programmes must be to enable couples and individuals to decide freely and responsibly the number and spacing of their children and to have the information and means to do so and to ensure informed choices and make available a full range of safe and effective methods. The principle of informed free choice is essential to the long-term success of family-planning programmes. Any form of coercion has no part to play. Governmental goals for family planning should be defined in terms of unmet needs for information and services. Demographic goals, while legitimately the subject of government development strategies, should not be imposed on family-planning providers in the form of targets or quotas for the recruitment of clients.
- Governments should secure conformity to human rights and to ethical and professional standards in the delivery of family planning and related reproductive health services aimed at ensuring responsible, voluntary and informed consent and also regarding service provision. International Conference on Population and Development, Cairo, Egypt, 1994, UN Doc. A/CONF.171/13, paragraphs 7.3, 7.12 and 7.17

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