

Chinese Women's NGOs Report on "Beijing+15"

All-China Women's Federation

Chinese Women's Research Society

October 2009

Overview

To prepare for the Asia Pacific NGO Forum on Beijing + 15 to be held in October 2009 in Quezon City, the Philippines, the All-China Women's Federation (ACWF) and the Chinese Women's Research Society (CWRS) launched the "Beijing +15" initiative on June 15th 2009 in Beijing.

Representatives and women activists engaging in the initiative came from institutions, organizations and academic groups, including major operating departments of the ACWF, Division of Women Workers under the All-China Federation of Trade Unions (ACFTU), China Association of Women Entrepreneurs (CAWE), Women Mayors Chapter of China Association of Mayors (WCCAM), China Association of Employment Promotion (CAEP), China Population and Development Research Center, Institute of Law as well as Institute of Journalism and Communication under the Chinese Academy of Social Sciences, Tsinghua University, CAU College of Humanities and Development, Communication University of China, Women's Studies Institute of China, China Women's College, PKU Institute for Population Research, Institute of Sociology under Beijing Academy of Social Sciences, PKU Center for Women's Law and Legal Services, Network Research Center for Combating Domestic Violence (Stop DV) under China Law Society, China Cultural Development Center for Rural Women, Maple Women's Psychological Counseling Center of Beijing, Beijing Woman-Children Health Care Hospital, Beijing Women Journalists' Association, China Women's News, Beijing-Tianjin Facilitators Team on Gender and Development Training, TNU Research Center for Gender and Social Development, NNU Ginling Women's College, Yangzhou Municipal Party School, Northwestern Polytechnical University, Shaanxi Research Society of Women-related Theory, Marriage and Family, Heilongjiang

Research Institute of Marriage and Family. Based on the *Beijing Platform for Action* and the *Outcome Documents of UN General Assembly Special Session on Women*, twelve panels on the following topics were developed: women and poverty, women and education, women and health care, violence against women, women and economy, women's participation in politics and decision-making, women's human rights and law, women and media, women and environment, girl-child, the national mechanism for advancing status of women and gender mainstreaming, and the impact of the financial crisis on the development of Chinese women. The attendants made a serious review and valuation of the Chinese government's implementation of the two documents since the World Conference on Women, in particular since the "Beijing +10" Conference. The *Chinese Women's NGOs Report on "Beijing+15"* (hereinafter referred to as the *Report*) was produced.

We hold that over the past five years China's reform and opening-up as well as social development have created a more favorable environment for China's cause of gender equality and protection of women's human rights, exhibited in the following aspects: The development principle has been established under the guidance of scientific concept of development, which is people-centered and gives equal weight to social progress and economic development, stressing fairness and justice as important values of a harmonious society. Institutional innovation as well as the progress in democracy and the rule of law is emphasized to promote the making of socialism with Chinese characteristics. We have taken the initiative to sign and perform major international conventions on human rights, incorporating the respect for and protection of human rights in state legislation, with the development of the *National Human Rights Action Plan of China 2009-2010*, which highlights government responsibility in advancing the cause of human rights. Under the guidance of the people-centered development philosophy, priorities have been given to education, employment, social security, medical care, housing, transportation and other issues concerning people's livelihood. Efforts have been made to promote civil society and democratic politics, with attention paid to non-governmental organizations, in particular the role of non-governmental women's organizations. These help to provide critical political, economic and social guarantees for the Chinese government to implement the *Beijing Platform for Action* and the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), to reach the *Millennium Development Goals* (MDGs) and to meet the indicators required in the *Program for the Development of Chinese Women*.

However, in the context of economic globalization and China's social

transformation, where a market economy has resulted in social differentiations, including that of gender, women are more likely to be excluded from the labor market; the existence of urban-rural dual system with mobile labor has made women more vulnerable to adverse effects, both psychological and physical, from work and family; cultural as well as ideological diversity has weakened the dominant ideology of women's emancipation and development; the sudden outbreak of a credit crisis has witnessed gender issues further marginalized... These have brought forth more challenges for China in approach to gender equality.

Based on the Chinese government's implementation of the *Beijing Platform for Action* and the *Outcome Documents of UN General Assembly Special Session on Women*, taking into account the progress as well as the challenges in above-mentioned fields, the report has made a realistic summary and evaluation together with specific, pragmatic, constructive policy proposals designed to promote the government to fulfill its international commitments, contributing to the endeavor of gender equality domestically and globally.

I. Women and Poverty

Progress and Achievements

1. The Chinese government has been dedicated to the women's poverty alleviation with stronger commitment, more focused policies and increased input. Chinese Premier Wen Jiabao reaffirmed China's commitment to global poverty reduction at the Global Conference on Poverty Reduction held on May 26 2009, in Shanghai that "we will try to help a small portion of our population who still live in poverty have access to adequate food and clothing at an early date in the next ten years." The *Report on the Work of the Government (2009)* proposed that China "will intensify our efforts to alleviate poverty through development. This year, a new poverty line will be adopted and all low-income rural residents will be covered by the poverty relief policy. The threshold will be increased to RMB 1,196 per person on average, and coverage will be extended to include 40.07 million recipients." On the women's poverty alleviation, the *11th Five-Year Plan for National Economic and Social Development (2006-2010)* issued in 2006 explicitly indicates that "the program for women's development shall be implemented ... to improve women's health care, poverty alleviation, labor protection and legal aid." Under the guidance of the Central Government's poverty alleviation strategy and programs, major government

departments and the ACWF have jointly issued several policies on promoting the education and training, microfinance, venture creation and employment, and healthcare of the women in rural areas, all conducive to the reduction of women's poverty. Especially in 2009, backed by the Ministry of Finance (MOF), Ministry of Health (MOH), Ministry of Human Resources and Social Security (MHRSS), People's Bank of China (PBOC), the ACWF has launched the project of guaranteed microfinance with financial discount for women and the project of cervical/breast cancer screening for rural women. These policies and projects have facilitated women's participation in economic activities and access to public services from different aspects, playing a positive role in alleviating and eliminating poverty among women.

2. Non-governmental organizations get actively involved in various poverty alleviation initiatives for women launched by the Chinese Government. Poverty Alleviation Office under the State Council and ACWF jointly initiated small loans for impoverished women. According to the statistics 2007-2008, women's federations in Anhui, Jilin and other eight provinces/municipalities raised RMB 5.78 billion from all channels as micro-loan funds, helping 670,000 families shake off poverty.¹ In the Government's initiative to promote poverty alleviation village by village, ACWF has been committed to the campaigns of "Building Women's Model Villages" and "Two Learns and Two Competes," helping poor women out of poverty through re-employment training, leading enterprises and many other channels. Local women's federations have started 150,000 rural women's schools as well as over 200,000 scientific and technological bases for agriculture and forestry demonstration for rural women, especially women in poverty-stricken central and western regions, providing training in practical technology, policies and regulations, health care, environmental protection, etc.² As a member unit of the joint conference on migrant workers under the State Council, ACWF launched a initiative, "Enabling 1000 Villages through the Market," helping more than 3 million women get employed locally instead of being laid idle. ACWF also stresses domestic service, arranging over 300,000 women farmers as well as laid-off women workers to get re-employed every year.³ In addition, ACWF released social welfare projects featuring poverty alleviation, such as "Water Cellar for Mothers," "Mother Care Express Buses" and cervical/breast cancer inspection for rural women etc., contributing to the progress in basic livelihood and health of women and children

¹ Wang Guoliang (chief editor): Micro-finance and Rural Poverty Alleviation and Development, China Finance Press, 2009.

² Cui Yu: China: Women and Poverty Eradication, internal data of the ACWF, 2007.

³ Work Report of the ACWF Development Department (internal data), 2009.

in poverty-stricken areas. China Population Welfare Foundation (CPWF) launched the "Happiness Project" aimed at rescuing impoverished mothers, establishing 417 project sites in 29 provinces/ municipalities/ autonomous regions as of October 31st 2008, with RMB 582.91743 million invested accumulatively to help 207,083 impoverished mothers and their families, benefiting a total of 951,863 people.⁴

3. China has made remarkable achievements in alleviating poverty among women. According to the *Midterm Evaluation Report on the Implementation of the Program for the Development of Chinese Women 2001-2010*, indicators directly related to poverty have been met ahead of schedule, including the net enrollment rate of school-age girl-child in primary/secondary schools, proportion of girls staying in primary school for five years, the gross enrollment rate of female students in junior high school, women's average years of education, women's average life expectancy, maternal prenatal medical examination rate, hospital delivery rate of rural pregnant women, the proportion of females in the poor rural population, etc. In particular, we see breakthroughs in the reduction of impoverished population; by the end of 2005⁵, 23.65 million of rural people remained in poverty, 8.44 million less than that in 2000, of which the 12 million women accounted for about half; the incidence of poverty among women also decreased from 3.4% in 2000 to 2.5% in 2005. According to the *Millennium Development Goals Report China 2008* jointly issued by the United Nations and the Chinese government, among gender-sensitive indicators directly related to poverty, reduced poverty population, universal primary education as well as lower child mortality have been reached, while the rest are running fluently given favorable environment by the State, expected to be fulfilled by 2015.

Problems and Challenges

Although the Chinese government has made a lot of efforts to alleviate poverty among women with remarkable accomplishments, China still remains a developing country with a relatively low per capita income. With severe imbalanced development between different regions, China still faces some challenges in relieving and eliminating women's poverty. The poverty survey data established on the basis of household shows that the incidence of poverty among women remains more frequent than men. In 2004 the incidence of women living in absolute poverty and the incidence of low-income female

⁴ China Population Welfare Foundation, work committee of Programme of Happiness: Guidelines on the Programme of Happiness (internal data).

⁵ The latest data has not been detected according to available information.

population are respectively 0.4% and 0.6% higher than that in male population,⁶ where impoverished women from non-poor households due to inferior access to nutrition, health and education were excluded. Major challenges in China's poverty alleviation efforts are as follows:

1. The government's anti-poverty aid policy is still not adequately gender-sensitive. Although the *Program for the Development of Chinese Women 2001-2010* emphasizes that poor women should be owners of poverty alleviation resources and direct beneficiaries of poverty reduction outcomes, and a number of decision-making authorities have begun to focus on gender issues. However, some of the development policies have not taken full account of gender. For example, the annual introduction of *No. 1 Document* and related policy measures for issues of agriculture, farmer and rural area have seen a vacancy of gender awareness. Most pro-poor development policies have treated poverty-stricken population as a whole instead of specifying targeted anti-poverty measures for poor rural women, left-behind women and migrant women. The subsistence allowance system in urban and rural areas is also home-based, unable to meet the needs of poor women as individuals. In the context of the financial crisis, the State introduced a large number of business plans to promote employment and local venture creation, but there are not yet special relief and support policies for female migrant workers returning home. China's system of social development survey indicators is still short of gender-sensitivity. Although some gender-disaggregated index is added in China's poverty monitoring data, massive statistics and surveys are established on the basis of household surveys without being gender-responsive, making these survey statistics not so gender-sensitive, and thus it is difficult to make accurate judgments accordingly on poverty among women.

2. Women's access to land contract right is still not fully guaranteed in some rural areas. The *Law of the Peoples Republic of China on Land Contract in Rural Areas* enacted as of 2003 states that women and men enjoy equal right to contract and manage land, spelling out specific provisions for the right of married, divorced and widowed women to contract and manage land. However, some areas still see land allocation and contract subject to the traditional "patrilocal" marriage model, where women's right to land cannot go with them as they move due to changes in the marriage.

⁶ Li Zhilan: Women perspective in China's rural poverty – Are rural women poorer? Research on Development, No. 6, 2007.

3. Rural women's accessibility to education, health care and other public services is still limited. The Chinese government has been working to improve education conditions for females. Nonetheless, practical obstacles are challenging the school attendance of girl-child in some remote and poor areas due to the extreme imbalance of regional development. Prevalence of illness among women in poverty-stricken areas is much higher than among men, while women's frequency of medical treatment as well as timely diagnosis is far less than that of men.⁷

Countermeasures

1. Strengthening gender sensitivity in policy-making process for higher gender awareness in policies. China is currently at the stage of enacting a new series of macro-development strategy, and it is proposed to give priority to developing preferential policies in favor of alleviating poverty among women as a key task of the government. We recommend that the government specify anti-poverty actions and measures particularly for women in formulating the new program for poverty alleviation to improve the gender sensitivity in poverty reduction strategies, including building comprehensive service stations at the village level in poor areas to provide effective maternal and child health care, as well as identifying women as the main body to benefit from the Community Development Fund launched by the MOF and the State Council Poverty Alleviation Office.

2. Strengthening gender sensitivity in the assessment of the government's poverty alleviation policies and actions. Civil affairs, education, health, water conservancy, agriculture, forestry and other departments have been implementing alleviation initiatives with different focuses, while their anti-poverty programs often lack a strong sense of gender-sensitive and effective approaches; in practice, this is prone to result in gender inequality. Our proposal is to conduct gender-sensitive assessment of pro-poor policies adopted by different departments, and to impose capacity-building interventions on them concerning gender mainstreaming. At the same time, intensifying publicity of the Chinese government's poverty alleviation policies and actions to raise policy knowledge among women.

3. Building a better system of social development survey featuring gender-sensitive indicators. Although China incorporated gender indicators

⁷ Li Xiaoyun: *Research on the Relationship between Gender Inequality and Poverty in China*, research report, 2005.

into the poverty survey in 2001,⁸ these relatively simple indicators fail to show a vivid picture of poverty among women. In addition, some indicators are single-gender ones, unable to measure the changes in gender and poverty. We recommend a systematic approach to gender and poverty through a comprehensive and specific evaluation in various aspects, including the characteristics and causes of poverty among women, as well as its uniqueness compared with men. The results will be incorporated into China's new economic development program as well as the sectoral policy-making process.

4. Intensifying international cooperation and exchanges in research, evaluation and practice of gender and poverty. The World Bank, the Asian Development Bank as well as other international institutions have been concerned about Chinese women's poverty, with assessment reports produced on gender and poverty. It is recommended that the research results of the international community be shared and discussed, and cooperation and exchanges with other countries in effective policies and intervention actions concerning poverty reduction among women be expanded so as to share the outcomes and extend the best practice in China for common progress.

5. Giving full play of non-governmental organizations' role in promoting poverty alleviation among women. As one of non-governmental organizations to provide services and support for women, ACWF with its top-down structure boasts political, organizational as well as operational advantages to reach women at its best. We propose to strengthen personnel, material and financial support as well as capacity-building for women's federations at all levels, with assisting rural women schools, rural women and children rights sites, labor output and input bases, left-behind children care schools, science and technology guidance centers and other services established by women's federations. In addition, we need to give full support to other civil organizations aimed at helping women in poverty and associations committed to the self-improvement of rural women, contributing to settle women's poverty issues in a faster and better approach.

⁸ The establishment of indicators, such as illiteracy rate in women's labor force, the proportion of working time among women, the proportion of women migrant workers, schooling rate of girls from 7 to 15 years old, the proportion of women with community positions, etc.

II. Women and Education

Progress and Achievements

1. The Chinese government has promulgated a series of policies and regulations to promote gender equality in education. The *Compulsory Education Law of the People's Republic of China* revised in 2006 stresses that compulsory education shall be a mandatory and integrated public welfare, establishing a new mechanism to ensure the funding for compulsory education. The *Outline of the Eleventh Five-Year Plan for National Education Development* promulgated in 2007 indicates that during the 11th Five-Year period, the education system will be improved, with universal access to the nine-year compulsory education while the net enrollment rate of primary school at over 99% by 2010⁹. The Chinese government removed the tuition fees of compulsory education in rural and urban areas respectively in 2007 and 2008, benefiting nearly 150 million rural as well as 28.21 million urban students in primary and secondary schools.¹⁰ China's expenditure on education rose from RMB 724.26 billion in 2004 to RMB 1,214.807 billion in 2007.¹¹

There has been a gradual rise in the proportion of girls in all kinds of schools at all levels, with equalizing education opportunities for the two genders in access to compulsory education. The enrollment rates of boys and girls respectively increased from 99.16% and 99.14%¹² in 2005 to 99.50% and 99.58% in 2008, while the proportion of girls was 0.08 percentage points higher than that of the boys.¹³ From 2005 to 2008, the proportion of girl students in general higher education undergraduates rose from 47.08% to 49.86%, while the proportion of females in adult higher education undergraduates rose from 51.12% to 52.33%, which was higher than that of males. Women teachers in colleges and universities saw a further expansion, amounting to 564,600 in 2008, a net increase of 146,900 over 2005 and equal to a proportion rise from 43.25% to 45.62%.¹⁴

2. Significant progress has been made in women's studies in colleges and universities. In 2006, the Ministry of Education incorporated "Women's Studies"

⁹ Ministry of Education: *The Outline of Eleventh Five-years Plan of National Education Undertaking Development*, http://www.moe.edu.cn/edoas/website18/30/info_34030.htm.

¹⁰ <http://edu.people.com.cn/GB/1053/5154135.html>, People's Daily Online.

¹¹ <http://edu.people.com.cn/GB/1053/5154135.html>, People's Daily Online.

¹² Ministry of Education: *Statistical Communiqué on the National Education Development 2005*, <http://www.moe.edu.cn/edoas/website18/64/info20464.htm>, Official Website of MOE.

¹³ Ministry of Education: *Statistical Communiqué on the National Education Development 2008*, <http://www.moe.gov.cn/edoas/website18/34/info1247820433389334.htm>, Official Website of MOE.

¹⁴ Ministry of Education: *China Education Statistical Yearbook 2005, China Education Statistical Yearbook 2008*.

in undergraduate disciplines, and women's studies have gradually converged into the mainstream of undergraduate education. In the same year, the China Women's University first enrolled 30 women's studies undergraduates.¹⁵ Postgraduate education has developed rapidly. Peking University established the first graduate program for Master of Women's Studies in 1998, while in 2008 30 universities/institutes in the mainland of China offered graduate programs in 44 master degrees and 11 doctor degrees for Women's/Gender Studies,¹⁶ engaging philosophy, economics, literature, history, law, management, education, medicine and other disciplines.

Courses concerning Women's/Gender Studies has enjoyed further development. 35 institutions opened programs related to women's studies in 2005.¹⁷ By the end of 2007, nearly a hundred universities had opened courses concerning women's studies.¹⁸ Research Center for Gender and Law under the CASS Institute of Law set up a network on gender and law, where nine colleges and universities as its member units offered compulsory/elective courses or seminars on "gender and law." As of July 2009, more than 1,200 and 10,000 students respectively had attended the compulsory and elective classes, while over 11,000 people had took the lectures.¹⁹

3. NGOs have been committed to promoting women's education. In 2007, ACWF developed the *Program for Construction of the National Women's Education and Training System (2008-2010)*, proposing to incorporate the basic state policy of promoting gender equality into the national and social education as well as ACWF's education and training system, striving to give both genders equal access to the education and training resources.²⁰ The "Spring Bud Program" launched by the China Children and Teenagers Fund under ACWF has proved to be effective, with over RMB 800 million raised from 1989 to 2009 to sponsor charity initiatives, building more than 800 Spring Bud schools, supporting over 1.8 million poor girls to restore school and providing 0.4 million

¹⁵ http://www.cwu.edu.cn/gg/gg_3.asp?id=3432&cid=14, Website of China Women's University.

¹⁶ Chen Fang: Reflection on the Academic Field of China Women's Studies, Chief Editor: Mo Wenxiu, China Women's Education Development Report No. 1 (1978-2008), Beijing: Social Sciences Academic Press, 2008, p. 367.

¹⁷ Wei Guoying: Leap-forward Development and Local Experience – On Building Women's Studies over the Past Decade, Collection of Women's Studies, No. 1. 2006.

¹⁸ Chen Fang: Reflection on the Academic Field of China Women's Studies, Chief Editor: Mo Wenxiu, China Women's Education Development Report No. 1 (1978-2008), Beijing: Social Sciences Academic Press, 2008, p. 367.

¹⁹ Based on the statistics in July 2009 made by the Research Center for Gender and Law under the CASS Institute of Law (internal data).

²⁰ The ACWF: the Program for Construction of the National Women's Education and Training System (2008-2010), Chinese Women's Movement, No. 7. 2008.

girls with practical technical training,²¹ The relief recipients also expanded from elementary and junior schools to high schools and even colleges. ACWF and the CWRS conducted multi-sectoral cooperation to create "women's/gender research and training bases." So far 21 bases has been established in 12 provinces/municipalities accompanied by annual meetings and academic exchanges on a regular basis to carry out research projects as well as capacity-building training for women's issues.

NGOs proceed with education and training on gender equality in different ways to spread the philosophy of gender equality. Shaanxi Research Society of Women-related Theory, Marriage and Family has extended the form and scope of gender training and public education, conducting social gender training for the relevant groups. From 2002 to 2007, this Society organized nearly 200 sessions of gender training, 30 of which were for trainers, raising a teaching staff as well as a backbone force for project sites and the agencies concerned;²² Henan Community Education Research Center mainly relies on educating, training and supporting grassroots women's organizations to enhance women's empowerment capacity through network and training; In Yunnan Province, a multi-ethnic region boasting many development projects, gender training is integrated into other projects of poverty alleviation, reproductive health, ecological environment, resources, forestry, AIDS prevention and control, ethnic cultural heritage and so on, with a series of training handbooks and textbooks prepared.

Problems and Challenges

Although Chinese government has made positive efforts in promoting women's education, which has contributed to the remarkable progress of gender equality in education, the overall national competence still needs improvement, due to the imbalanced regional development in China. China is faced by a few challenges in women's education:

1. Gender equality has to be stressed in the level of education policies.

Although China has basically achieved equal access to education between genders at the compulsory education stage, the perspective of gender mainstreaming has not been fully achieved in the educational decision-making process and education system reform. For instance, gender equality is not included as an issue either in the *Outline of the Eleventh Five-Year Plan for*

²¹ CCTF: Love for the Spring Bud over 20 years (internal data), 2009, p. 41.

²² Work Report on the 3rd General Assembly of Shaanxi Research Society of Women-related Theory, Marriage and Family (January 2008), http://www.westwomen.org/jigou/2008/0123/article_74.html.

National Education Development promulgated in 2007 or in the *Outline of the National Plan for Medium and Long-term Education Reform and Development*. Though in recent years, China's gender-disaggregated data in education statistics enjoyed certain progress, with gender-disaggregated data from various types of schools at all levels obtained. However, the current data will still fail to meet the requirements for effective survey and evaluation of gender equality in the field of education. In particular, we have not set up indicators relevant to survey and evaluation of gender differentiation or discrimination in the education process.

2. Gender inequality needs further corrected in the education process.

Gender inequality in the process of education has not been radically tackled. In all kinds of education at all levels, we see the lack of awareness of gender equality in both contents and materials, where the traditional gender stereotyping has not been challenged and changed, while teaching models and approaches are not adequately gender sensitive. The proportion of women engaged in education decision-making and management is relatively small, which is even more remarkable in higher educational levels.

3. In rural areas, especially in remote and poor areas, women's right to education is still to be guaranteed.

The distribution of educational resources is uneven geographically. In remote, underdeveloped, inaccessible and minority rural, mountainous and pastoral areas, women's opportunity for as well as quality of education needs to be improved. According to a sample survey made to 1% of the population in 2005, the population of females aged 15 to 19 who had never attended school amounted to 1.07%, while the proportion of males at this stage was 0.76%. This meant nearly one million adolescent girl-child did not accept the compulsory education. The reform to improve the quality of compulsory education in rural areas by merging schools has increased the distance between school and home or forced some children to board at school, imposing adverse effects on part of rural children, especially girls, in terms of schooling opportunities as well as safety. For those who follow their parents out as the "floating children," they are faced with inferior access to equitable educational resources as well as barriers to community rehabilitation, etc. In poor, remote areas and minority regions, women's access rate to higher education is low.

4. There is an obvious gender segregation in terms of speciality in higher education, seeing women's studies struggling in the system of higher education disciplines.

In higher education there is a clear gender segregation

of specialties and disciplines, where boys tend to choose natural sciences and engineering, while girls prefer the humanities and social sciences, which not only directly impacts women's fair access to employment opportunities on the labor market but also make it difficult to improve women's inadequate engagement in science and technology as soon as possible. Women's Studies teaching as an important frontier to boost awareness of gender equality has not received enough attention in China's higher education discipline system. The support to women's studies as a course in the institutions of higher learning in terms of funding, research projects as well as personnel training still needs to be enhanced. The marginalized position of the women's studies in the country's higher education system of academic disciplines should be improved.

5. The opportunities for women in lifelong education and vocational training are relatively few. We notice inadequate investment, feasible solutions as well as coherence in literacy and lifelong education for women. In the field of adult education and vocational training, gender segregation still exists. For example, in 2008, women accounted for only 32.83% of on-the-job postgraduate programs,²³ which restricted women's job promotion and working competitiveness to a certain extent, making them rest on inferior occupational levels. In adult education and vocational training, we see inadequate gender awareness in arrangements for the curriculums as well as for the training time and venue especially in rural areas, with little regard to different lifestyles and characteristics at work and off work between men and women; agricultural skill training in rural areas also lacks gender awareness.

Countermeasures

1. Enhancing gender awareness in education policy formulation and implementation. Experts with gender awareness should be engaged in the development of state education policies and plans, with their views and recommendations fully considered. Gender proportion in education decision-making and management should be provided by legislation or policy approach and the proportion of women in leadership in schools at all levels as well as in education authorities should be increased. Institutionalized gender training should be organized to enhance gender awareness as well as capacity of all educational administrators and teachers. Non-discriminatory education should be developed, incorporating a broader awareness of gender equality into

²³ Ministry of Education: *China Education Statistical Yearbook 2008*, People's Education Press.

training of teachers, textbooks and classroom teaching. Gender advisers should be added to the curriculum committee so as to eliminate gender bias at the root causes such as in textbooks.

2. Striving for educational equity to safeguard education rights of disadvantaged women groups. Further investment should be granted in educational resources for poor and remote areas, with the establishment of special funds for the education of girls. Private funds should be pooled to safeguard the right to education of girls in poverty-stricken areas, remote areas, minority regions as well as migrant population to improve their educational status. The role of female teachers should be highlighted, with special attention paid to the existence and development of female teachers in poor, rural and minority areas. In life-long education planning, more efforts should be made to combat illiteracy among young adult females as well as to promote non-regular and non-academic education to broaden in-service women's access to new technology training while reducing the learning costs. Compensatory education should be provided for urban migrant women and adolescent girls to improve their living skills and job training opportunities. Convenient and pragmatic community education should be offered to aged women to enhance their participation and integration into the community.

3. Removing the gender segregation in secondary and higher education to promote the development of women's studies disciplines. The Government should develop specific support policies and measures, such as setting up funds or projects to support women technology professionals, breaking and removing the gender segregation among disciplines in the higher education system, encouraging women to further engage in science and technology study and research, etc. Strong support should be granted to build women's studies in higher education, providing funding and preferential policies, raising women's studies teaching personnel, and adding women's studies/gender issues in state-funded research projects.

4. Gender-disaggregated statistics in the field of education should be strengthened. The system of gender-disaggregated indicators in education statistics should be further improved, focusing on the development and promotion of gender-sensitive survey indicators effective in monitoring the education process and decision-making fields for real-time survey and evaluation of the gender equality status in the education sector.

III. Women and Health

Progress and Achievements

1. The Chinese government has developed positive laws and policies to provide institutional safeguards for women's health. Over the past 5 years, the Chinese government has developed the concept of women's health, committed to women's health with enhanced awareness of gender equality, and formulated a series of laws and regulations to safeguard women's health as an important part of women's human rights. The legal system of maternal and child health forming has taken shape backed by the *Law on Maternal and Infant Health Care* and the *Law on Population and Family Planning*, while a management system of women's health has been established to achieve the *Program for the Development of Chinese Women*. A health service network across the country has been organized with maternal and child health care institutions at all levels taking the lead. All these provide an institutional as well as policy guarantee for safeguarding women's health rights and improving women's health. *The Administration Measures for Maternal and Child Health Care Institutions* and a series of women's health work standards have been developed to intensify women's health care management and service as well as to curb the commercialization of women's health care. In 2009, "carry out regular inspections in gynecological diseases among rural women" was further incorporated in the *Government Work Report* and the *Work Plan for National Economic and Social Development 2009*, reflecting the strong will and firm commitment of the Chinese government to safeguard women's health and to promote equitable public services.

2. Implementing major projects to intervene in critical issues concerning women's health. In order to reduce maternal and neonatal mortality, the Chinese government extended the project of reducing the maternal mortality and eliminating neonatal tetanus to 1,200 counties in central and western regions by 2008, to which the central and local governments invested more than RMB 2 billion cumulatively.²⁴ To improve the proportion of pregnant women delivering at hospital in poor areas, the Ministry of Health implemented the project "hospital maternity subsidy to pregnant women in central and western regions" in 2008, granting a fixed compensation for pregnant women to give delivery at hospital in 2,297 cities/counties in central and western regions. Health care organizations have played an active role in establishing a timely and effective "green passage"

²⁴ National Working Committee on Children and Women under the State Council: Compiled Summary of the Main Tasks of NWCCW and its Member Units in 2008 and 2009, March 2009, p. 145.

for emergency referral, striving to mitigate maternal, infant and child mortality resulting from delayed referral so as to protect the safety of mothers and children. The Chinese government takes women's health as an integral part of improving people's livelihood. In the context of the global financial crisis, we still launched and implemented the cervical/breast cancer screening project as well as the project for addition of folic acid to prevent neural tube defects to rural women in June 2009. Besides, we extended the project "hospital maternity subsidy to pregnant women to the entire rural areas", sponsored by special grants from the central government. Hundreds of millions of rural women will benefit from the three major national projects of public health service.

3. Striving for a well-established medical insurance system to promote equity in terms of women's health. Over the past 5 years, the Chinese government has been striving for equity and accessibility of women's health care services as a strategic choice in advancing the cause of women's health. The *Ordinance on Family Planning Guidelines for the Migrant Population* was promulgated to ensure migrant women's equal access to health care opportunities and services. A special relief system for maternal and child health has been set up for more input in the health of women in remote poverty-stricken areas, which has effectively curbed the widening gap between urban and rural areas as well as between different regions over the years in maternal, infant and child mortality, improving the accessibility, fairness and preference in women's health care. Meanwhile, the Government has taken positive measures, such as building a basic health care system covering urban and rural residents, boosting the new-type rural cooperative system of medical care, intensifying the basic medical insurance for urban residents, applying the maternity insurance system etc., greatly improving the medical insurance coverage of urban and rural women as well as enabling women to resist the risk of diseases.

4. Making efforts in prevention and control of the risk of major diseases threatening women and children. A service model to prevent mother-to-child transmission of AIDS (MTCT) has been established, providing HIV/AIDS-infected pregnant women with free counseling, testing, prenatal and postnatal guidance, blocking drugs and other services. As of the end of December 2007, maternal health services to prevent MTCT had covered 4.41 million pregnant women, reducing the rate of MTCT by 60%.²⁵

²⁵ The PRC Ministry of Foreign Affairs, the United Nations system in China: *The Millennium Development Goals Report 2008*, p. 36.

5. Strengthening cooperation with NGOs to promote gender mainstreaming in reproductive health. The Chinese government has kept close cooperation with NGOs, taking advantage of the unique features of women's organizations to jointly carry out a series of projects, such as the Fitness Initiative for Hundreds of Millions of Women, Healthy Mother Express, Gender Equality and Reproductive Health, Chinese Women's Health Initiative and the Cervical/Breast Cancer Screening Project for Rural Women. To promote gender equality in the field of reproductive health, the National Population and Family Planning Commission worked with women's organizations to initiate the project of "incorporating gender perspective into family planning services" and the reproductive health project, where a toolbox for gender equity diagnosis was developed to test the family planning services at the county/prefecture level, striving to achieve gender mainstreaming in the whole process of family planning, including decision-making, management, service and assessment, to promote male participation and women empowerment in reproductive health. As of the end of 2008, over 719 counties (cities/prefectures) had accepted the assessment of family planning services, speeding up the gender mainstreaming process in reproductive health.

6. Chinese women's health has been improved significantly. Over the past 5 years, there has been growing topics for discussion on women's health issues. More attention has been paid to women's mental health, while women have engaged in broader health issues as subjects with improved self-care awareness as well as capacity. We have witnessed a growing number of women leading a healthy life. According to the data of areas under monitor in China from 2005 to 2008, the infant mortality decreased from 19.0‰ to 14.9‰, the child mortality under five years old decreased from 22.5‰ to 18.5‰, and the maternal mortality decreased from 47.7/100,000 to 34.2/100,000 (29.2/100,000 in urban areas and 36.1/100,000 in rural areas).²⁶ The gap of maternal mortality between urban and rural areas shrank as compared to the data in 2005, namely 25.0/100,000 in urban areas and 53.8/100,000 in rural areas. In 2008 China's rate of delivery in hospital was 97.5% and 92.3% respectively in urban and rural areas, meeting the 2010 objectives for the rate of hospital delivery of rural women ahead of schedule.²⁷ Survey and treatment of women's diseases have become more widespread. From 2005 to 2007, women's life expectancy rose from 74 to 75 years, while their healthy life expectancy upgraded from 65 to 68

²⁶ The PRC Ministry of Health: *China Health Statistics Yearbook 2009*, China Peking Union Medical College Press, 2009, p. 191.

²⁷ The PRC Ministry of Health: *China Health Statistics Yearbook 2009*, China Peking Union Medical College Press, 2009, p. 199.

years; women's physical fitness and quality of life have been further improved.²⁸

Problems and Challenges

Health conditions of the Chinese women have witnessed evident improvements after the 1995 Fourth World Congress on Women. However, some problems hindering women's health have not thoroughly addressed. Impacted by the globalization, development of market-oriented economy as well as the gender discrimination, women's health is facing quite a few challenges:

1. Recognition of the strategic position and fundamental role of women's health in social development should be enhanced, while the Government's public input in women's health is relatively insufficient.

Although this situation has been greatly improved in the recent five years, so far in the government budget on health expenditure there has not been a separate funding entry for maternal and child health, whose progress lagging behind the country's economic growth. Insufficient fund for maternal and child health has resulted in incomplete coverage of preventive health services, and to some extent has caused the weakening of women's health care system, directly affecting the stable progress and the operational quality of women's health services. Under-capacity of grass-roots women's health services and inefficient women's health care system become major barriers to the sustainable development of women's health cause.

2. The State allocation of resources for women's health is not fully appropriate, where the pattern of over-concentrated health-care resources in cities has not yet been fundamentally changed.

Women's health development is uneven between urban and rural areas as well as between different regions. Elder, poor, and disabled women as well as other vulnerable groups of women in rural areas still find it difficult to get equal access to health care opportunities, resources and services. Currently, the equity, accessibility and preference of health services remain outstanding problems concerning women's health.

3. Women's health care system needs to be improved.

Health and family planning departments as two major government agencies see vague division of duties on women's health care while providing similar services, requiring further integration of human as well as financial resources. Policies on women's health still lack effective coordination and convergence with other social policies,

²⁸ The PRC Ministry of Health: *China Health Statistics Yearbook 2009*, China Peking Union Medical College Press, 2009, p. 364-365.

affecting the accomplishment of women's health. In the field of women's health care, we still see treatment overriding prevention while services outweighed by profits; high charges make it difficult to promote some interventions effective in reducing women's risk of diseases. A number of major projects and budgets carried out through joint efforts of the Government, non-government organizations and international agencies calls for gender analysis as well as better management, evaluation and supervision.

4. More attention should be attached to women's occupational health and mental health. The prevention, diagnosis and treatment of women's HIV/AIDS infection, cervical cancer, breast cancer and ovarian cancer should be strengthened. We see ineffective assistance and initiative for migrant women's health as well as under-capacity and under-action on intervention in women's psychological problems. Maternal health services are enhanced to a certain extent at the expense of full-process services for women's health. Gender perspective needs to be further incorporated into health insurance and health statistics, since a number of important data are not yet subject to gender-disaggregated statistics, which will affect the gender equity in policy-making process.

Countermeasures

1. Further strengthening the government's leading role and obligation in promoting women's health. Governments at all levels should be fully aware of the fundamental role of women's health in building a harmonious society, developing and improving laws and policies on women's health while converging women's health policies with a broader package of social policies, including the new-type rural cooperative system of medical care, health insurance for urban and rural residents, etc., striving for full enforcement of the laws and policies concerned. Setting up institutionalized funding mechanisms for women's health care.

2. Improving and perfecting the management and service system of women's health. A highly efficient cross-department women's health promotion mechanism should be established. Women's health care institutions should be standardized, upholding the principle that women's health is a public welfare to be shared by all. The development strategy should be focused on narrowing the urban-rural as well as regional gaps, giving priority of women's health work to village and township levels to effectively improve the knowledge and skills of grass-roots health service providers in rural areas, enabling them to provide rural women with applicable technology and standardized service. The role of the

NGOs and women's organizations should be fully played in expanding the cooperation through international projects and integrating the women's health resources for an enhanced gender mainstreaming, women's empowerment as well as the male participation in the health sector in China.

3. The Government should be highly concerned about the impact of globalization, commercialization, the widening gap between rich and poor and gender discrimination on women's health. Effective measures should be taken to protect women from toxic, hazardous and radioactive contamination as well as other risk factors, ensuring women's occupational safety and health. Further attention should be paid to migrant women's health, with workable plans developed and interventions in major projects conducted to effectively guarantee women's health rights. Special input and medical assistance for elder, poor, sick and disabled women in rural areas should be reinforced to ensure disadvantaged women's equal access to health services.

4. Further efforts should be made in the control and prevention of major infectious diseases, and more attention given to women's mental health. More effective measures should be taken to curb the rising proportion of women infected with HIV. Examination and treatment of reproductive tract infections, cervical/breast cancer and other gynecological diseases should be done in a strict approach. The outreach of regular checks of gynecological diseases for women in the rural areas should be extended to reduce woman's disease hazards to the utmost. Priorities should be given to clear up the biggest concerns in women's health issues to improve the overall quality of women's health services. Attention should be paid to women's mental stress and mental health problems.

IV. Violence against Women

Progress and Achievements

Since the "Beijing + 10" Forum, Chinese laws and policies combating violence against women have been further improved, increasingly clear division of duties across government agencies as well as gradually enhanced public awareness.

1. Progress has been made in legislation as well as policy at both national and local levels. The *Law on the Protection of Women's Rights and Interests* revised in August 2005 has provisions combating gender-based violence that: (a) further defines "domestic violence against women is prohibited," emphasizing

that "the State shall take measures to prevent and deter domestic violence," and stressing the respective duties of different agencies in prevention and control of domestic violence; (b) spells out for the first time that "sexual harassment against women is prohibited" with clarifying corresponding rights of victim women and liabilities of institutions concerned; (c) adds that "hindering the rescue of trafficked or kidnapped women is prohibited," "any person shall not discriminate against trafficked or kidnapped women" and other new requirements. As a result, local anti-violence laws and regulations came into being. 27 provinces/ municipalities/ autonomous regions have introduced the *Implementation Measures for the Law on the Protection of Women's Rights and Interests (Revised)*, the majority of which spell out relevant provisions to prevent and combat domestic violence as well as sexual harassment, making breakthroughs in definition of sexual harassment, care for the feelings of victims, prevention of sexual harassment at workplace, relief approaches and legal liabilities. As of September 2009, People's Congress in 25 provinces/municipalities/ autonomous regions had promulgated local laws and regulations on preventing and combating domestic violence.

The *Law on Public Security Administration Punishments* approved in August 2005 provides that "anyone assaulting others, or intentionally injuring others" shall be subject to administrative detention or fines by public security authorities. Compared to the previous provisions that "causing minor injuries" shall be subject to punishment, the new law is more favorable for the protection of women victims.

The *Law on the Protection of Minors* revised in December 2006 adds the clauses of "domestic violence against minors is prohibited" and "sexual assault against minors is prohibited," enshrines the prohibition of sexual assault against children in law for the first time and provides that "Public security organs, people's procuratorates and people's courts shall, in dealing with cases involving sexual assaults of minors, protect the reputation of the victims."

In July 2008, the Supreme People's Procuratorate, the Ministry of Public Security, Ministry of Civil Affairs and other four ministries and commissions jointly released *Some Opinions on Preventing and Deterring Domestic Violence*, providing for respective duties of different departments in the prevention and control of domestic violence, which is conducive to the work of the agencies against domestic violence and the special legislation of the State against violence.

2. Government agencies have taken respective approaches to combat gender-based violence. In the fight against gender-based violence, government agencies have reaffirmed their actions with a higher sense of responsibility, enhancing inter-sectoral cooperation as well as support for civil organizations. In December 2007, the State Council approved the *National Plan of Action to Combat Human Trafficking (2008-2012)*, which is the first national guidance document on anti-trafficking work to identify the guiding principles, tasks, strategies, specific measures and the division of responsibilities in China's anti-trafficking work in the coming five years. An inter-ministerial joint meeting under the State Council was set up led by the Ministry of Public Security and attended by 31 departments to combat trafficking in women and children. In March 2009, Ministry of Public Security and other 29 ministries and commissions jointly issued the *Rules for the Implementation of the National Plan of Action to Combat Human Trafficking (2008-2012)*. In the same year, public security agencies launched a campaign against trafficking in women and children across the country again.

Some local prosecutors and courts have paid more attention to the details of the case in the prosecution and the verdict of domestic violence, mitigating the punishment for some women as long-term victims of domestic violence who were forced to kill the perpetrators. The *Guideline on Matrimonial Case Trial involving Domestic Violence* established by China Applied Law Institute under the Supreme People's Court in 2008 has been applied in a pilot program on nine courts at the grassroots level across the country, trying to introduce the protective order system in domestic violence cases. In 2009, Hunan Provincial Higher People's Court adopted the *Guidance on Strengthening the Judicial Protection of Women Victims of Domestic Violence (Trial)*, which was then piloted within the province. Some local authorities of public security formulated relevant policies and measures with separate statistics of domestic violence cases, incorporating prevention of domestic violence into the police evaluation system. Hunan Provincial Public Security Bureau began to train police inspectors in May 2009, planning to cover the directors of 2200 stations across the province within two years. Intervention in domestic violence has been added to the training, while the trained police become more aware as well as capable of intervention in domestic violence. Civil affairs departments are in active search of relief mechanisms for women victims, and domestic violence shelters have been set up under relief centers in about 60 cities in nearly 20 provinces/autonomous regions.²⁹ From 2007 to 2010, Maternal and Child Health

²⁹ China Woman Daily, July 14, 2009.

Care and Community Health Division under Ministry of Public Health and the National Center for Women's and Children's Health (China WCH) of the Chinese Center for Disease Control and Prevention (China CDC) collaborate with UNFPA in the medical intervention project for combating violence against women, aiming at building the multi-sectoral working mechanism to aid battered women through hospitals as well as the multi-agency cooperation mechanism to enable medical agencies in the pilot sites to offer better service in dealing with violence against women. To prevent network-based pornography, Ministry of Information Industry promulgated in 2007 the *Notification on the Working Program for the Campaign against Internet Pornography according to Law*. In the same year, the Publicity Department of the CPCCC, Ministry of Education, Ministry of Public Security and other seven departments jointly initiated the campaign nationwide to crack down on Internet pornography.

3. NGOs and research institutions have launched anti-violence initiatives.

ACWF spares no effort to boost international cooperation in anti-violence projects: (a) Beginning from 2000, ACWF worked with the Australian Human Rights Commission in the Sino-Australian cooperation project for human rights, with national training seminars on anti-domestic violence held in Shanghai, Liaoning, Xinjiang, Shandong, Anhui, and Hunan provinces/autonomous regions. (b) In 2005, the Women's Studies Institute collaborated with the ILO in the project to improve gender mainstreaming capacity-building in the "3+1" Mechanism, with the international seminar on combating sexual harassment in the workplace held in Beijing, where this issue was for the first time put on the table at the national level in respect for human rights and law. (c) ACWF cooperated with the ILO to proceed with the UN Inter-Agency Project on Human *Trafficking in the Greater Mekong Sub-region* in five GMS countries as well as China's Yunnan province from 2000-2008, and the two organizations worked together again from 2004 to 2008 to carry out the Project to Prevent Trafficking in Girl Child and Young Women for Labor Exploitation with in China. (d) From 2006-2010, ACWF in collaboration with the UNFPA advance the gender equality initiative, conducting pilot projects of combating violence against women in the cities of Liuyang and Chengde.

Non-government women's organizations: (a) Various forms of publicity have been organized. In 2007, Network Research Center for Combating Domestic Violence (Stop DV) under China Law Society cooperated with Netease in response to the global signature campaign launched by UNIFEM Goodwill Ambassador Nicole Kidman initiated a public signature campaign called "say no to violence against women," on the Internet. In 2008, the Research Center

sponsored student groups from eight colleges in Beijing to hold a debating competition on anti-domestic violence. In the same year, it collaborated with Shaanxi Research Society of Women-related Theory, Marriage and Family and other organizations and launched a 16-day action against gender-based violence, which covered nine provinces/ municipalities/ autonomous regions across the country. Anti-domestic violence pilot projects have been carried out in primary and secondary schools in Qianxi of Hebei and Danzhou of Hainan. (b) Marginalized groups have been included in the work schedule, with research as well as intervention projects done on AIDS and domestic violence, female homosexuality and domestic violence, migrant women and family violence, etc.³⁰ (c) Policy advocacy and legislative proposal have been applied. The CASS Institute of Law and Stop DV under China Law Society co-developed the Expert's Proposition Draft of *Some Provisions of the People's Court on Hearing Sexual Harassment Cases*, which was submitted as a motion to NPC and CPPCC by NPC Representatives and Members of CPPCC for two consecutive years in 2007 and 2008. Beijing Maple Women's Psychological Counseling Center, Women and Gender Research Center of Sun Yat-sen University and the Institute of Sociology under Zhejiang Academy of Social Sciences jointly drafted the *Law on the Prevention of Sexual Harassment at Workplace*, which was submitted by NPC Representatives as a motion in March 2009. In 2008, Beijing Juvenile Legal Aid and Research Center developed the *Guidance on Lawyers Handling Sexual Assault Cases Involving Minor Victims*, proposing to the authorities concerned on legislative and judicial relief. (d) PKU Center for Women's Law and Legal Services worked with a company in Hebei province to formulate the first corporate system in China for prevention of sexual harassment at workplace in 2008, and cooperated with the Women's Federation of Haidian district of Beijing to assist two companies to formulate policies against sexual harassment in 2009.

Problems and Challenges

The Chinese government and civil organizations have made significant progress in combating violence against women. However, since China is now in the socio-economic transition period with complex and concentrated social contradictions plus lingering traditional concepts of "men are superior than women", domestic violence as well as sexual harassment against women still

³⁰ These are cooperation projects of Phase III (2006-2009) between Qianxi Women's Federation, Danzhou women's federations and lesbian organization "Tongyu," Beijing Women's Federation, Yunnan Institute for Nationalities as well as other agencies and the Network Research Center for Combating Domestic Violence (Stop DV) under China Law Society.

exist in some extent, while forced prostitution and sex services are rather serious. Migrant women, left-behind women and girl-child in rural areas as well as young women working at service and entertainment venues are more inclined to be sexual assault victims. Trafficking in women and children has presented new characteristics, including concurrent offenses from forced marriage and illegal adoption to forced labor, prostitution, begging and so on; the trend of trans-regional, cross-border trafficking is apparent while trafficked women and children become increasingly younger. China's work on combating violence against women is now facing the following challenges:

1. Legislation on combating violence against women needs to be further strengthened. There is no specific national law against gender-based violence so far, while the existing provisions have been segregated in different laws and local regulations. The over-narrowed definition of domestic violence where the penalties for violence against family members are outweighed by that for violence against strangers makes it difficult to effectively protect battered women. As to relevant provisions in the criminal law and criminal procedures law, many sexual assault behaviors cannot be regarded as rape. Sexual assault is difficult to be placed on file, marital rape is not taken seriously in legislation and judicial practice, legal remedy for victims of sexual violence is not well-established, while no sufficient attention has been paid to cases of sex with adolescent girl-child where the offenders and the victims have specific relationships (such as relatives, teachers and so on). National legislation as well as local regulations against sexual harassment is theoretical rather than maneuverable, where *quid pro quo* sexual harassment at workplace and obligations of employers are undermined.

2. The mechanism combating violence against women remains to be further improved. The government-led multi-agency intervention mechanism is not well-established, with insufficient attention paid to the mental and psychological injuries of battered women and children who have witnessed violence. We are still short of pertinent psychological counseling and treatment services. Shelters for women victims are inadequate, while the existing ones are not multi-functional. Legal aids concerning all forms of violence against women are not fully competent. The funding against gender-based violence lacks an institutional guarantee. Community workers at grassroots level still need to improve their skills as well as approaches in anti-violence advocacy and relief work.

3. The whole society must further understand violence against women.

First, the decision-making bodies and law enforcement departments are not fully aware of human rights, gender equality and gender-based violence. Some government officers as well as legislation and law enforcement personnel still take domestic violence as a private affair, as a result, solutions to some problems that can be solved by existing laws are postponed or laid aside. Next, the public awareness of gender-based violence and engagement in anti-violence actions need to be upgraded. The media advocacy on different groups of people is insufficient. Due to the conventional concept of chastity and the culture that tends to blame the victims, the majority of battered women have been forced to subordinate or put up with the reality; a large number of cases involving domestic and sexual violence as well as sexual harassment have been masked, leaving perpetrators free from penalties.

4. We are faced with insufficient data and research. There are not sufficient statistics data about violence against women, nor studies on the extent of severity and harm of the violence.

Countermeasures

1. Urging legislation. First, the introduction of national legislation opposing all forms of violence against women should be advanced, striving for the enacting of laws or regulations that are qualified, such as those against domestic violence and workplace sexual harassment. Second, the definition of domestic violence in the relevant laws as well as the case-filing standards for rape in the criminal law and criminal procedures should be modified, abolishing the crime of “whoring girls under 14 years old” to expand the protection scope of victims. Third, particular attention should be paid to minors who have sexual relations with specific persons to incorporate the issue in the judicial and law enforcement procedures, with prohibitions on teachers’ courtship with students at school as well as a variety of sexual assaults/harassments.

2. Improving the government-led mechanism of integrated prevention and refrain of violence against women. The leading role of the government shall be brought into full play;³¹ incorporating governments, institutions and civil organizations at all levels into the prevention and control mechanism with specified duties for respective agencies and well-established assessment criteria and enforcement mechanism. Governments at all levels should provide

³¹ The Government has been in the leading position in anti-trafficking work, but the government commitment as well as enforcement in the fight against domestic violence and sexual harassment needs further improvement.

necessary and specialized financing to secure the related work. Improving the victim relief mechanism. The law should provide special relief procedures for victims of domestic violence, sexual violence and sexual harassment, with emergency relief sites set up and a cross-sectoral, multi-disciplinary protection network built to provide victims with integrated services, including legal aid, psychological counseling and material assistance. Battered women should be provided with job training and other initiatives for participation in social development. National surveillance and social assistance should be strengthened to shoot problems concerning follow-up resettlement and livelihood insurance of minor victims of sexual assaults.

3. Enhance training to raise awareness and capacity. Decision-makers and relevant department officers shall be trained on knowledge of gender equality and prevention of gender-based violence so as to enable the institutions, particularly the legislative and executive bodies, to be gender sensitive and capable of intervention in gender-based violence so that they can put all kinds of violence cases against women to a fair trial according to law. Agencies in dealing with cases involving domestic violence and sexual assault should intentionally protect the victim's right of privacy and honor, avoiding secondary harm to the victim. Employers should be urged to improve their capacity in formulating and executing departmental regulations.

4. Reinforcing publicity and education. Attitudes and standings towards gender-based violence based on conventional prejudices, stereotypes and norms shall be subject to criticism and clarification. Efforts should be made in social, economic, cultural and other fields to raise people's awareness, addressing both the symptoms and root causes. Priorities should be given to turning over conventional gender stereotyping, combating gender discrimination, opposing casting couch, promoting gender equality and defending human rights.

5. Continuing to strengthen cooperation with international community and NGOs. Push forward China's work on combating violence against women by drawing upon international experience. Give support to NGOs' advocacy of research on prevention against and control over various violence against women and aid to victims, giving full play to the role of NGOs.

V. Women and the Economy

Economic globalization and China's entry to WTO see growing impact of global economy on our economic system and management model. In particular, trade liberalization and commercialization have influenced the employment opportunities and economic benefits of Chinese urban and rural women in many ways since 2005. At the same time, the Chinese government has gradually established a people-centered development philosophy, getting focused on issues concerning people's livelihood, including education, employment, health care, social insurance, housing and transportation, enabling women to better engage in economic development and share the outcomes.

Progress and Achievements

1. Approving international conventions and enacting relevant laws and policies to promote gender equality in the economic fields. China has attached more importance to building an anti-discrimination legal system in the economic fields. In 2005, the NPC Standing Committee ratified ILO *C.111 Discrimination (Employment and Occupation) Convention*. In 2006, the Chinese government signed the technical framework of the ILO Decent Work in Asian-Pacific region, making its solemn commitment to the strategic objective of "decent work for all." In 2007, the NPC Standing Committee successively promulgated the *Labor Contract Law*, the *Law on Employment Promotion* and the *Law on Labor Dispute Mediation and Arbitration*, giving special emphasis in ensuring the equal employment rights of workers to create a legal context for less discrimination in employment in approach to decent work. The *Property Law* adopted by the NPC in the same year spells out in its Article 63 that "where the legitimate rights and interests of any member of the collective are infringed upon by any decision made by a collective economic organization, villagers' committee or the principle thereof, such member may require the people's court to cancel the decision," which defends rural women's land rights by law.

The Chinese government has taken the initiative to cope with the changes in domestic economic situation as well as the challenges of the international financial crisis. Following the promotion of a proactive employment policy in 2002, a series of policy documents have been issued in succession, including the *Circular of the General Office of the State Council on Doing a Good Job in Employment Management and Service for Migrant Workers in Cities* (SCGO No. 1 [2003]), the *Circular of the CPC Central Committee General Office and the State Council General Office Concerning the Opinions on Guiding and Encouraging College Graduates to Work at Grass-roots* (CCGO No. 18 [2005]),

the *Forwarded Circular of the General Office of the State Council from the Opinions of Ministry of Human Resources and Social Security on Promoting Venture Creation to Boost Employment* (SCGO No. 111 [2008]), the *Notice of the State Council on Doing a Good Job in Promoting Employment* (SC No. 5 [2008]), the *Opinions on the Establishment of Long-term Mechanisms for Selection of College Graduates to Serve in Rural Areas* (jointly issued by the Organization Department of the Central Committee and other 11 departments), etc. We have launched the initiatives conducive to women's job hunting and venture creation, including the employment of female college graduates, such as the Spring Initiative to perfect the services for the employment of migrant workers, the New Starting Line Plan for employment and the employment assistance to zero-employment families and so on. Heilongjiang Province has included the opposition to employment discrimination in its labor inspection for the first time, which is a breakthrough in the fight against discrimination in employment. Guangdong Province has kicked off male maternity leave, providing a policy support to ensure both men and women workers with family responsibilities of equal employment opportunity.

2. Giving full play to the tripartite constituents of the government, trade unions and employers while working closely with NGOs to protect women's legal labor rights and interests in the field of labor. Since 2000 when the tripartite constituents was established, the Chinese government has been actively working with the ILO and non-government women's organizations, conducting training on ILO C.111 as well as research and discussion of China's execution of ILO Conventions concerning *Equal Remuneration (No. 100)*, concerning *Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities (No. 156)* and on *Maternity Protection (No. 183)* so as to promote the implementation or signing of these Conventions. Government labor agencies have cooperated with women's federations, associations of handicapped, ethnic affairs commissions and other organizations to conduct job training and grant micro-loans, building a platform for women's employment and entrepreneurship to ensure their rights and interests of equal employment. China's trade unions are gradually improving the mechanism to safeguard the rights and interests of women workers, boosting the signing of special collective contracts to step up the progress of trade unions and federations of women workers employed in informal sectors. As of the end of December 2008, the number of collective contracts signed by female workers reached 557,800, covering 40.9437 million women workers in 768,100

businesses, of which the contracting rate in 28 provinces surpassed 80%.³² All China Federation of Trade Unions (ACFTU) had a total of 77.738 million women members, accounting for 36.64% of the total members of trade unions.³³ China Enterprise Confederation has been committed to advancing corporate social responsibility to create friendly working atmosphere for women workers in prevention of sexual harassment at workplace to better protect their rights.

3. Urban and rural women's employment situation as well as environment tends to be improved.

In spite of the over-supply of labor force in recent years, Chinese urban women's employment in formal sectors has retained steady. As of the end of 2007, the number of women employees in urban units across the country reached 45.403 million, accounting for 37.76% of the total staff in urban units.³⁴ Women entrepreneurs account for 25% of the total, making a great contribution to China's economic and social development as well as female employment. According to a survey in 2008, 66% of the enterprises led by women entrepreneurs saw the proportion of women workers over 50%.³⁵ According to the data from the National Bureau of Statistics, there were approximately 140.41 million migrant workers in China by the end of 2008;³⁶ according to the statistics of National Population and Family Planning Commission, there were about 48.7 million young women in the migrant labor force.³⁷ The Chinese government has set up the joint meeting on the work of migrant workers under the State Council, constantly strengthening the rights and interests of migrant workers while building a coordination mechanism to protect the rights and jobs of migrant workers. Institutional barriers to protection of the rights and interests of female migrant rural workers as well as migrant women and children are being removed step by step, significantly contributing to the living conditions of these groups, enjoying steady growth of income, more public services, friendly social environment and lower legal cost. The advancement of building new socialist countryside as well as the abolition of agricultural taxes, direct subsidies and other state policies to benefit farmers has given incentives in agricultural production to the female-dominated rural labor force. The development of ecological agriculture and scale agriculture as well as

³² ACFTU Department of Women Workers' Affairs: Briefing on Special Collective Contracts (internal data).

³³ ACFTU Policy Research Office: Statistical Yearbook 2005 on China's Trade Unions (internal data); Statistical Yearbook 2008 on China's Trade Unions (internal data).

³⁴ Calculated according to the data in *China Labor Statistical Yearbook 2008*, China Statistics Press, 2008.

³⁵ Source: China Association of Women Entrepreneurs (CAWE).

³⁶ Official Website of the National Bureau of Statistics,

http://www.gov.cn/qzdt/2009-03/25/content_1268173.htm

³⁷ Geng Xingmin: Management in Services to highlight the Protection of the Rights of Migrant Women of Childbearing Ages - Interview with Wang Peian, Deputy Director of the National Population and Family Planning Commission, *China Women's Daily*, June 4, 2008.

professional agricultural cooperative organizations has generated economic benefits for rural women, creating a better living environment. Women's federations at all levels have carried out a variety of practical technical training and launched the initiative of "women's model village," establishing over 260,000 scientific and technological demonstration bases, which helps women to play a bigger role in agricultural production and rural culture progress.

4. Breakthroughs have been made in urban and rural women's access to social security. China has accelerated its pace of building a social insurance system with full coverage of urban and rural residents, making breakthroughs in urban and rural women's access to social insurance. In the medical insurance for urban residents, informal employees as well as domestic workers, where women account for a large proportion, have been incorporated in the medical insurance coverage. The engagement rate of the new-type rural cooperative medical care has reached 91.5%, creating favorable conditions to improve the health of women. In September 2009, the State Council issued the *Guidelines on Piloting the System of New-type Social Old-Age Insurance in Rural Areas*. As of the end of 2009, the pilot projects will cover about 10% of Chinese counties (cities), and the rural population, including women, will enjoy generalized state old-age insurance. Meanwhile, the coverage of employment-related social insurance is expanding. As the number of urban residents engaging in basic old-age insurance, medical insurance, unemployment insurance and work injury insurance grew to a large extent from 2005 to 2008. In particular, people taking maternity insurance amounted to 91.81 million, 1.7 times over that in 2005. In 2008, 23.348 million urban population (including 9.477 million women) and 43.055 million rural population including women got access to the subsistence allowances³⁸, gradually approaching the objective of granting subsistence allowances to all qualifiers in both urban and rural areas.

Problems and Challenges

Although Chinese Government has made positive efforts to promote women's participation in the economy and decision-making and remarkable results have been made, gender equality in Chinese economic field is still facing multiple complex challenges thanks to the current economic transition, historical segregation between urban and rural areas plus the changing world economic situation against the background of globalization and the impact of the global financial crisis.

³⁸ Ministry of Civil Affairs: Statistical Summary of the Progress in Civil Affairs 2008, Official website of the PRC Ministry of Civil Affairs.

1. Laws and policies as well as corresponding implementation mechanism are not yet well-established, while the government's commitment to the promotion of gender equality is still to be further strengthened. China is not only in short of sound anti-discrimination mechanisms in employment but also in vacancy of a legal definition of discrimination in employment, resulting in legacy problems in terms of gender differences in the retirement age and restrictions for women on certain professions. In the elimination of employment discrimination and the promotion of equality in employment, government departments have failed to play the leading and demonstration roles. Over-commercialization of public services has added to the cost of families in giving birth and women's economic burden, being another obstacle to women's economic engagement. The system of new-type rural endowment insurance designed without full gender perspective shut some poor rural women out who have reached or approached the age to receive insurance.

2. Unequal job opportunities and gender discrimination still exist. Given over-supply of labor force, employers in pursuit of maximum profits generally rest on maternity discrimination, setting up gender-based constraints and raising the threshold of female employment. Urban women still find it difficult to get employed or re-employed. Job seeking challenges remain among female college graduates and gradually spread to female masters and doctors. Workplace sexual harassment persists.

3. The high proportion of informal employment has legged employment from upgrading to a decent level, while occupational segregation has expanded. In the whole, Chinese employed women are at the lower levels in the occupational structure. The proportion of informal female employees is much higher than that of formal employees as well as the proportion of informal male employees.³⁹ Horizontal as well as vertical gender segregation has expanded in employment and occupation, which further increases the income gap between men and women, reducing the stability of female employment and the level of social insurance.

4. Infringements upon the rights and interests of migrant women workers are still quite serious. Migrant women face more difficulty in employment, higher possibility of unemployment and are more prone to be shut outside the employment-related social insurance system. The current maternity insurance has not included migrant women employees. At the same time, the labor

³⁹ Please refer to: Jiang Yongping: Chinese women's employment in *Report on Gender Equality and Women's Development in China 1995-2005*, Social Science Documentation Publishing House, 2006.

protection of migrant women workers is still an outstanding problem, as overtimes, occupational diseases as well as toxic and hazardous operations threatening women workers' health have not been fundamentally improved.

5. Left-behind women in rural areas have become an increasingly prominent issue. Following the flow pattern like migratory birds and impacted by female lagged non-agricultural transfer, China's left-behind women in rural areas reached 47 million as of the end of 2006.⁴⁰ The dual task of working out while caring for the family has put a heavier workload on left-behind women, who in the face of more pressure in production and in life are subject to physical and mental health impairment. Restricted by the low level of education and the lack of technical training opportunities, left-behind women have difficulty in adapting to modern agricultural development. The long-standing low income from agriculture sees women's excess labor gradually devalued, reducing their family status.

Countermeasures

1. Gender perspective should be incorporated into the macro-economic policies, while laws and policies related to women's equal participation in economic activities should be developed and refined. Detailed principles of the promotion of equal employment in the laws concerned should be set, including the *Law on the Protection of Women's Rights and Interests*, the *Law on Employment Promotion* and the *Labor Contract Law*. Amendments should be made as soon as possible to the *Social Insurance Law*, the *Law on Land Management* and the *Provisions for the Labor Protection of Female Workers*, with gender perspective fully exhibited in the revised versions. The maternity insurance system should be improved as soon as possible to clarify the social values of reproduction. The government's responsibilities for compensation for reproductive value should be doubled to effectively protect women's economic rights and interests. Gender perspective should be included in the design and implementation of urban and rural social insurance systems. The collection and analysis of gender-disaggregated data in the field of economy should be strengthened and improved.

2. Efforts should be made for a sound law enforcement and supervision mechanism with more strict penalties to protect women's equal participation in economic activities and fair access to economic returns. Gender audit and evaluation mechanisms should be established to assess the

⁴⁰ Ye Jingzhong: *Solo in the Field: Left-behind Women in Rural China*, China Agricultural University Press, 2008.

gender impact on employment and social insurance policies. Efforts should be made for well-established bodies of labor protection, supervision and inspection with government labor departments as the main body and the relevant departments as participants, creating smooth channels for law enforcement and supervision. Law enforcement and inspection for women's labor rights and interests should be scheduled as a regular task, and cases involving infringement upon rights and interests of women workers should be timely handled.

3. The public service system should be advanced in support of women's employment and business-creation. Human resources administrations, employment services, women's federations, trade unions and other social groups should provide women with vocational guidance and job training through multiple channels to effectively improve the employability of women; services for female employment should be upgraded, the Government should stipulate the proportion of women in public positions; support and guide should be granted to women, especially female college students, to set up private enterprises and high-tech SMEs; investment and financing should be channeled to establish venture capital funds for women to address women's funding requirements for creating businesses and development; the Government should develop infant and child care, aging services, family education and public services, relieving women from worries and helping workers with family responsibilities to better leverage between work and family.

4. The rights of migrant women workers should be further protected, accompanied by a people-centered labor transfer mode. Enterprises should recruit and dismiss migrant workers under legal supervision. The wages should be paid in full and on time to migrant workers. The occupational safety and health of migrant women workers should be ensured. A mechanism to express the interests of migrant workers should be built to reflect the demands of female migrant workers in legislation as well as in economic and social decision-making, process. It is necessary to speed up the transition of migrant workers into permanent urban residents, constantly creating conditions for reunion migrant couples and movement of migrant workers' families. The labor transfer pattern in rural areas at the expense of separated spouses and families should be gradually shifted to mitigate the negative impact of migration on women.

5. More support should be granted to rural areas, and agriculture to accelerate the development pace of modern agriculture as well as to improve the living and farming conditions of rural women. Investment in

agricultural infrastructure should be doubled to improve the scale and returns of agricultural production, increasing rural women's economic income. It is necessary to develop cooperative organizations of mutual assistance in agricultural production and to carry out technology training within the reach of rural women so as to enhance women's role in scale/ecological agriculture. We need to develop secondary and tertiary industries by looking for new economic growth points focused on refinery processing for agricultural products as well as the demand of farmers to help left-behind and returned women get employed or start a business in various forms. In executing the land contract management policies and systems, we should give full consideration to the practical needs of women to effectively protect their land rights.

VI. Women in Power and Decision-making

Women's participation in politics and decision-making is a key area and critical aspect in women's development. Although women's political participation is also relatively weak compared to the progress in other fields related to women's development, backed by state legislation and given the Government's affirmative action to constantly push forward Chinese women's political participation in the process of building a civil society, women's participation in politics and decision-making has been improved with increased proportion and enhanced capacity.

Progress and Achievements

1. New laws and regulations as well as policies have been released. The Standing Committee of the Tenth National People's Congress approved the *Law on the Protection of Women's Rights and Interests (Amended)* in 2005, stipulating that "State organs, public organizations, enterprises and institutions must, in appointing cadres, adhere to the principle of equality between men and women, and attach importance to the training and selection of female cadres for leading posts". In 2007, the Fifth Session of the Tenth National People's Congress officially adopted the *Decision on the Number and Election of Representatives to the Eleventh NPC*, stipulating that "the proportion of women representatives in the 11th NPC shall not be lower than 22%."⁴¹ In 2009, the CPC Central Committee General Office and the State Council General Office issued the *Circular on Strengthening and Improving the Election of Villagers'*

⁴¹ The Fifth Session of the Tenth National People's Congress: *The Decision on the Number and Election of Representatives to the Eleventh NPC*, Xinhuanet, March 16 2007.

Committees, requiring “more nominees from women villagers, especially directors of village women’s congress, as candidates for villagers’ committee members.” The promulgation and implementation of above regulations and policies have provided legal and policy support to a certain extent for women's political participation.

2. Positive actions have been taken. To break off the stagnation of women’s engagement in politics, China has adopted a series of proactive actions to promote women's political participation.

In 2006, the Organization Department of the Central Committee of CPC held a national seminar on training and selection of women cadres and female party members, stressing the necessity to "properly evaluate the dual contributions of women cadres to community and to family, providing appropriate preferential policy on appointment of women cadres over men under the same conditions." Meanwhile, the CPCCC Organization Department has been focused on the selection of female Party members at the grassroots level, requiring "efforts to absorb outstanding women from different professions and fields as Party members to achieve an annual growth in number." As of the end of 2008, women accounted for 21.0% of the total number of CPC members, while 36.4% of the 2.807 million new members of the year were women.⁴²

The CPCCC Organization Department has also intensified cooperation with women's organizations, giving full play of ACWF’s role in the promotion of women's political participation. In 2007, based on the investigation and backed by the collaboration with other government departments, ACWF issued the *Notice on Collaboration with the Party Organization Departments to Do a Good Job in Recommendation of Outstanding Female Cadres*, suggesting relevant departments in formulating selection programs to stipulate requirements for "nomination proportion and female constituency," etc., paying attention to selecting "outstanding politically-competent young educated women with experience in grass-roots work in all walks of life". So, women's federations serve as a bridge to channel women's political participation.

Relevant government agencies have spared no effort to build a civil society, introducing or engaging in civil society-building projects. Some non-governmental women's organizations take an approach of regional cooperation to international projects; initiatives striving for more women in the village committee and capacity-building projects for women members and

⁴² Tan Hao: “Communist Party members increased by 16 times and totaled nearly 76 million over the past 60 years since the founding of New China,” Xinhuanet, June 30 2009.

directors of villagers' committees have been launched in Hebei, Hunan, Shanxi, Tianjin and other provinces/municipalities.

Over the past 5 years, female People's Congress representatives and CPPCC members at all levels have continuously intensified their attention to the issue of women's engagement in politics and decision-making through the process of building political democracy and a civil society. On many occasions, female NPC representatives and CPPCC members of women have put forward motions or proposals concerning women's political participation, equal retirement age of men and women, combating domestic violence and so on.

3. The proportion of women engaged in politics has been raised. Over the past 5 years, thanks to the joint efforts from the Government as well as the community parties, the proportions of female NPC representatives, women cadres at all levels, female members and directors of villagers' committees have been increased to different degrees.

In 2008, female NPC representatives accounted for 21.3% of the total, an increase of 1.1 percentage points over the previous session;⁴³ The NPC Standing Committee elected 161 members, of which the proportion of women was 16.1%, an increase of 2.9 points over the previous session.

Three out of the 27 ministerial candidates for the State Council approved on the First Session of the Eleventh NPC in 2008 were women,⁴⁴ accounting for 11.1% of the total and fulfilling the vacancy of the previous cabinet where there were no women minister. Among the newly elected of the people's congresses, government as well as CPPCC leadership at the provincial level in the same year, the number of female cadres reached 106, accounting for 13.0% of the total, in which there were six incumbent principal female cadres at the provincial level, accounting for 6.5% of the total number of cadres at the same level.⁴⁵ In 2007, the country's proportions of women cadres at the prefecture level and county level were respectively 13.7% and 17.7%, increasing by 0.8 and 0.5 percentage points compared to 12.9% and 17.2% in 2005.⁴⁶ ⁴⁷ As of 2008, the proportion of women cadres nationwide reached 39%,⁴⁸ of which the proportion of female cadres in Zhejiang province and Xinjiang autonomous region

⁴³ Women's Studies Institute of China: *Internal reference Materials on Women's studies*, No. 1, 2008.

⁴⁴ Xinhua News Agency, "list of new leaders of the 27 ministries and commissions under the State Council," Xinhuanet, March 17, 2008.

⁴⁵ Women's Studies Institute of China: *Internal reference Materials on Women's studies*, No. 1, 2008.

⁴⁶ Department of Population, Social, Science and Technology Statistics of the National Bureau of Statistics: *Women and Men in China's Society, - facts and figures (2004)*, China Statistics Press, 2004; *Statistics on the Situation of Women and Children in China*, 2008.

⁴⁷ State Council Information Office: *Gender Equality and Women's Development in China*, August 2005.

⁴⁸ Huang Qingyi: Report at the Tenth Chinese Women's National Congress, October 31, 2008.

exceeded 45%.⁴⁹

As of the end of 2008, the proportion of women members in villagers' committees nationwide reached 21.7%⁵⁰, increasing by 6.2 percentage points compared to 15.5% in 2005.⁵¹ In the same year, the proportion of women members in villagers' committees in Hunan province reached 31.4%, an increase of 1.3 percentage points over the previous year.⁵² As of July 2009, female members in villagers' committees accounted for 33.4% of the total in Nantong city of Jiangsu province, of which female directors of villagers' committees accounted for 11.5% of the total directors, 8.8 percentage points higher than the national average level.⁵³

4. The building of civil society has embraced new accomplishments. A civil society is an effective approach in enabling the public to orderly engage in politics. Along with the growth of the civil society, the Chinese government has doubled its support for non-governmental women's organizations, while women's organizations flourish with diversity. As of 2008, there were more than 833,000 grassroots women's federations, over 76,000 women's federation cadres and nearly 1 million part-time women workers.⁵⁴ In 2005, there were 9,031 women's organizations of various types in China, of which 730 belonging to colleges and universities while 2,682 registered in Ministry of Civil Affairs. In 2008, the number of women's organizations under higher education institutions increased to 844, while women's associations registered in Ministry of Civil Affairs amounted to 2,892.⁵⁵

The past five years has witnessed women's organizations concentrating on capacity-building of their own by actively promoting direct election of women's congress in rural areas, conducting survey and research of women's engagement in politics, giving admonition and advice to legislative bodies and the government, etc., making the best of the civil society. After the Wenchuan

⁴⁹ ACWF Department of Organization: *summary of Provincial Reports on Women's Political Engagement*, July 2009.

⁵⁰ Huang Qingyi: "Promoting directors of rural women's congress into the 'two committees'", People's Daily Online, July 3, 2009.

⁵¹ Department of Population, Social, Science and Technology Statistics of the National Bureau of Statistics: *Women and Men in China's Society, - facts and figures (2007)*, China Statistics Press.

⁵² Huang Qingyi: "Promoting directors of rural women's congress into the 'two committees'", People's Daily Online, July 3, 2009.

⁵³ Zhang Hong: "Nantong striving to increase the proportion of women members in the 'two committees' to 40%", People's Daily Online, July 3, 2009.

⁵⁴ Please refer to Chen Zhili: Holding high the great banner of socialism with Chinese characteristics to promote innovation and development of Chinese women's movement in the new era (speech at the Forum to commemorate the 60th anniversary of the ACWF), China Women's Network, <http://www.women.org.cn/allnews/1410/9.html>, May 7 2009.

⁵⁵ The ACWF: *Annual Statistical Summary Table of the ACWF 2005, 2006; Annual Statistical Summary Table of the ACWF 2008*, 2009.

earthquake, non-government women's organizations and a large number of volunteers actively took part in earthquake relief and restoration, bring about further progress to the civil society.

Problems and Challenges

Although China has adopted many positive policies and measure to promote women's participation in politics and some results have been achieved, women's participation in politics in China is still facing many problems due to various historical and cultural causes.

1. The system and operability of laws, regulations and policies should be enhanced. Over the past 5 years, the state and provinces/ municipalities/ autonomous regions have introduced related laws and policies to promote women's political participation. Nonetheless, there is not a well-established system of effective and workable policies. Some policies lacking the gender perspective are not fully favorable for women, while some policies are still based on gender discrimination, such as the different retirement ages for men and women. In addition, we are in need of clear regulations on the proportion of women engaged in politics, while the proportion stipulated in existing rules is more often than not dissatisfactory.

2. People's awareness of the significance of selecting women cadres should be further raised. Some people believe that economic development will naturally advance the status of women, and then it does not matter for women to be a leader or not; some people perceive women as narrow-minded and unqualified for principals. These conventional biases have hindered the government from playing its duty of promoting gender equality.

3. Low proportion of women engaged in politics and holding principal positions calls for higher-level attention. First, the proportion of female NPC representatives has been fluctuating up and down over the past three decades at around 21%, far from the goal proposed by the UN for at least 30% of women in parliament. Next, the low proportion of women cadres and principals remains universal. Among the newly elected of the people's congresses, government as well as CPPCC leadership at the provincial level in 2008, principal female cadres accounted for only 6.5%⁵⁶. As of early 2009, the proportion of female directors of villagers' committees in China was only about 2.7%, showing an incompatibility between the proportion of female cadres and that of women in the Chinese

⁵⁶ Women's Studies Institute of China: *Internal reference Materials on Women's studies*, No. 1, 2008.

population.⁵⁷ Finally, the effort to bring up grassroots women cadres is too weak to get them well prepared for participation in politics.

4. Construction of the civil society has not taken shape, while civil organizations are faced with many challenges in development. China's non-governmental women's organizations have embraced great progress ever since the United Nations Fourth World Conference on Women. However, such developments still fail to meet the requirements of a civil society, encountering problems of under-funding, brain drain and so on. The Government has not yet paid enough attention to the building of a civil society, leaving the voice of women unheard, which is especially true for women at grass-roots level.

Countermeasures

1. Further research should be done to enhance the system and operability of laws, regulations and policies. A well-established system of laws, regulations and policies should be built on the basis of in-depth survey and research to increase policy transparency, openness and maneuverability, with more efforts made to facilitate women's political participation to support them with a more solid institutional guarantee.

2. Clear provisions should be released on the proportion of women in politics, while an effective mechanism to engage more women in politics should be explored. The proportion of women's engagement in politics should be identified, while mechanisms to promote women's political participation should be established, with special attention to the voice of women as well as to the construction of a civil society and the development of women at the grass-roots level.

3. Capacity building should be enhanced for women cadres and backbone women at grassroots. Diversified approaches should be adopted to achieve hierarchical and targeted training with special attention paid to gender equality, accelerating the process of gender mainstreaming and advancing the political competence of women cadres.

4. Constant efforts should be made to improve the public awareness of the significance of women's political participation and civil society, striving for a favorable social environment for women's political engagement.

⁵⁷ Chen Zhili: Speech at the national seminar on exchange of practical experience in promoting rural women's participation in the self-government of villages, Chinese Women's Network, May 7 2009.

VII. Women's Human Rights and Legislation

Progress and Achievements

1. The issue of women's human rights is incorporated into the National Human Rights Action Plan, and the cause of women's human rights enters into a new stage for planned advancement. In March 2004, "the State respects and safeguards human rights" was written into China's *Constitution*, making human rights the basic value and objective pursued by the state. This marks a significant breakthrough in China's human rights cause, also in women's human rights cause, and further creates a favorable political and legal climate for pushing forward women's human rights cause in China. In August 2006, the Chinese government dispatched a large-scale delegation, to attend the hearing of the United Nations Committee on the Elimination of Discrimination against Women on the Fifth and Sixth Periodic Reports concerning the implementation by the Chinese government of the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW). After the hearing, the Chinese government actively dealt with proposals raised in the Concluding Comments. In April 2009, the Chinese government issued the first ever programmatic policy document on advancing China's human rights cause, i.e. *National Human Rights Action Plan 2009-2010*, specifying the work targets and concrete measures in promoting and protecting human rights, and highlighting the responsibilities of the State. The *Action Plan* emphasizes that the nation shall take initiatives to guarantee women's human rights, and give special attention to matters concerning women's participation in politics, employment, education, reproductive health, violence against women, women trafficking, etc. This signals the new era for advancing China's human rights cause, including women's human rights in a planned and comprehensive manner.

2. The legal system on women's human rights is being improved and the guarantee of women's human rights becomes the focus. For the past five years, the state has given high priority to the guarantee of women's human rights when drafting and amending laws and regulations. This concept is also embodied in the specific legislation work, which further improves laws and regulations on guarantee of women's human rights. On August 28, 2005, the *Law on the Protection of Women's Rights and Interests (amended)* was passed, which adopts "equality between men and women is the basic national policy of the state", improves contents on protection of women's rights and interests, strengthens the special legal protection of the vulnerable groups, and highlights the leading role of the government in guaranteeing women's human rights. The

Law on Public Security Administration Punishment enacted on August 28, 2005 prescribed that administrative detention shall not be imposed on public security violators who are pregnant or breastfeeding their infants under 1 year old. This provision aims to protect pregnant women, and guarantee the healthy growth of fetus and infants. This demonstrates the basic philosophy of respecting and safeguarding human rights. The *Law on the Protection of Minors (amended)* passed on December 29, 2006 stipulates that domestic violence against minors is prohibited. Behaviors of maltreating and abandoning minors and drowning, killing and harming infants are forbidden. Female minors or disabled minors shall not be discriminated against. The *Property Law* passed on March 16, 2007 stipulates that "Collective members may request the people's courts to repeal the decisions made by collective economic organizations, village committees or their responsible officers that infringe upon the legitimate rights and interests of collective members." This provides judicial remedy to rural women if their legal rights and interests are harmed, and guarantees their legitimate rights and interests. The *Law on Employment Promotion* stipulates that the State safeguards the equal labor rights of women as men, targeted at the discrimination against women in employment. Employers shall not refuse to hire women for gender reasons or raise recruitment standards except for job categories or positions that recognized by the State as unsuitable for women. Employers shall not include such contents as restricting marriage or childbearing of female employees in the labor contracts. The *Law on Narcotics Control* enacted on December 29, 2007 stipulates that compulsory quarantine for drug rehabilitation shall not apply to addicted women who are pregnant or breastfeeding their infants under one year old. This provision underscores the spirit of the modern rule of law and guarantee of women's human rights. On July 31, 2008, seven ministries and agencies, including the Supreme People's Procuratorate, Ministry of Public Security, Ministry of Civil Affairs, Ministry of Justice, Ministry of Health, jointly released the *Opinions on Preventing and Deterring Domestic Violence*, which clearly defines the duties of each department in preventing and deterring domestic violence, and strengthens the intervention by public authority. It's significant to prevention and prohibition of domestic violence and protection of the legitimate rights and interests of citizens, especially women.

3. Judicial and law enforcement agencies actively perform the duties of protecting women' human rights. In March 2008, China Applied Law Institute of the Supreme People's Court formulated *Guideline on Matrimonial Case Trial involving Domestic Violence (hereafter referred to as Guideline on Trial)*, which

tries to introduce the protective order system into hearing domestic violence cases. The *Guideline on Trial* is now in a pilot program in 9 grass-root courts. Although it can't serve as a legal basis, judges are able to argue in cases by fully utilizing the concepts in the *Guideline on Trial*, which has become a solid reference for courts in handling domestic violence cases. In 2005, the Supreme People's Court, the Supreme People's Procuratorate, Ministry of Public Security and Ministry of Justice jointly formulated *Provisions on Legal Aid in Criminal Procedure* and *Provisions on Legal Aid in Civil Procedure*, which set up a link and coordination mechanism between legal aid and judicial remedy, and explore a green channel for women with financial difficulties to seek judicial remedies.

4. The government attaches more importance to the work of non-governmental organizations (NGOs) and the role of NGOs in promoting the cause of women's human rights has become more pronounced. Women's organizations have played a crucial role in establishing and improving the legal system of women's human rights, and in practices of safeguarding women's rights and interests. ACWF closely followed the legislation process of the Tenth National People's Congress, and contributed many proposals, of which some have been adopted, involving women's rights and interests during the drafting and amending of important laws, such as *Law on Public Security Administration Punishment*, *Law on the Protection of Minors*, *Property Law*, *Law on Employment Promotion*, and *Labor Contract Law*. In the meantime, ACWF actively undertook the fundamental work for the revision of *Law on the Protection of Rights and Interests of Women*, submitted the recommendation on revising the *Law on the Protection of Rights and Interests of Women*, and became an active propellant and major participant in revising the law. As an NGO dedicated to preventing domestic violence, the China Law Society Network Research Center for Combating Domestic Violence, along with Center for Gender and Law Studies of CASS, drafted the Expert's Proposition Draft of *Provisions of the People's Court on Hearing Sexual Harassment Cases*, and submitted the proposal to the NPC in 2007 and 2008 respectively. The Maple Women's Psychological Counseling Center Beijing, Women and Gender Research Center of Sun Yat-sen University and Institute of Sociology of Zhejiang Academy of Social Sciences jointly drafted the Recommendation for *Law on Prevention of Sexual Harassment at Workplaces*, and submitted a bill to the 11th NPC in March 2009. Driven by the cause of human rights in China, research on women's human rights has been deepened, and provided theoretical guidance for legislation and practices of women's human rights. For instance, the Center for Women's Human Rights Studies of China Women's University published a

book called *Theories and Practices of Women's Human Rights* in 2005, which has produced good effect. The initiatives of NGOs have important meaning for helping women enjoy human rights.

Problems and Challenges

There's no denying that due to historical and cultural factors as well as the society in transformation, a thorough and objective analysis of China's legislation, law enforcement and judicial practices on women's human rights will indicate that the cause of Chinese women's human rights still faces the following challenges.

1. Education on human rights and gender consciousness of the whole society should be further strengthened. There is a lack of human rights and gender awareness content in the courses and textbooks of colleges, middle and elementary schools. Outdated stereotypes of discrimination against and demeaning women still exist in public media, such as broadcasting, TV programs and printed products.

2. Legal system of women's human rights should be further improved, and quality of legislation should be improved. There is no exact definition for discrimination in laws, such as *Law on the Protection of Rights and Interests of Women*, so it directly affects the strict compliance with laws in trial practices. There is a lack of national legislation on prohibiting violence against women in all forms. The existing provisions are found in different laws and regulations, without link-up between each other and not distributive enough. Some laws are too general to be practical and applicable. They are difficult to be invoked directly in judicial practices, affecting the implementation of laws; there are no punishment measures or punishment is not stringent enough for certain illegal acts, and there lack effective remedies. There is a lack of gender consciousness in certain policies and laws on women's human rights.

3. The guarantee of vulnerable women groups' rights and interests requires urgent attention. Behaviors remain incessant after repeated prohibition, such as domestic violence, violation of rural women's land contracting rights, gender discrimination in employment, women and girl-child trafficking, forced sex service of women and girl-child, and illegal abortion for gender selection. Issues on personal security, property and sexual safety of left-behind women and gilds in rural areas; subsistence of migrant women and education opportunities of girls; social security of elderly women in families of single parent, extreme financial difficulties, disability and empty nester, should

not be neglected.

4. Gender consciousness of law enforcement and judicial personnel should be improved. Law enforcement and judicial personnel should have more understanding of tools for gender analysis. Their gender consciousness and abilities should be furthered raised.

Countermeasures

1. Enhance the human rights and gender consciousness of the whole society comprehensively. Incorporate human rights and gender awareness contents in the courses and textbooks of colleges, middle and elementary schools. Raise gender sensitivity, and adopt measures to eliminate outdated stereotypes in public media and social culture on roles of women and men in society.

2. Clearly define the concept of discrimination against women in laws. Direct and indirect definitions should be given on “discrimination” during formulating and revising relevant laws by referring to the definition of “gender discrimination” in the United Nations *Convention on the Elimination of All Forms of Discrimination against Women*.

3. Further improve legislation and enhance the quality of legislation. Push forward the legislation of a national law on prohibiting violence against women in all forms; Laws and regulations should be more specific, clear and easy to practice; Strengthen legal duties, formulate specific and concrete provisions on law enforcement bodies, punishment measures, remedies and duties of law enforcement agencies, impose more stringent punishment on law violators and relevant organizations and units, and provide timely, effective and accessible legal remedies to female victims. Strengthen gender research and data collection. Data should be categorized by gender, so as to form gender indices for gender comparison, rather than isolated indices for women.

4. Further curb behaviors that infringe upon women’s rights and interests, Highlight issues of guaranteeing the rights and interests of vulnerable women groups. Hold legal education campaigns. Strictly enforce the law, strengthen the monitoring of implementation of current laws, and curb behaviors that infringe upon women’s rights and interests. Fully utilize the provisional measures, draft clear indices and agenda, and accelerate the achievement of equality between women and men substantively. Pay special attention to the guarantee of rights and interests of left-behind women in rural areas, migrant women, and women with extreme financial difficulties. Further evaluate and

analyze reasons, and set up relief mechanism in poverty reduction, medical services, and education sponsorship.

5. Enhance training on the gender consciousness of law enforcement and judicial personnel. Provide gender consciousness training to law enforcement and judicial personnel, so as to improve their gender awareness, and their abilities in gender analysis and implementation of gender policies and laws.

VIII. Women and the Media

Progress and Achievements

1. Enact policies and regulations on public media favorable for gender equality. Relevant government agencies have promulgated regulations and codes, which help reduce gender stereotypes and avoid violations of consumerism on women's images. In 2007, the State Administration of Radio, Film and Television and State Administration for Industry & Commerce jointly released the *Notice on Rectifying Radio and TV Medical Advisory Service and TV Shopping Programs*, ordering all local television stations to suspend TV shopping advertising about breast enlargement, weight-losing and height increase products; in the same year, the State Administration of Radio, Film and Television and the Ministry of Information Industry released *Administrative Provisions on Internet Audio-Visual Program Service*, prohibiting pornography in audio and visual programs. Pornography is forbidden to appear in films and internet videos according to *Notice of the State Administration of Radio, Film and Television on Reiterating the Prohibition of Pornographic Films Production and Display* in 2007, *Notice of the State Administration of Radio, Film and Television on Reiterating the Film Censorship Standards* in 2008, and *Notice of the State Administration of Radio, Film and Television on Strengthening the Management of Internet Audio-Visual Programs* in 2009.

2. New developments have been witnessed in women's participation in and utilization of media and new information and communications technologies. With the rapid development of China's media industry, the ratio of women employed in mass media increased from 32% in mid-1990s to 42% in 2007;⁵⁸ A number of women become influential TV and Radio program producers, and there is a moderate increase in the number of women in the middle and senior managements and at decision-making level in major media.

⁵⁸ Page 35 of *2008 Statistics on Conditions of Chinese Women and Children*, compiled by Department of Social and Scientific Statistics of National Bureau of Statistics.

Women's use of new communications technologies has been further enhanced. By June 30, 2009, the number of Chinese netizens had reached 338 million, and women accounted for 47%, a growth of 6 percentage points over the figure in 2005; Female netizens accounted for 44% of the total rural netizens.⁵⁹ More and more ordinary women obtain information, discuss issues and express opinions through web forums, blogs, group mailing lists and QQ groups. Websites of women's organizations and blogs of feminism scholars and activists have developed, offering more channels for voicing gender equality, and promoting the utilization of internet by women's organizations. There are prospects for the alternative media of women through the Internet.

3. New achievements have been made in the partnership between mass media and women's organizations. Women's organizations continue to influence mass media from gender perspective, and urge the media to pay attention to gender issues such as violence against women. Activities include: hold advocacy campaigns based on media monitoring results, provide gender training to media leaders, editors and journalists, plan special activities with famous traditional media and internet media, and hold media awards events, etc. For example, ACWF and the International Labor Organization jointly launched "ILO Project to Prevent Trafficking in Girls and Young Women for Labor Exploitation within China". Several sessions of "Training of the Chinese Media on Counter-Trafficking" have been held in Yunnan and Changzhou, and ethics of reporting on trafficking has been widely publicized.

4. The reports of mass media on women and gender issues have been expanded in terms of topics. The expressions of the media on images and temperaments of gender are more diversified, and the media report and even extol on "neutral" and other temperaments and images, which objectively impels the public, especially young people, to reflect on and challenge the traditional gender codes. Certain women's topics that were once ignored by the media even make headlines, such as counter-trafficking and participation of sexual workers in curbing the spread of AIDS. Living conditions and appeals for interests and rights of marginalized women groups, such as migrant women, lesbians, sexual works, and HIV infected people, are revealed by the media to some extent. Some gender-based violence cases won wide attention thanks to the involvement of Internet and traditional media. This facilitates the solution of individual cases, and boosts the empowerment of women from victims to fighters.

⁵⁹ Page 11 of *Statistical Report on China Internet Development (July 2009)*; *Statistical Report on China Internet Development (January 2006)*, compiled by China Internet Network Information Center.

Problems and Challenges

While we see achievements in gender equality in Chinese media, it should be recognized that thanks to marketization, commercialization, and insufficient consciousness of media practitioners and the public, promotion of gender equality in Chinese media is still facing the following challenges:

1. There still lacks adequate gender sensitivity in policies and regulations on media. The *Program for the Development of Chinese Women (2001-2010)* put forward “formulate cultural and media policies with gender consciousness”. However, no concrete measures have been taken till now. While cracking down upon bad information on Internet, some women’s sites and blogs, including web pages created by groups of women infected with HIV, were also shut down or filtered out. In the meantime, news administrations fail to recognize, listen and respond to the stereotyping, abusing and exploiting of women’s images by the consumerism-driven media, and the criticism of women’s organizations and gender experts.

2. Media for women develop slowly and new information and communications technologies bring new challenges. Women’s newspapers and TV programs that aim to advance gender equality face immense market pressure. Their quality of contents, prevalence and social influence stand still or lag behind. According to statistics, by June 2009, domestic TV channels for women decreased from around ten to four. The development of new media technologies is a two-edged sword. Internet and cell-phones have become carriers of replicating, spreading and strengthening gender stereotypes, and even contents of gender discrimination and sexual harassment. Women are still in disadvantageous positions for grasping new media content, and their participation and technology application requires strengthening. Especially The rights of women in remote rural regions and migrant women to utilize and grasp traditional and new media are hard to guarantee.

3. There lacks gender consciousness in mass media and the phenomena of gender discrimination remain pervasive. Women’s images that comply with traditional gender codes are still widely received in mass media. At the same time, media products that tout women’s sexual characteristics still abound. There is little display of the active images and the contributions to the society of elderly women, poor women and migrant women. Women’s diversified achievements, value and motility are not fully recognized. In-dept reports on women’s development and gender equality are few. Dominant media are especially weak in this aspect. There are even negative reports sometimes.

Women's organizations have few transmission platforms, and their appeals are hard to publish in mass media, or even distorted at times.

4. Women's participation in media is still restrained. Women's media participation is mostly at lower levels and gender segregation still exists. The ratio of female college students in departments of journalism, humanities and social sciences usually exceed 50%. However, the ratio of women is only 42% in media institutions, and the figure is even lower at management and decision-making level. Women account for 68%⁶⁰ of news presenters, but they have little say in media contents. The career development of female journalists is affected by gender factors, such as age, childbearing, and even their looks.

Countermeasures

We maintain that in accordance with the spirit of taking actions in line with the principle of freedom of speech in *Beijing Platform for Action*, media institutions should be encouraged to formulate agenda and plans and set up consultation and self-discipline mechanisms, in order to solve their own problems. Hence, industry associations, media institutions and media workers should all undertake responsibilities. The role of the State is to create legal and policy environment for urging, encouraging and supporting relevant efforts of the media industry and women's organizations.

1. The State and the media administration agencies should further build up and complete relevant mechanisms to guarantee women's communication right. The State should recognize the right of women to equally utilize media resources, and the obligations of the government, society and media institutions to guarantee this right in the basic law. Women's freedom of speech in the *Constitution* shall be concretely ensured. Provide smooth media channels for women to express their views on public administration and public affairs. Attach importance to the reports of the media on women/gender issues and give positive feedback. Encourage supervision by public opinion from gender perspective. Regulations and policies on transmission should not only forbid pornography, but also explicitly "prohibit gender discrimination", and corresponding standards and mechanisms of monitoring, complaints and treatment should be set. The State should input necessary resources, including equipment, services and training, to support and facilitate the use of media and communications and transmission technologies by marginalized women groups, such as rural women and migrant women. Enhance their abilities to express

⁶⁰ Page 35 of *2008 Statistics on Conditions of Chinese Women and Children*, compiled by Department of Social and Scientific Statistics of National Bureau of Statistics.

views and make decisions through media and new communications technologies.

2. Media institutions, especially state-owned media should make necessary commitments and mechanism arrangements, to raise the status of women in the industry and institutions. The ratio of women at the decision-making and management level should be no less than one-third in media administration agencies and media institutions. Media institutions should prioritize gender equality in task assignment, and provide special training and further education opportunities to women. Create media work environment of gender equality through formulating institutional policies and mechanisms for women's development and gender equality and anti sexual harassment.

3. The media should take active measures to improve their reports on women and gender issues. Support media workers, including decision-makers and management, to receive gender training. Adopt more information and opinions from women in reports on major social issues, and reflect the diversified needs and concerns of women; Encourage media workers to pay attention to and understand women and gender issues, and to report more diversified images beyond stereotypes of women and actions and views on gender equality. Praise and award journalists whose reports are conducive to gender equality; Media institutions should seriously treat the supervision and opinions of women and women's organizations on reports, and actively solve the specified problems. Industry associations and media institutions should adopt or formulate guidelines and self-discipline codes with gender sensitivity, so as to help eliminate the phenomena of violence, discrimination and torts in media.

4. Further conduct media gender education and media gender studies. Educational TV stations, colleges, especially journalism schools and departments of universities should take into consideration the setup of education content and courses on media and gender; Support efforts of women's organizations in conducting media literacy education and capacity building in using media and communication technologies among women in remote villages and migrant women; Colleges and research institutes should set up media gender studies centers, provide relevant resources, and integrate audience's media literacy and citizens' gender consciousness.

IX. Women and the Environment

Progress and Achievements

1. The Chinese government has formulated strategic objectives for promoting women's participation in sustainable development. The *China's Agenda 21* touches upon the issue of women's participation in sustainable development, and suggests increasing the proportion of women at decision-making level and management in the environment and development fields; Facilitate women's participation in rural economic development and ecological environment building; Push forward the comprehensive involvement of women in national sustainable development strategies in fields such as consumption; Formulate action plans for law enforcement, supervision and inspection mechanisms to guarantee women's participation in sustainable development. The *Program for the Development of Chinese Women (2001-2010)* identifies "women and the environment" as one of the six priority development areas, regards national environmental protection as an important factor for guaranteeing women's legitimate rights and interests and promoting women's advancement and development, and formulates objectives and relevant measures for "expanding women's participation in environmental protection and decision-making".

2. The government is making great efforts to protect and improve the living conditions and ecological environment for women's survival and development. In recent years, the government has pressed ahead with projects of water supply and lavatory improvement, and achieved good results. By the end of 2008, the accumulative number of rural people benefiting from water improvement was 894 million, accounting for 93.6% of the rural population. The popularity rate of running water in rural areas was 65.5%; and the figure of lavatory use in rural areas was 59.7%⁶¹. All kinds of infrastructure construction projects sponsored by the government, such as solar power and biogas, reduction of interior pollution and agricultural and forestry eco-building, have improved the environment for women's survival and development to certain extent.

3. The Chinese government has actively participated in international cooperation, and incorporated the gender perspective in projects of environmental and resources management, and promotion of sustainable development. For instance, the Australia-China Qinghai Forestry Resources

⁶¹ 2008 Bulletin on China's Health Development Statistics, by Statistics Information Centre by Ministry of Health, <http://www.moh.gov.cn/publicfiles/business/htmlfiles/mohwsbwstjxxzx/s8208/200904/40250.htm>.

Management Project from 2002 to 2007 emphasized the equal opportunities of male and female villagers as participants and beneficiaries, increased the participation of women at the leading and decision-making level, and empowered women through training. The fourth conference of the China Council for International Cooperation on Environment and Development, Ministry of Environmental Protection designated gender equality strategy as one of priorities when formulating project execution plans. This mainly includes: involve gender equality perspective in opinions and suggestions on environmental management and sustainable development; try to incorporate gender factor into all activities; and include more female experts in the research, policy formulation and decision-making of the Council.

4. The Chinese government encourages and supports the participation of NGOs in environmental activities, and their promotion of equal participation of women in sustainable development. The State Forestry Administration and ACWF jointly implemented the “March 8th Green Project” since 1990, which continues its comprehensive development. Between 1993 and 2008, the State Forestry Administration invested more than RMB 30 million in the construction of “March 8th Green Demonstration Bases”. 253 national demonstration bases have been built, green coverage at bases reached 0.24 million *mu*, and 11 million⁶² forestry households are developed with women play a major role. In September 2007, ACWF, Central Culture Office and National Development and Reform Commission have organized “Family and Community Actions to Save Energy and Reduce Emissions”, which instills the scientific concept of energy conservation and emission reduction among women and families, and advocates the lifestyle of saving resources and protecting environment. In order to improve the conditions for rural women’s survival and development in poverty- and drought-stricken areas in the western regions, the China Women’s Development Foundation has implemented the project “Land of Love • Water Cellar for Mothers” since 2001. By the end of 2008, invested fund (including the government fund) totaled RMB 370 million, 0.115 million cellars have been built, more than 1300 small-scale centralized water supply projects have been implemented, the number of beneficiaries are nearly 1.5 million, and 23 provinces, districts and municipalities⁶³ are covered. In April 2009, ACWF, the UN International Strategy for Disaster Reduction Secretariat, Ministry of Civil Affairs and the United Nations System in China jointly held the “International

⁶² “Give Full Play to the Role of Women as ‘Half Sky’, and Promote Comprehensive Development of the ‘March 8th Green Project’” by Li Yucai, February 1, 2008, at <http://www.womenofchina.cn>.

⁶³ Data Source: 2008 Statistics of Project Office of “Land of Love • Water Cellar for Mothers” from China Women’s Development Foundation.

Conference on Gender and Disaster Risk Reduction', during which *Beijing Agenda for Global Action on Gender-Sensitive Disaster Risk Reduction* was deliberated and approved. Nine action proposals were submitted, including strengthening political commitment on gender analysis and gender mainstreaming, promoting cooperation and coordination among ministries on disaster relief, climate change and poverty and gender issues, and incorporating gender consciousness in national development policies, plans and programs. In November 2004, the Women and Environment Taskforce of Chinese Society for Environmental Sciences developed women and environment network into women, environment and health network center of activity, which is committed to education and advocacy on women, environment and health. In 2006, "Shaanxi Volunteer Mothers Association for Environmental Protection" won the Global Renewable Energy Awards for its "Replacement of Traditional Energy by Biogas for Rural Household Cooking". Besides, "Global Village of Beijing", "Green Earth Volunteers", and other environmental protection NGOs are dedicated to education and advocacy campaigns, provide facts and basis to governments for environmental decision-making, and actively participate in decision-making.

Problems and Challenges

Although China has made positive progress in environment protection and the extent of women's participation in environment protection gradually increases, reducing environment's impact on women's health and further advancing women's participation in environment protection still face challenges thanks to Chinese severe environmental situation.

1. Gender mainstreaming in sustainable development policies and plans should be further raised. Gender is seldom considered as an urgent realistic and policy issue, let alone to be incorporated into the mainstream of decision-making, as seen from national environmental development strategies and policies; Decision-makers lack sufficient awareness, sensitivity, understanding, commitment, and the will and ability to transform commitments to realities on gender and environmental issues. The government and environmental agencies only have sporadic and non-institutionalized policies and actions on women and environment, seldom narrate explicitly and highlight the special influence of the environment on women and the importance of women's participation, and are unable to align gender equality with poverty and environmental sustainability.

2. Women are not fully involved in environmental management and decision-making. Women have relatively limited access to environmental

resources and information and training opportunities. The number and degree of women participating in environmental decision-making is not satisfactory both in government at all levels and environmental NGOs. Women's eco-environment knowledge, experience, concerns and needs do not receive due attention, and are hard to achieve mainstreaming. There are still immense challenges for empowering women to fully participate in environmental decision-making based on gender equality.

3. The lack of an effective evaluation mechanism hampers the assessment of the influence of sustainable development strategies and relevant environmental policies on women. The lack of collection, analysis and use of gender-disaggregated data and the lack of an assessment standard of environmental policies go against gender mainstreaming in relevant policy formulation, implementation and resources allocation.

Countermeasures

1. Urge the government to incorporate gender perspective into sustainable development policies and plans, and develop strategies to promote equal participation and benefits between women and men according to different gender needs. We suggest environmental awareness and gender consciousness education should be added to cadre training plans, to enhance the capabilities of decision-makers in gender mainstreaming; Set up effective mechanisms for collecting, analyzing and utilizing gender-based and age-based data; Actively sponsor scientific research on women and environmental sustainable development, especially on the effect of environmental degradation and global warming on women's development, so as to offer decision-making basis for achieving the goal of gender mainstreaming.

2. Recognize the role of women in resources management and environmental protection, and empower women, especially marginalized vulnerable women, to fully participate in environmental management and decision-making. Listen to the voices of women and consider women's rights and needs when designing, formulating and implementing plans, and developing policies, in order to improve women's abilities in participating in environmental and sustainable development.

3. Set up evaluation mechanism at all levels, to assess sustainable development strategies and possible different effects of relevant environmental policies on men and women.

X. The Girl-Child

Progress and Achievements

1. Amending laws and setting policy goals facilitating the development of girl-child. The *Law of the People's Republic of China on the Protection of Minors (Amended)*, passed on the National People's Congress (NPC) in 2006, expressly prescribed that "Minors shall have the right to life, right to development, right to protection, right to participation, etc.", and that "Minors shall lawfully and equally enjoy their rights, irrespective of their gender, nationality, race, family wealth, creed, etc.". The amended law continued to include the provision that "female minors shall not be discriminated against". China's national policy programs facilitating the development of girl child mainly include the *Program for the Development of Chinese Women* and the *Program for the Development of Chinese Children (2001-2010)*. The *Program for the Development of Chinese Women* requires increasing enrollment rate for girls and helping girls who have dropped out of school finish their nine-year compulsory education. The *Program for the Development of Chinese Children (2001-2010)* requires "gradually enhancing healthcare coverage for girls and migrant children", "instating the awareness of gender equality through education", "substantially safeguarding girl child's right to education and eliminating obstacles in their enrollment", "prohibiting the abuse, abandoning and drowning of children, especially ailing or handicapped girl-child", and "caring for girls and children in special adversity, ensuring their access to opportunities of health growth and equitable development", etc. All provinces across the country have developed their own development plans for children, incorporated into the local overall plan of economic and social development. The National Working Committee on Children and Women under the State Council, in collaboration with experts across various fields, developed a system to monitor and assess the progress of the two *Programs*, and provides supervision and guidance to their implementation.

2. Launching special actions of protecting girl child's rights. First, redressing the sex ratio imbalance at birth. In December 2005, the Administrative Office of the State Council forwarded the *Action Plan on the Extensive Implementation of "Care for Girls" Initiative and Comprehensive Solution to Sex Ratio Imbalance at Birth*, promulgated by 12 government departments including the National Population and Family Planning Commission. After pilot programs were conducted in 11 provinces (incl. autonomous regions) starting from 2003, the "Caring for Girls" initiative was extensively implemented

across the country in 2007. Experience has now been well accumulated, with the CPC and government taking the lead, various departments in close collaboration, the general public participating, and solutions aimed at both problems per se and their root causes. For example, in accordance with local realities, efforts were made at local levels to offer priorities and incentives to households with girls as only child, in terms of education, employment, medical service, poverty alleviation, pension and compensation for land commandeering. Such actions helped foster a supportive social environment for girl-child. Second, combating abduction and trafficking of women and children. Since 2004, the most significant strategic shift at the national level has been from the Ministry of Public Security “clamping down on trafficking of women and children” to various ministries “combating trafficking” in collaboration. The new initiative underscores the collaborative intervention by various departments, and includes preventing and combating trafficking, victim rescue, healing and re-integration into society, etc. This strategic shift was marked by *China’s Action Plan to Fight against the Trafficking of Women and Children (the Action Plan)* promulgated by the State Council in December 2007. The *Action Plan* is important because it incorporated the fight against human trafficking into a systematic arrangement, offering safeguards through legal, social welfare and other systems, making it no longer a temporary or unilateral “specific action”.

3. Involving the international community and non-government organizations into facilitating the development of girl-child. **First**, providing skill training to girl-child and female youth above normal school age. From 2002 to 2006, in collaboration with the UK Department for International Development, China’s Ministry of Commerce launched the ACWF-DFID Partnership in Advocacy and Skills Training for Poor Adolescent Girls. Through vocational and living skills training for 15 to 18-year-old rural girls who have dropped out of school, the project enabled impoverished girls who missed their normal school age to participate in and benefit from economic and social development. **Second**, educating guardians in families on gender equality. UNICEF and the Chinese Government co-launched the “Family Education and Gender Equality” project from 2006 to 2010, with pilot programs in 8 provinces (municipalities) including Tianjin, Heilongjiang, Shanghai, Henan, Guangdong, Guangxi, Shaanxi and Ningxia. The project incorporated the perspective of children’s rights and the principle of gender equality into guiding and improving family education, and aimed at enhancing girl child’s status in families. **Third**, combating violence against children. Since 2004, supported by UNICEF, the Chinese Government participated in the global survey on violence; and discussed experience on

eliminating violence against children under China's realities, through national expert workshops, baseline surveys, pilot programs for preventing violence against children in families and schools, and for aiding victimized children, etc. **Fourth**, the Chinese Government cooperated with international organizations (e.g. UNICEF, ILO, Save the Child [UK], UNIAP, etc.) to launch prevention and intervention programs to combat trafficking of girls. These actions covered many areas, including prevention (incl. public information, service and consultancy), combat and rescue, victim protection (incl. relief and healing), review and improvement of policies and legislation, etc.

4. Education for girls has made historical progress in China. Statistics show that from 1995 to 2004, the discrepancy of enrollment rates between school-age boys and girls contracted from 0.7 to 0.04, and primary school drop-out rate of girls shrank from 1.52% to 0.04%. In 2006, net enrollment rate for boys and girls were respectively 99.25% and 99.29%⁶⁴.

5. Launching public campaigns on girl child's rights. Since 2005, with initiatives such as fighting violence against children, "Care for Girls" and combating trafficking of women and children, ACWF and NGOs have launched various trainings among the media on advocating gender equality and enhancing coverage on girls, and have provided guidelines to journalists on covering "gender equality through development".

Problems and Challenges

Although China has made remarkable progress in protecting girl child's rights, thanks to the fact that China is now in a transition period full of complex conflicts and that the feudal stereotype regarding women as inferior to men is not totally removed, China is still facing the following challenges in this regard:

1. Gender blind spots exist in some legislation decision-making and action plans. The newly amended *Law of the P.R.C. on the Protection of Minors* has yet to mention the issue of girls in its provisions on school protection, society protection and judicial protection. Systematic, gender-disaggregated and age-disaggregated statistics on children's healthcare, education, etc. are still lacking in China, thus the gender perspective failed to be incorporated into the planning, implementation and monitoring of these programs. Since 2005, many action plans have been launched in China, aimed at promoting the development of women and the healthy growth of children. Yet girl child's specific needs are neglected, because action plans for women usually do not cover girls, and most

⁶⁴ Ministry of Education: *Statistical Communiqué on the Development of Education in China, 2008*.

gender-equality initiatives do not target specific age groups. Meanwhile many programs and studies on children lack gender-sensitive intervention because the issue of children is usually not gender-disaggregated.

2. In terms of education, there still exist problems hindering the development of girl-child. Although enrollment ratios are generally equal between girls and boys, statistics fails to reflect the drop-out ratios of girls and boys, especially for middle-school girls. Rural girls impacted by poverty, AIDS, migration and other factors have more difficult access to opportunities to finish their nine-year compulsory education. In addition, school education lack gender sensitivity in what and how they teach, hindering the balanced development between boys and girls. This is detrimental to the comprehensive development of girl child's learning abilities, impacting their job opportunities and their ability of political participation.

3. The environment for girl child's growth needs improving. **First**, imbalance of sex ratio at birth remains high. The ratio was 118.58 in 2005, and stood at 120.22 in 2007. The "Care for Girls" initiative has yet to bring a fundamental solution to this problem. Apart from increasing momentum of the initiative, changes should be brought to basic regimes in rural areas, and their impacts should be minimized. **Second**, child trafficking still occur every now and then, both domestically and cross-border. Trafficking-prone children and youngsters are usually those marginalized in society, e.g. impoverished, insufficiently informed, lacking support from their family or community. Girls children have multiple vulnerabilities making them more prone to trafficking. **Thirdly**, physical, mental and sexual violence against girls has always existed, failing to receive due attention. Sexually assaulted girls often face huge social pressure and cultural violence, which would be severely undermining their physical and mental health and future development. Additionally, there is still a lack in training for guardians and institutions, and in systematic support for mental and physical recovery and re-integration into society.

Countermeasures

1. Make and implement comprehensive policies, action plans and acts on the life, protection, development and status improvement of girl-child, to ensure that girl-child enjoy human rights. It is important to realize that children's development does not automatically lead to girl-child's development. Therefore we should review all laws and regulations, in particular the two *Programs*, to examine whether they have listed girl child's development as specific objectives. The government should push for gender mainstreaming in all

policies and programs, so that the different impacts on girls and boys could be analyzed before decisions are made. Central and local governments should invest more resources into education, health, etc. of girls; not only ensuring a certain level of such input in mainstream development strategies, but also promoting girl child's development by setting girls-specific projects. We should establish expert committees or employ gender advisors to review all intervention projects involving or targeting children, urge the correction of intervention projects lacking gender sensitivity, to ensure gender sensitivity of all projects for children.

2. Incorporate the awareness of gender equality into the mainstream of basic education. Analyze all laws and policies governing basic education, examine, remove or correct gender-discriminatory provisions and gender blind-spots in the current laws on education, improve the management regime of compulsory education, and make policies and acts, prioritizing formal and informal education programs that support girls, help them acquire knowledge, build self-confidence and be responsible to their life. Apart from enhancing enrollment ratio, government agencies should take appropriate measures to improve the graduation ratio, increase the possibility for them to receive secondary or higher education. Measures should be taken to encourage drop-out girls to return to school, and special education programs should be established for drop-out girls. The education authority should make policies to conduct periodical reviews from the gender perspective, covering the curricula, teaching materials and textbooks, as well as all public information contents targeting children. The education authority should also provide trainings to teachers and other education personnel, enhance their ability to conduct gender-sensitive teaching and to create classroom of gender equality. Information of and training on social, cultural, economic, and political issues should be provided to girl-child, especially rural ones. More vocational education should be provided to girls and female youths, improving their employment opportunity and ability to participate in politics, and facilitate girl child's perception and participation of social, economic and political affairs.

3. Take appropriate legislative, administrative, social and educational measures, to protect girls in families, schools and the society against various forms of physical or mental violence and negligence, etc. Dedicated agencies should be established for harmed girls, especially sexually assaulted girls, to help them recover both physically and mentally, and re-enter the society. Support should be given to NGOs and relevant agencies in providing legal aid to victimized girls. Support should also be given to employment

services and protection against abduction and trafficking for female youths. Gender-sensitive attitudes and actions should be taken, from prevention and rescue to legal aid and recovery.

4. Take appropriate measures to facilitate studies on girls or children and gender. The government should input more into surveys and studies on the development of girls, extensively collect gender-disaggregated statistics on children's development, and establish gender-sensitive indices. Studies on children should be re-assessed from a gender perspective. Apart from professionalism, those studying on children should also acquire knowledge on gender through training. In studies, girls should not be treated as study objects, but should be able to benefit from, and be encouraged to effectively participate in, the studies.

XI. National Mechanism for Advancing Women's Status and Gender Mainstreaming

Progress and Achievements

1. The nation's top leadership has made clear political commitments to gender equality. In 1995, the then Chinese President Jiang Zemin, at the opening ceremony of the fourth World Conference on Women, stressed that "identifying gender equality as a basic national policy to promote China's social development". In 2005, the incumbent President Hu Jintao promised at the Tenth Anniversary Commemoration of the Fourth World Conference on Women that "we will continue to utilize economic, legal, administrative measures and public opinion to truly apply the basic national policy of gender equality into all fields of economic and social development and all aspects of social life." In the same year, the Premier of the State Council Wen Jiabao said at the Fourth Working Conference on Women and Children that "strictly implement the basic national policy of gender equality, actively create conditions for supporting women's participation in economic, political and cultural activities, and improve women's abilities in national and social affairs administration".

2. Incorporate gender equality into national laws, policies and development programs. First, revise and enact special laws and development programs for promoting gender equality. In 2005, the NPC Standing Committee amended the *Law of the People's Republic on the Protection of Rights and Interests of Women* enacted in 1992, and wrote the provision that "Gender equality is a basic national policy. The State shall take necessary measures,

gradually improve all systems that guarantee women's rights and interests, and eliminate discrimination against women in all forms." The *Outline of the 11th Five-Year Program for National Economic and Social Development* released in March 2006 for the first time sets up as separate chapter for "Guarantee Rights and Interests of Women and Children", and incorporates women's development into national development programs. In 2007, the NPC approved *Decision on Issues of the Eleventh NPC Delegates Quota and Election*, requiring that the proportion of female delegates of the Eleventh NPC should be no less than 22%. This was the first time for China to explicitly stipulate the ratio of NPC female delegates. Currently, a new round of compilation of the *Program for the Development of Chinese Women* has been launched, subsequent to the publication of the *Program for the Development of Chinese Women (1995-2000) and (2001-2010)* in 1995 and 2001 respectively. **Second**, strengthen inspection, monitoring and evaluating of the implementation of relevant laws and development programs. Regularly examine the enforcement of *Law of the People's Republic on the Protection of Rights and Interests of Women*, and urge the implementation of the Law; Since the promulgation of the *Program for the Development of Chinese Women (2001-2010)*, the National Working Committee on Children and Women under the State Council has actively pushed forward the implementation of the *Program*, and set up a national evaluation and supervision team in 2006 comprising several vice-ministerial-level officials, which have conducted mid-term evaluation and supervision on the implementation of the *Program* in the country, and made amendments to the monitoring and evaluation indices of the *Program* according to the mid-term evaluation. A final evaluation of the *Program* will be conducted in 2010.

3. National institutions for raising women's status continuously improve. In 1990, the Chinese government set up the National Working Committee on Children and Women (NWCCW) under the State Council, which is a special institution for the Chinese government to push forward the cause of women and children. Its duties are "organize, coordinate, guide and supervise the work of relevant agencies in guaranteeing women's rights and interests." NWCCW has 33 member units (27 government agencies and 6 NGOs). Liu Yandong, a state councilor is the Director of NWCCW. In recent years, the personnel arrangement and working expenditure have been increased for offices of NWCCW and local working committees on children and women.

4. Explore actively the establishment of gender mainstreaming system. **First**, actively explore and formulate gender statistics. In 2006, the General Office of the State Council set up key indicators catalogue for gender statistics.

The National Bureau of Statistics formulated *Comprehensive Statistics Form System of Departments on Women and Children*, incorporating the monitoring statistics on gender-disaggregated indicators of the key indicators catalogue and development goals of women and children into the national statistics system, and establishing databases. The National Bureau of Statistics has compiled and published *Women and Men in the Chinese Society: Facts and Data 2007, 2008 Statistics on Conditions of Chinese Women and Children*, and *2008 Collection of Survey Materials for Time Utilization*, etc. In 2007, the NWCCW Office, the National Bureau of Statistics and Chinese Women's Research Society jointly held the First National Symposium on Gender Statistics, to discuss the role and challenges of gender sensitivity indicators and gender statistics in promoting women's development. NWCCW and the National Bureau of Statistics also trained relevant personnel on gender statistics and the ability to collect and analyze gender-disaggregated data and information. Provinces and municipalities, such as Shanghai, Sichuan and Shanxi, also published the first gender statistics manual of their own. **Second**, launch pilot programs for gender budgeting. In recent years, some local governments attempted to introduce gender budgeting, held pilot training and seminars on gender budget, conducted publicity campaigns on gender budgets in certain areas, and carried out background research on national and local budget systems and procedures.

5. More efforts should be made to advocacy campaigns and capacity building on gender equality and gender. The NWCCW Office and relevant agencies jointly held the advocacy campaign of the year on the basic national policy of gender equality, set up special columns and sections in newspapers and TV programs, launched the website, held press conferences, and promoted the integration of the basic national policy into courses of Party schools and administrative colleges. The working committees on children and women at all levels also pushed forward the education on gender equality in schools and communities. NWCCW provided gender training and capacity building sessions of various levels, and strengthened the gender training of office staff of working committees on children and women at provincial, district, and county levels; NWCCW also improved the quality of liaison teams of NWCCW members, and offered gender mainstreaming training; and trained county governments officials in charge of gender equality affairs.

6. Cooperate with NGOs to promote gender mainstreaming. On one hand, partner with NGOs, utilize their advantages, and train government staff on gender mainstreaming; on the other hand, listen to opinions of NGOs, including women's federations when making decisions on legislation, so that laws and

policies could reflect women's needs.

Problems and Challenges

Although Chinese Government has made certain progress in perfecting the national mechanism advancing women's status and in promoting gender mainstreaming, China is still facing challenges in this regard since this is relatively new work and little experience, which is under continuous exploration and improvement, can be drawn upon.

1. Decision makers should learn more about gender mainstreaming. **First**, some decision-makers have inaccurate understanding of gender equality and gender mainstreaming; **Second**, some government officials have insufficient knowledge of the responsibilities of the government in promoting gender equality and gender mainstreaming lack the initiatives and enthusiasm in promoting gender equality.

2. Gender perspective should be further incorporated into national legislation, decision-making, programs and projects. Women's participation level in legislation, decision-making is still low. There is no definition for "discrimination" in Chinese laws, making gender discrimination cases hard to trial in judicial practices. There still exist provisions of direct discrimination against women in China's laws and policies, such as the policy of different retirement ages for men and women, and some local policies that a couple may have a second baby if the first is a girl. Some laws and policies that are gender-neutral in form actually lead to unequal benefits for men and women when implemented in fact.

3. The authority and efficiency of national institutions that raise women's status still face challenges. The duties of NWCCW are not defined clearly for executing the *Convention on the Elimination of All Forms of Discrimination against Women* and *Beijing Platform for Action* signed by China; NWCCW, as a coordination institution, should reinforce its capacity of monitoring, binding and holding its member units accountable; the institutional channels for participating in legislation decision-making should be increased, and its suggestions on policies should be seriously considered; its resources and budget are tight, and it's understaffed.

4. The mechanism and capacity building of gender mainstreaming are still insufficient. **First**, there is a lack of effective mechanisms for evaluating the responsibilities of the Central and local governments in promoting gender mainstreaming. **Second**, the gender perspective of statistics systems should be

further intensified. Decision makers have insufficient knowledge in the importance of gender statistics and the progress of gender statistics; there is no systemic and practical indicator system in line with the international standard; and the gender-disaggregated statistics methods lag behind, and the statistics analysis skills are not strong enough. **Third**, there are no substantial progress in the integration of gender equality into fiscal budgets and fiscal appropriation. When making fiscal budgets, the governments and relevant agencies tend to neglect the fiscal budget and fund for gender equality, fail to analyze the effect and potential influence of fiscal budget on men and women.

Countermeasures

1. Further raise the gender consciousness of decision makers at all levels.

Establish a long-term effective mechanism on gender training for decision makers, and improve their gender mainstreaming awareness and gender analysis abilities, so that they can incorporate gender into decision-making process.

2. Further incorporate gender equality into the mainstream of legislation, decision-making, planning and projects. Establish gender evaluation mechanisms for national legislation, decision-making and program planning, incorporate gender into the procedure of legislation, decision making, and drafting and implementation of programs and projects, increase the ratio of women in legislation, decision making, and expand the institutional channels for women's organizations and women to participate in legislation and decision making.

3. Continuously strengthen the authority and efficiency of national institutions that raise women's status. It is recommended to further strengthen NWCCW to make it a functional agency for promoting gender equality, implementing *Beijing Platform for Action*, *Convention on the Elimination of All Forms of Discrimination against Women*, *Millennium Development Goals*, and executing and monitoring the basic national policy of gender equality and the *Program for the Development of Chinese Women*. NWCCW should be given more power and resources. Encourage NWCCW member units to play bigger roles in promoting gender mainstreaming, and designate officials in key positions as liaison persons. Set up gender equality experts, commissioners and inspectors within government agencies, and establish gender equality work coordination institutions, etc. Make the promotion of gender equality part of the mainstream work of government agencies.

4. Further improve gender-mainstreaming mechanisms. Improve monitoring and evaluation systems and methods on gender equality and women's development conditions. Regularly release monitoring and evaluation results to the public, use them as important basis for evaluating the performance of government agencies, and establish incentive mechanisms. Improve mechanisms for collection, sorting out, analyzing and releasing data statistics, intensify the gender sensitivity of statistics and indicators, and improve the abilities of governments and NGOs to collect and use gender-disaggregated data. Provide training and hold advocacy campaigns and pilot programs on gender budgeting and gender auditing, and summarize and extend the experience. Strengthen the publicity and advocacy campaigns on gender equality and gender mainstreaming. Take advantage of mass media to clarify the difference between gender equality and traditional gender concepts. Break down traditional gender-disaggregated division of work and gender stereotypes. Men and women should jointly undertake family and social responsibilities and promote gender equality.

XII. Impact of the Financial Crisis on Chinese Women's Development

Major Impact of the Financial Crisis on Women

Against the background of the global financial crisis, the Chinese Government has taken a series of proactive measures on finance, taxation, credit and export and import, and invested RMB 4 trillion in industries, to guarantee people's livelihood, employment rates and economic growth. However, the financial crisis has made China's employment situation more severe, and people's incomes and benefits are badly affected. Generally speaking, the financial crisis has dealt a bigger blow to women. Due to the social and cultural factors and division of labor, compared to men, women are always the last to find jobs and the first to lose jobs in the labor market. The financial crisis has aggravated women's disadvantageous situation, bring about more severe effect and challenges to women in all aspects, such as life, employment and protection of rights and interests

1. The unemployment rates of women have increased and their incomes have decreased at export-oriented enterprises, the service industry and informal employment. Export-oriented enterprises and the service industries such as tourism and catering are hit the worst by this financial crisis. Rural

migrant women, as the main force in export economy and service industry, are the first to be laid off in economic downturn, and return to their hometowns due to job loss or excessively low wages. Without career planning and skills, rural women are unable to cope with the financial crisis. It's much more difficult to seek jobs in hometowns or back in cities, or to set up businesses. Dispatched laborers, domestic workers and temporary workers in informal employment are inclined to experience job loss and wage decrease. According to data of the National Cross-regional Human Resources Outsourcing (Dispatch) Summit (Chengdu), the number of dispatched laborers of labor dispatch companies declined by an average of 20% as a result of the financial crisis.⁶⁵

2. Female college graduates face more gender discriminations in employment. With the severe challenges of the global economic crisis, the employment issues of Chinese college graduates have been put in the first place at the government's work on employment. In 2009, the number of college graduates looking for jobs is as high as 7 million. According to the on-line survey of MyCOS on 21,876 college students between February and March in 2009, the employment contract-signing rate for female college students was 30%, and the rate for male college students was 34%; the average salary of female college students was RMB 1,666, and the figure for male college students was RMB 1,967. The rate of female college students who have found suitable jobs for their majors was 57%, and the figure for male college students was 67%.⁶⁶ The employment rate for female college students was 58.67%, 4.7 percentage points lower than the overall employment rate, and 19.2 percentage points lower than the figure in 2008.⁶⁷

3. Women bear much heavier burden in life, and their work, health and family harmony and stability have been severely affected. Women undertake the dual responsibilities of working and caring for the families. Under the circumstances of economic slump and decreasing family incomes, some women try to save the family expenditure or earn allowances by reducing domestic service expenditure, consumption expenditure, working overtime, or taking part-time jobs, thus resulting in more unpaid domestic labor and caring work by women, reinforcing the traditional division of work, and producing negative effect on women's physical and mental health. The unemployment of family members and unequal allocation of resources will increase tension and conflicts on family relations, especially spousal relationship, which may cause domestic violence and even divorce.

⁶⁵ "Affected by the financial crisis, the number of dispatched laborers decreased by 20%, (Chengdu, Sichuan), <http://www.tryjohn.com/23566084.html>, March 18, 2009.

⁶⁶ Data Source: <http://edu.qq.com/>.

⁶⁷ Data Source: Heilongjiang Provincial Human Resources and Social Security Department.

4. Concepts of gender equality are badly affected. Difficulties in employment and discrimination in labor market make the traditional concepts and outdated stereotypes die hard. In the face of employment pressure, some female college graduates resort to unusual ways and solutions, such as “Even if you could do well in your career, it cannot compare with having an ideal marriage life”, and “Finding a good job is not as ideal as finding a good husband”. There appear phenomena of early marriage and childbearing among female college students in some big cities. The voice for women to go back home arises increasingly. Shortage of fund and layoff pressure makes it harder for enterprises to break down gender stereotypes. For example, the reduction in training expenditure and management positions make it impossible to promote women to senior management. According to the 3000 survey samples of the Center for Women’s Law & Legal Services of Peking University, 36% of the surveyed believe that the number of high-pay or management positions is obviously small at their employing units.⁶⁸

5. The lack of gender perspective in counter-crisis public policies is not conducive to protection of women’s rights and interests and their long-term development. **First**, the industrial development structure to fight against the financial crisis might exacerbate the structural unemployment for women. For instance, the government invested RMB 4 trillion in industries of iron and steel, shipbuilding, petrochemicals, textile, light industry, nonferrous metals, equipment manufacturing, electronic information and logistics. 30 million jobs are created. However, from the perspective of employment structure, only textile and light industry, among the ten industries, employ the most women. The macroeconomic planning will definitely lead to structural lack of job opportunities for women. **Second**, during the economic downturn, the “softened” and “flexible” implementation of the *Labor Contract Law* has weakened the protection of women’s rights and interests. Faced with the financial tsunami, enterprise owners, some scholars and local government officials call repeatedly for the suspension, revision and even annulment of *Labor Contract Law*. This kind of requirements and actions weakens the protection of women’s rights and interests. **Third**, the financial crisis has watered down and hidden gender inequality in realities. During the NPC and CPPCC sessions in 2009, bills of “the same retirement age for civil servants” and “the same retirement age for

⁶⁸ Between June 2008 and May 2009, the Center for Women’s Law & Legal Services of Peking University launched a survey “Gender Discrimination Situation at Workplaces in China”. 3000 questionnaires were distributed, and 2707 valid ones were collected, covering over 20 provinces, municipalities and autonomous regions.

specialists and technicians” were put forward once again. However, this legitimate appeal failed again due to the difficult job situation of young people.

Strategies and Tactics for Promoting Women’s Development in the Financial Crisis

1. Incorporate gender into the mainstream of public policies and China’s socio-economic development strategies. Formulate public policies that enable men and women to equally participate in development in coping with the economic crisis, and to help women equally obtain development opportunities, contribute to economic and social stability, and equally share the fruit of development. The government should attach great importance to gender analysis and studies on social development and women’s development conditions, intensify the monitoring and evaluation of the impact of different economic and social policies on different regions, social stratum and genders, make policy recommendations and advocacy on gender sensitivity in a timely manner, and incorporate values of social equality and justice into all aspects and the whole process of fighting against the economic crisis and promoting social development.

2. Take all measures to promote diversified ways of employment and business-creation for women. The government agencies should set up employment gender statistics and analysis mechanism, evaluate and monitor women’s employment situation in a timely manner, strengthen the macro management of women’s vocational training and employment services, formulate systems that curb discrimination against women, and strengthen the social protection of women in informal employment; during the economic restructuring in time of financial crisis, develop the tertiary industry and community services, and increase job opportunities for women, and meet the needs of people’s life and China’s aging society; establish a fully-fledged employment information counseling system with high-tech content, and provide timely and accurate employment information to women, especially unemployed women; enhance job matching efficiency, and facilitate the employment of college graduates, including female graduates from the perspective of improving the expectations of both labor demand and supply sides. In the face of labor demand slump, the *Law on Employment Promotion* should be observed more strictly. Provide equally employment opportunities to female college graduates. The government should increase fiscal subsidies, provide or purchase continuous education services for female college students, so as to mitigate the current employment pressure and increase their long-term employment

prospects.

3. Strengthen education and training, and improve women's employment capabilities. The State should transform the educational mechanism, reform educational content, break down traditional stereotypes and occupational segregation, and train female talents who can adapt to high-tech and digital economic development. Faced with the financial crisis, special attention should be given to women's needs. Strengthen vocational skills training for women, and enhance the abilities of female workers, especially rural women and informally employed women, to adapt to employment and market.

4. Provide effective public service to women and balance women's work and family. The government should regard it as a policy objective to provide public service to male and female employees with family responsibilities, encourage men and women to equally undertake family and social duties, offer family caring service and benefits, and gradually eliminate traditional gender stereotypes, so as to boost domestic demand.

5. Promote the concepts of gender equality and anti-discrimination, and eliminate social and cultural factors that contradict with gender equality. Mass media should extend the basic national policy of gender equality to the general public, and advocate the concepts of equality and justice. Each citizen should participate equally in social development and have equal access to the fruit of social development. The absurd talk of "women stay at home" and "sacrifice women for economic growth" appearing easily under circumstances of economic downturn and fierce competition should be eliminated. Pay attention to the potential trend of gender inequality in families, advocate respect for women's value and self-respect, and eliminate violence against women.

China is the host country of the Fourth World Conference on Women. In the past fifteen years, the Chinese government has a more grand international vision on the implementation of *Beijing Platform for Action*. The government not only improves the wellbeing of women through specific work, but also creates more favorable social and institutional conditions. These are positive factors for us to promote the cause of gender equality.

Although the cause of promoting gender equality has a tough path ahead, we are still confident. We will not only continue to utilize the international successful experience to push forward gender equality in China, but also contribute our own experience to the journey of women of the world to pursuing equality.

“北京+15”中国非政府妇女组织报告

中华全国妇女联合会 中国妇女研究会

2009年10月

概 述

为迎接2009年10月在菲律宾奎松召开的“北京+15”亚太地区妇女非政府组织论坛，2009年6月15日，全国妇联和中国妇女研究会在北京启动了“北京+15”活动。

来自全国妇联主要工作部门、全国总工会女职工部、中国女企业家协会、中国市长协会女市长分会、中国就业促进会、中国人口与发展研究中心、中国社会科学院法学研究所、中国社科院新闻与传播学研究所、清华大学、中国农业大学人文与发展学院、中国传媒大学、全国妇联妇女研究所、中华女子学院、北京大学人口研究所、北京社科院社会学所、北京大学妇女法律研究与服务中心、中国反家暴网络、北京农家女文化发展中心、北京红枫妇女心理咨询服务中心、北京妇幼保健院、首都女记者协会、中国妇女报、京津社会性别与发展协作者小组、天津师范大学性别与社会发展研究中心、南京师范大学金陵女子学院、江苏扬州市委党校、西北工业大学、陕西省妇女理论婚姻家庭研究会、黑龙江省婚姻家庭研究所等机构、组织及学术团体的代表和妇女活动家，以《北京行动纲领》和《成果文件》为依据，分成妇女与贫困、妇女与教育、妇女与保健、反对针对妇女的暴力、妇女与经济、妇女参与政治与决策、妇女的人权与法律、妇女与媒体、妇女与环境、女童、提高妇女地位的国家机制与社会性别主流化、金融危机对中国妇女发展的影响等12个专题，认真回顾和评估世妇会以来，特别是“北京+10”会议以来，中国政府执行《北京行动纲领》和《妇女问题特别联大成果文件》的情况，并形成《北京+15中国非政府妇女组织报告》（以下简称《报告》）。

我们认为，5年来，中国的改革开放和社会发展为中国的性别平等事业和妇女人权保障创造了更加有利的环境，包括：在科学发展观的指导下，制定了以人为本、社会发展与经济发展并重的发展原则，将公平正义作为和谐社会的重要价值；在推动建设有中国特色社会主义时，强调制度创新和民主法制建设；积极签署和履行国际重要人权公约，将尊重和保障人权列入国家立法，并制定《国家人权行动计划（2009—2010年）》，凸现人权事业发展中的政府责任；在以人为本的发展理念指导下，集中解决教育、就业、社会保障、医疗、住房、交通等民生问题；促进公民社会和民主政治发展，注重发挥民间组织，特别是非政府妇女组织作用。这些都为中国政府执行《北京行动纲领》和《消除对妇女一切形式歧视公约》、完成《千年发展目标》、实现《中国妇女发展纲要》的各项指标，提高中国妇女地位和人权水平，提供了重要的政治、经济和社会保证。

但是，在经济全球化和中国社会转型的背景下，市场经济带来了包括性别分化在内的社会分化，妇女在劳动力市场上更容易被排斥；城乡二元体制的存在和劳动力的流动，使女性更容易受到工作和家庭、心理和生理的负面影响；文化和意识形态的多样化削弱了妇女解放和发展的主导思想；金融危机的突然发生又使性别议题被进一步边缘化……这些，对中国性别平等事业发展提出了更多的挑战。

针对中国政府执行《北京行动纲领》和《妇女问题特别联大成果文件》的情况，以及上述各领域取得的进展和面临的挑战，本报告做出了实事求是的总结和评价，并提出了具体、务实、建设性的对策建议，旨在推进政府履行自己的国际承诺，促进中国和全球性别平等事业的发展。

一、妇女与贫困

进展与成就

1. 中国政府做出承诺，出台政策，加大投入，积极致力于减少妇女贫困的发生。国务院总理温家宝 2004 年在上海的全球扶贫大会上郑重承诺“用 10 年时间尽快解决少数贫困人口的温饱问题”。2009 年《政府工作报告》中提出，扶贫方面的工作任务是“加大扶贫开发力度……对农村低收入人口全面实施扶贫政策。新标准提高到人均 1196 元，扶贫对象覆盖 4007 万人”。关于对妇女的扶贫，2006 年出台的《中华人民共和国国民经济和社会发展第十一个五年规划纲要（2006-2010 年）》明确提出，要“实施妇女发展纲要……加强妇女卫生保健、扶贫减贫、劳动保护、法律援助等工作”。在中央扶贫战略和规划的指导下，各主要政府部门和全国妇联近 5 年来联合发布多份文件，就农村妇女的教育培训、小额信贷、就业创业、健康等出台政策，减少妇女贫困。尤其是 2009 年，财政部、人力资源和社会保障部、中国人民银行与全国妇联联合推出了妇女小额担保贷款财政贴息政策，卫生部还与全国妇联共同开展了农村妇女宫颈癌、乳腺癌（以下简称“两癌”）检查项目。这些政策和项目从不同方面促进了妇女参与经济活动和获得公共服务的机会，对缓解或消除妇女贫困起到了积极作用。

2. 非政府组织积极参与到中国政府开展的缓解妇女贫困的各项活动中。国务院扶贫办和全国妇联共同开展针对贫困妇女的小额贷款行动，据统计，2007—2008 年，安徽、吉林等 10 个省区市妇联多渠道争取小额贷款资金 57.8 亿，带动 67 万个家庭脱贫致富。⁶⁹在中国政府组织的整村推进扶贫工作中，全国妇联积极开展“巾帼示范村建设”和“双学双比”活动，通过转移就业培训、龙头企业带动等多种方式帮助贫困妇女脱贫致富，各地妇联创办 15 万所农村妇女学校、创建 20 余万个各级各类农林科技示范基地，对农村妇女、特别是中西部贫困地区妇女进行实用技术、政策法规、卫生健康、环境保护知

⁶⁹ 王国良主编，《微型金融与农村扶贫开发》，中国财经出版社 2009 年版。

识的培训⁷⁰。作为国务院农民工联席会议成员机构，全国妇联积极开展“市场带千村”活动，带动了300多万名农村富余女劳动力就近就地就业；积极发展家政服务，每年可安置30多万女农民工和下岗失业妇女就业。⁷¹此外，全国妇联开展的以扶贫济困为特色的社会公益项目，如“母亲水窖”项目、“母亲健康快车”项目以及农村妇女“两癌”检查项目等，为改善贫困地区妇女儿童的基本生存环境和健康水平发挥了积极的作用。中国人口福利基金会开展了以救助贫困母亲为宗旨的“幸福工程”，截止到2008年10月31日，已在全国29个省、市、自治区设立了417个项目点，累计投入资金58291.743万元，救助贫困母亲及家庭207083人(户)，惠及人口951863人⁷²。

3. 中国在消除妇女贫困上取得了显著的成效。《〈中国妇女发展纲要(2001-2010年)〉实施情况中期评估报告》显示，在和贫困有直接关系的小学适龄女童净入学率、小学女童5年巩固率、初中女童毛入学率、妇女平均受教育年限、妇女平均预期寿命、孕妇产前医学检查率、农村孕产妇住院分娩率，以及农村贫困人口中女性人口比重等方面的指标，都已经提前实现，尤其是贫困人口数量的减少，到2005年底⁷³，农村贫困人口2365万人，比2000年减少844万人，其中女性约占一半，为1200万人，女性贫困发生率也由2000年的3.4%下降到2005年的2.5%。根据联合国和中国政府联合发布的《2008年中国千年发展目标进展情况报告》，与贫困有直接关系的性别敏感性指标中，降低贫困人口数量、初等教育普及情况以及儿童死亡率等指标已经实现；其他各项指标国家支持环境良好，都有望在2015年之前实现。

问题与挑战

虽然中国政府在消除妇女贫困方面做了很多努力，并取得了显著的成效，但中国目前仍是人均收入水平较低的发展中国家，发展不平衡的问题还相当突出，中国在缓解和消除妇女贫困方面还存在一些挑

⁷⁰ 崔郁，中国：妇女与消除贫困，2007年，全国妇联内部资料。

⁷¹ 全国妇联发展部工作汇报(内部资料)，2009年。

⁷² 中国人口福利基金会、幸福工程组织工作委员会，“幸福工程项目概览”(内部资料)。

⁷³ 根据现有资料，未检索到最新数据。

战。基于家户调查的贫困监测数据显示，女性贫困人口发生率仍高于男性，2004年，女性绝对贫困人口发生率和低收入人口发生率分别高于男性人口的0.4%和0.6%⁷⁴，这一数据尚未包括非贫困家庭中，由于女性在营养、健康和教育等获得的滞后性而造成的贫困妇女的数量。中国在缓解和消除妇女贫困方面的挑战主要有以下几个方面：

1. **政府扶贫救助政策的社会性别敏感度有待于进一步提高。**虽然《中国妇女发展纲要（2001-2010年）》强调贫困妇女应是扶贫资源的获得者和扶贫成果的直接受益者，一些决策部门也开始关注性别问题，但是还有一些发展政策没有充分考虑社会性别的内容。例如，每年出台的有关“三农”问题的1号文件及相关政策措施，都缺乏对社会性别议题的充分考虑。在大部分扶贫开发政策中，都将贫困人口作为一个整体来对待，缺乏针对农村贫困妇女、留守妇女、流动妇女的专门措施；城市和农村的最低生活保障制度也是建立在家庭基础上，难以满足贫困妇女个体的需求；在金融危机的背景下，国家出台大量的促进就业以及返乡创业计划政策中，缺乏专门针对返乡的女农民工的帮扶政策；中国社会发展监测指标体系仍缺乏性别敏感，虽然中国的贫困监测数据中增加了一些分性别的指标，但中国大量的统计监测，仍建立在家户调查的基础上，缺乏性别敏感，难以据此对女性的贫困问题作出准确的判断。

2. **部分农村妇女土地承包权仍未获得充分保障。**2003年开始实施的《中华人民共和国农村土地承包法》规定，妇女与男子享有平等的土地承包经营权，并对解决出嫁女、离婚和丧偶妇女的土地承包经营权做出明确规定，但是某些地方的土地分配和承包合同仍然以传统的“从夫居”婚姻模式为基础，女性因婚姻关系变化而流动时，土地难以随之流动。

3. **农村妇女对教育和医疗等公共服务的可及性仍然受限。**中国政府一直致力于改善女性受教育条件，但是由于中国地区发展极不平衡，一些边远贫困地区的女童就学存在实际困难。贫困地区女性患病率远远高于男性，患病妇女就医的次数远远少于男性，对病情的拖延程度远远高于男性。⁷⁵

⁷⁴ 李芝兰，我国农村贫困问题中的女性视角——农村妇女更贫困吗？，《开发研究》2007年第6期。

⁷⁵ 李小云，《中国性别不平等与贫困关系研究》，研究报告，2005年。

对策建议

1. **加强政策制定过程中的性别敏感,提高政策的性别意识。**目前,我国正处于制定一系列新的宏观发展战略的阶段,建议将制定有利于消除妇女贫困的倾斜政策作为现阶段政府工作的一项重点。建议政府在制定新的扶贫开发纲要中专门列出有利于妇女的扶贫行动和措施,提高扶贫战略的性别敏感度:在贫困地区建设有效提供妇幼保健功能的村级综合服务站;在财政部和国务院扶贫办推行的社区发展基金项目明确将妇女作为扶持的主体。

2. **加强对政府缓贫政策和行动效果评估的性别敏感。**民政、教育、卫生、水利、农业、林业等部门都从不同角度开展着各项扶贫行动,其扶贫计划往往缺乏有力的性别敏感意识与方法,在实践中容易出现性别不平等的效果。建议对目前正在实施的各部门扶贫政策进行性别敏感评估,并对其进行社会性别主流化的能力建设干预。同时,加强对中国政府的缓贫政策和行动的政策宣传力度,提高妇女的政策认知程度。

3. **加强对性别敏感的社会发展监测指标和体系的建设。**虽然我国从2001年已经开始将性别指标纳入到贫困监测中,⁷⁶但是由于这些指标相对比较简单,难以具体呈现妇女贫困的全貌;并且有的是单性别指标,无法衡量性别与贫困方面的变化情况。建议进行有关性别与贫困的系统评估,对妇女的贫困特征和原因,以及和男性相比的特殊性等各个方面,进行全面的评估,将评估结果整合到我国新的国民经济发展纲要以及各部门政策制定过程中。

4. **加强在性别与贫困的研究、评估、实践等方面的国际合作和交流。**世界银行、亚洲开发银行以及其他国际机构长期以来一直关注中国的妇女贫困问题,先后撰写了中国性别与贫困的评估报告。建议对于国际社会的研究成果进行讨论和分享;同时积极开展对外合作与交流,对其他国家消除妇女贫困方面的有效政策和发展干预行动进行考察和研究,并对其成果进行有效传播和分享。

⁷⁶ 设立妇女劳动力文盲率、妇女从事劳动时间比重、妇女外出务工劳动力比重、7岁至15岁女童在校率和妇女在社区中担任社会职务的比重等指标。

5. 充分发挥非政府组织在促进妇女缓贫方面的作用。妇联作为为妇女提供服务和支持的非政府组织的主体，具有自上而下的组织体系，有着贴近妇女的政治优势、组织优势和行动优势，建议加强对各级妇联组织的人力、物力和财力等方面的支持和能力建设，对妇联创建的农村妇女学校等培训机构、科技指导中心等服务机构、农村妇女儿童维权站点、劳动力输出输入基地和留守儿童家长学校等给予扶持。此外，还需大力支持其他以贫困妇女为帮扶对象的民间组织，农村妇女自我发展的各种协会，从而促进妇女贫困问题的更快和更好的解决。

二、妇女与教育

进展与成就

1. 中国政府相继出台一系列政策和法规，推动了教育领域的性别平等。2006年修订的《中华人民共和国义务教育法》，强调了义务教育的公益性、统一性与强制性原则，确立了义务教育经费保障新机制。2007年颁布的《国家教育事业发展“十一五”规划纲要》提出，“十一五”时期教育体系将更加完善，到2010年，将全面普及和巩固九年义务教育，小学净入学率保持在99%以上。⁷⁷2007年、2008年中国政府又相继免除农村和城市义务教育阶段学杂费，惠及中国农村近1.5亿名中小学生和城市2821万中小学生。⁷⁸中国教育经费由2004年的7242.60亿元增长至2007年12148.07亿元。⁷⁹

各级各类学校中女生的比例逐步提高。男女儿童在义务教育阶段的入学机会趋于平等，男女童入学率分别从2005年的99.16%和99.14%⁸⁰上升为2008年的99.50%和99.58%，女童高于男童0.08个百

⁷⁷ 教育部，《国家教育事业发展“十一五”规划纲要》，<http://www.moe.edu.cn/edoas/website18/30/info34030.htm>。

⁷⁸ <http://edu.people.com.cn/GB/1053/5154135.html>，人民网。

⁷⁹ 教育部，《2004年全国教育经费执行情况统计公告》，<http://www.china.com.cn/chinese/PI-c/1080173.htm>，中国网；教育部，《2007年全国教育经费执行情况统计公告》，http://www.china.com.cn/policy/txt/2008-12/16/content_16955339.htm，中国网。

⁸⁰ 教育部，《2005年全国教育事业统计公报》，

分点。⁸¹高等教育中,普通本专科女生所占比例由2005年的47.08%增至2008年的49.86%。成人本专科教育中女性所占比例由2005年的51.12%增至2008年的52.33%,超过男性。高校女教师的队伍进一步壮大,2008年普通高等学校有女教师56.46万人,比2005年净增14.69万人,所占比例由2005年的43.25%上升到2008年的45.62%。⁸²

2. 高校女性学学科建设取得重要进展。2006年,教育部将“女性学”列入了本科专业,女性学教育逐渐进入本科教育主流。同年,中华女子学院首次招收30名女性学专业本科生。⁸³研究生教育发展较快,从1998年北京大学率先设立女性学硕士研究方向,到2008年中国大陆已在30所大学/研究院的44个硕士学位点和11个博士学位点分别招收女性/性别研究方向的硕士和博士研究生,⁸⁴涉及到哲学、经济学、文学、史学、法学、管理学、教育学和医学等多个学科门类。

女性/性别研究的课程建设进一步发展。2005年,有35所院校先后开设了女性学的相关课程。⁸⁵2007年底,已有近百所大学开设了女性学相关课程。⁸⁶由中国社会科学院法学研究所性别与法律研究中心创办的性别与法律网,其网络成员单位已有9所高校开设了“性别与法律”必修课、选修课或专题讲座。截至2009年7月,这9所高校开设的必修课上课人数1200余人,选修课上课人数10000余人,专题讲座的上课人数11000余人。⁸⁷

3. 非政府组织积极参与并推动妇女教育的发展。2007年,全国妇联制定了《全国妇女教育培训体系建设纲要(2008—2010年)》,提出促进男女平等基本国策纳入国民教育、社会教育和妇联教育培训体系,推动男女平等享有教育培训资源。⁸⁸全国妇联下属的中国儿童

<http://www.moe.edu.cn/edoas/website18/64/info20464.htm>, 教育部网站。

⁸¹ 教育部,《2008年全国教育事业发展统计公报》,

<http://www.moe.gov.cn/edoas/website18/34/info1247820433389334.htm>, 教育部网站。

⁸² 教育部,《中国教育统计年鉴2005》,《中国教育统计年鉴2008》。

⁸³ http://www.cwu.edu.cn/gg/gg_3.asp?id=3432&cid=14, 中华女子学院网站。

⁸⁴ 陈方,“我国女性学学术领域之反观”,莫文秀主编,《中国妇女教育发展报告No.1(1978-2008)》,北京:社会科学文献出版社2008年,第367页。

⁸⁵ 魏国英,“跨越式发展与本土经验——女性学学科建设的十年回顾”,《妇女研究论丛》2006年第1期。

⁸⁶ 陈方,“我国女性学学术领域之反观”,莫文秀主编,《中国妇女教育发展报告No.1(1978-2008)》,北京:社会科学文献出版社2008年,第367页。

⁸⁷ 据2009年7月中国社会科学院法学研究所性别与法律研究中心统计(内部资料)。

⁸⁸ 全国妇联,“全国妇女教育培训体系建设纲要(2008—2010年)”,《中国妇运》2008年第7期。

基金会推出的“春蕾计划”进行了卓有成效的工作，从1989年至2009年的20年间，共募集善款8亿多元，捐建800多所春蕾学校，资助180多万贫困女童重返校园，对40万女童进行了实用技术培训，⁸⁹救助范围也从小学、初中扩大到高中甚至大学。全国妇联和中国妇女研究会与多部门合作，积极开展“妇女/性别研究与培训基地”的创建工作，目前已在12个省、直辖市建立起了21个妇女/性别研究与培训基地，并定期召开年会和学术交流活动，开展有关妇女议题的研究项目和能力建设培训。

民间组织通过不同方式开展性别平等的教育培训，传播性别平等观念。陕西省妇女理论婚姻家庭研究会拓宽社会性别培训与公众教育的形式和领域，对相关群体开展社会性别培训。2002至2007年间举办了近200期社会性别培训、30余期培训者的培训，为项目地区和相关发展机构培养了师资和骨干力量；⁹⁰河南社区教育研究中心以教育、培训和支持妇女“草根组织”为主要方式，通过发展组织网络，开展培训，增强妇女的赋权能力；多民族聚居和发展项目集中的云南省，有关社会性别的培训贯穿在扶贫、生育健康、生态环境、资源、林业、艾滋病防治、民族文化遗产等项目中，并编写了一系列的培训手册和教材。

问题与挑战

虽然中国政府在妇女教育方面做出积极努力，中国教育中的性别平等取得了显著进展，但由于中国地区发展不平衡，整体国民素质有待于进一步提高，中国在妇女与教育方面还面临着一些挑战。

1. 教育政策中的性别平等意识有待进一步提升。尽管中国在义务教育阶段基本实现了男女受教育机会的均等，但社会性别主流化观点依然未被充分纳入教育决策和教育体制改革中。如2007年颁发的《国家教育事业发展“十一五”规划纲要》和正在制定的《国家中长期教育改革和发展规划纲要》等国家教育发展规划中，性别平等均未被作

⁸⁹ 中国儿童少年基金会，《爱洒春蕾20年》（内部资料），2009年，第41页。

⁹⁰ 陕西省妇女理论婚姻家庭研究会第三次会员大会上的工作报告（2008年1月），http://www.westwomen.org/jigou/2008/0123/article_74.html。

为议题纳入其中。尽管我国教育统计中的分性别数据在近些年有了一定的发展，各级各类学校的分性别数据得到了一定的完善，但还不足以满足有效监测和评估教育领域的性别平等状况的要求，特别是对于教育过程的性别差异或歧视等状况的监测评估还缺乏相关的指标。

2. 教育过程中的性别不平等状况需要进一步改进。教育过程中的性别不平等状况还没得到根本改善。各级各类教育中缺乏性别平等意识的内容和教材，教育过程中没有自觉地挑战和改变传统的男女角色定型；教学方式和方法缺乏社会性别敏感；教育决策和管理领域女性比例偏低，并随着教育层次的提高而愈加显著。

3. 农村、特别是偏远贫困地区的女性受教育权利的实现有待改善。教育资源的地域分布不均衡，在边远、经济欠发达、交通不便、少数民族聚居的农村、山区和牧区，女性的受教育机会和教育质量亟待提高。2005年1%人口抽样调查的数据显示，15至19岁之间从未上学的女性约占该年龄段女性人口的1.07%，而男性该比例为0.76%，这意味着有将近100万的大龄女童没有接受义务教育；为提高和改善农村地区义务教育的质量而进行的撤点并校改革，使儿童就学的路程增加或者不得不在学校寄宿，对农村儿童、特别是女童的就学机会和安全造成一定影响；对于跟随父母外出的“流动儿童”，则面临着难以获得公平的教育资源以及社会融入等方面的障碍；在贫困、边远地区和少数民族地区，高等教育中女性入学率较低。

4. 高等教育中存在比较明显的专业性别隔离，女性学在高等教育学科体系的发展难度较大。高等教育中存在着明显的专业和学科的性别隔离现象，男生多选择自然科学及理工科专业，而女生则选择人文和社会科学专业，直接影响到女性在劳动力市场上获得公平的就业机会，也使科技领域中女性处于边缘的状况难以得到尽快改善。女性学教学作为促进社会性别平等意识的重要阵地，在我国的高等教育学科体系发展和建设中的地位有待提高，在高等院校开设的课程、所获得的资金支持、科研项目以及人才培养等方面都有待加强，在国家高等教育的学科体系中的边缘地位亟待改变。

5. 终身教育和职业培训中女性的机会相对欠缺。缺乏对妇女接受

扫盲教育和终身教育的投资、可行方案及连贯性；在成人教育和职业培训领域依然存在性别隔离现象，如 2008 年，全国在职攻读研究生的人员中，女性仅占 32.83%，⁹¹在一定程度上限制了妇女职位晋升和工作竞争能力的提高，使得妇女集中在职业层次相对较低的领域；在成人教育和职业培训中缺乏社会性别意识，在课程设置及培训时间和场地的安排等方面，特别是在农村，很少考虑男女两性不同的生活方式和活动特点，在农村开展的农业技术培训中缺乏社会性别意识。

对策建议

1. **在教育政策的制定和实施中增强社会性别意识。**在国家的教育政策、发展规划等的制定中吸纳具有社会性别意识的专家，并充分听取她们的意见和建议；以立法或政策方式对教育决策管理层的性别比例作出规定，增加各级学校及教育行政领导层女性的比例，通过制度化的社会性别培训，增强所有教育管理人员和教师的社会性别意识和能力；发展非歧视性教育，将性别平等意识广泛纳入教师培训、教科书和课堂教学；在课程委员会中增加社会性别顾问，从教科书等源头上消除性别偏见。

2. **促进教育公正，保障弱势女性群体的受教育权利。**加大对贫困偏远地区教育资源的投入，设立女童教育专项基金并吸引民间资金，保障贫困地区、边远地区、少数民族以及流动人口子女中女童的受教育权利，并改善其受教育状况。重视女教师的作用，要特别关注农村贫困地区及少数民族地区代课女教师的生存和发展问题。在终身教育规划中，加大扫除女性青壮年文盲的力度，推动非正规教育和非学历教育，增加在职妇女接受新科技培训的机会，并降低其学习成本；为城市流动妇女和大龄女童提供补偿教育，提高她们的生存技能和在职培训的机会；为广大中老年女性提供便捷实用的社区教育，增强她们参与和融入社会的能力。

⁹¹ 教育部，《中国教育统计年鉴 2008》，人民教育出版社。

3. 消除中高等教育中的性别隔离，推动女性学学科建设的发展。政府应制定专门的支持政策和措施，如设立女性科技人才扶持基金或项目，打破和消除中高等教育体制中的学科性别隔离，鼓励女性更多地参与科技领域的学习研究；积极扶持高等教育中女性学学科建设，增大资金及政策支持力度，培养女性学师资人才队伍，在国家社科基金等的资助研究项目中增加女性学/社会性别的议题。

4. 加强教育领域的分性别统计。进一步完善教育统计的分性别指标体系，重点开发推广能有效监测教育过程和决策领域的性别敏感监测指标，以促进对教育领域性别平等状况的实时监测和评估。

三、妇女与健康

进展与成就

1. 中国政府制定积极的法律政策，为妇女健康提供制度性保障。5年来，中国政府的妇女健康理念不断深化，承担妇女健康主导责任，性别平等的意识进一步提高，将保障妇女健康作为维护妇女人权的重要组成部分，制定了一系列法律法规，形成了以《母婴保健法》、《人口与计划生育法》等为法治保障的维护母婴健康的法律体系，以《中国妇女发展纲要》为规划目标的妇女卫生管理体系，以各级妇幼保健机构为龙头的基本覆盖全国的妇女保健服务网络，为保障妇女健康权益、改善妇女健康状况提供了制度和政策性保障。通过制定《妇幼保健机构管理办法》和一系列妇女保健工作规范，强化妇女保健的管理与服务，扭转妇女保健领域的市场化、商业化倾向。2009年，中国政府进一步将“在农村妇女中开展妇科疾病定期检查”，写入《政府工作报告》和《2009年国民经济和社会发展工作计划》，体现了中国政府维护妇女健康，促进公共服务均等化的强烈意愿和坚定决心。

2. 针对妇女健康领域的重点难点问题，实施重大项目干预。为降低孕产妇和新生儿死亡率，至2008年，中国政府将“降低孕产妇死亡率和消除新生儿破伤风项目”扩展到中西部地区的1200个县，中

央和地方政府累计投资 20 多亿元⁹²；为提高贫困地区孕产妇住院分娩比例，卫生部于 2008 年实施“中西部地区孕产妇住院分娩补助项目”，对中西部地区 2297 个县市住院分娩的孕产妇实行定额补偿；医疗保健机构积极建立及时有效的转诊急救“绿色通道”，努力消除造成孕产妇、婴幼儿死亡的转诊急救延误，保障了母婴安全；中国政府将促进妇女健康作为改善民生的重要内容，在国际金融危机的背景下，仍于 2009 年 6 月启动和实施农村妇女“两癌”检查项目、增补叶酸预防神经管缺陷项目，并将孕产妇住院分娩补助项目扩展到整个农村地区，由中央财政拨付专项补助经费，这三项国家重大公共卫生服务项目将惠及亿万农村妇女。

3. 努力健全医疗保障制度，促进妇女的健康公平。5 年来，中国政府将提高妇女保健服务的公平性、可及性作为发展妇女健康事业的优先战略选择。通过颁布《流动人口计划生育工作条例》，促进流动妇女平等享有卫生保健的机会和服务；通过建立健全妇幼卫生专项救助制度、加大对边远贫困地区妇女保健投入，使多年以来城乡、区域孕产妇、婴幼儿死亡率差距加大的情况得到有效遏制，增强了妇女保健的可及性、公平性和普惠性。与此同时，政府积极采取措施，通过建立覆盖城乡居民的基本卫生保健制度、大力推进新型农村合作医疗制度、加大城镇居民基本医疗保障的力度、实施生育保险制度，大大提高了城乡妇女医疗保障的覆盖率，增强了广大妇女抵御疾病风险的力量。

4. 加大对妇女儿童主要疾病风险的防控力度。建立预防艾滋病母婴传播的服务模式，向感染艾滋病病毒的孕产妇免费提供咨询、检测、产前产后指导、药物阻断等服务。截至 2007 年 12 月底，预防艾滋病母婴传播孕产期保健服务已覆盖了 441 万名孕产妇，使艾滋病母婴传播率减少了 60%。⁹³

⁹² 国务院妇女儿童工作委员会办公室编：《国务院妇女儿童工作委员会及成员单位 2008 年工作总结和 2009 年工作要点汇编》，2009 年 3 月，第 145 页。

⁹³ 中华人民共和国外交部、联合国驻华系统：《中国实施千年发展内目标进展情况报告（2008 年）》，第 36 页。

5. 加强与非政府组织合作，推动生殖健康领域的社会性别主流化。中国政府注意加强与非政府组织的密切合作，发挥妇女组织的独特优势，共同开展“亿万妇女健身运动”、“母亲健康快车公益项目”、“社会性别平等与生殖健康”项目、“中国妇女健康行动”及农村妇女两癌检查等项目。为促进生殖健康领域的性别平等，国家计生委与妇女组织合作，启动了“社会性别视角引入计划生育优质服务”项目和生殖健康项目，开发了中国县区级计划生育优质服务社会性别公平诊断工具箱，努力将社会性别视角纳入计划生育工作决策、管理、服务、评估的全过程，促进生殖健康领域的男性参与和妇女赋权。至2008年底，全国已有719个县（市、区）接受了计划生育优质服务评估验收，推动了生殖健康领域的性别主流化进程。

6. 中国妇女的健康水平显著提高。5年来，有关妇女健康的议题不断扩大，妇女的心理健康受到更多的关注，妇女作为健康主体的参与更为广泛，妇女的自我保健意识和自我保健能力进一步增强，有越来越多的妇女树立了积极健康的生活方式。中国监测地区婴儿死亡率从2005年的19.0‰下降至2008年的14.9‰；五岁以下儿童死亡率从2005年22.5‰降至2008年的18.5‰；孕产妇死亡率由2005年的47.7/10万下降到2008年的34.2/10万，其中，城市为29.2/10万，农村为36.1/10万。⁹⁴与2005年城市25.0/10万和农村53.8/10万的孕产妇死亡率相比，城乡差距明显缩小。2008年中国城市和农村地区孕产妇住院分娩率分别达到97.5%和92.3%，提前实现了2010年农村孕产妇住院分娩率的工作目标。⁹⁵妇女病的普查普治进一步普及，妇女期望寿命由2005年的74岁提高到2007年的75岁。健康期望寿命由2002年的65岁提升到2007年的68岁，妇女的身体素质和生命质量进一步提高。⁹⁶

⁹⁴ 中华人民共和国卫生部编：《2009中国卫生统计年鉴》，中国协和医科大学出版社，2009，第191页。

⁹⁵ 中华人民共和国卫生部编：《2009中国卫生统计年鉴》中国协和医科大学出版社2009年版，第199页。

⁹⁶ 中华人民共和国卫生部编：《2008中国卫生统计年鉴》，中国协和医科大学出版社2008年版，第364—365页。

问题与挑战

尽管 95 世妇会后中国妇女的健康状况有了明显改善，但制约妇女健康发展的一些问题尚未根本解决，妇女的健康状况进一步受到全球化、市场化以及性别歧视等因素的影响，妇女健康事业的发展还面临着一些挑战。

1. 对妇女健康在社会发展中的战略地位和重要基础作用的认识尚待提高，政府对妇女保健的公共投入相对不足。虽然这一状况在近 5 年已有较大改善，但迄今为止妇幼卫生经费在政府预算卫生支出中没有单独列项，妇幼卫生状况的改善和事业发展滞后于国家的经济增长。妇幼保健经费不足导致预防性卫生服务覆盖不全，并在一定程度上造成妇女保健系统的弱化，直接影响了妇女保健队伍的稳定发展和业务素质的提高。基层妇女保健队伍服务能力不足和妇女保健系统效率低下，成为妨碍妇女保健事业可持续发展的重要因素。

2. 国家对妇女保健资源的配置不尽合理，保健资源过于集中城市的状况尚未得到根本改变。城乡妇女保健发展不平衡，不同区域间的妇女健康差距仍然较大。农村老年妇女、贫困妇女、残障妇女等弱势妇女群体还难以平等地享有保健的机会、资源和服务。保健服务的公平性、可及性和普惠性仍是当前妇女健康领域的突出问题。

3. 妇女保健体制尚待完善。卫生、计生两大政府部门对妇女保健职责分工不明，服务内容相近，人财物力资源需要进一步整合。妇女保健政策与其他社会政策缺乏有效的协调和衔接，影响了妇女健康的实现。妇女保健领域重医疗、轻预防，重收益、轻服务的现象依然存在，高额收费导致一些能有效降低妇女疾病风险的干预措施难以推广。政府、非政府组织和国际机构合作实施的一些重大项目，尚需加强管理、评估和监督。

4. 对妇女相关疾病及职业卫生和心理健康的关注有待于进一步加强。女性的艾滋病感染、宫颈癌、乳腺癌、卵巢癌等相关疾病的预防和诊疗还需进一步加强。对流动妇女的健康缺乏有效的帮助和行动，对妇女心理问题的干预远远不够，且能力有限。在增强孕产期保健服务的同时，在一定程度上忽视了对妇女健康提供全程性服务。社

会性别视角尚需进一步纳入医疗保障和卫生统计之中，一些重要数据没有进行分性别统计，这将会影响性别公平政策的制定。

对策建议

1. 进一步强化政府在妇女健康促进中的主导作用和责任。各级政府应充分认识妇女健康在构建和谐社会中的基础地位，制定和完善妇女健康的法律政策，并将妇女保健政策与新型农村合作医疗、城乡居民医疗保障等更宽泛的社会政策协调配套，加大法律政策的执行力度。建立制度化的妇女保健经费投入机制。

2. 健全和完善妇女保健的管理服务体系。建立跨部门的高效的妇女健康促进机制。加强妇女保健机构的规范化建设，坚持妇女保健的公益性、共享性。采取突出重点、着重缩小城乡、地区差异的发展策略，将妇女保健工作的重点放在乡村两级，切实提高农村基层保健服务提供者的知识和技能，为农村妇女提供适宜技术和规范化服务。充分发挥非政府组织和妇女组织的优势，进一步扩大国际项目合作，整合妇女保健资源，共同推进中国的社会性别主流化，增进健康领域的妇女赋权和男性参与。

3. 政府应高度关注全球化、市场化、贫富差距加大和社会性别歧视对妇女健康的影响。采取有效措施，防止有毒有害、放射污染等危险因素对妇女健康的危害，保证妇女的职业安全和健康；进一步关注流动妇女的健康，制定可行的规划，实施重大项目干预，切实保障流动妇女的健康权益；加强对农村老年妇女、贫困妇女和病残妇女的专项投入和医疗救助，保障处于不利地位的妇女公平地享有健康服务。

4. 加强对重大感染性疾病的防控力度，关注妇女精神健康。采取更为有效的措施，遏制女性艾滋病病毒感染比例不断上升的趋势；认真开展生殖道感染、宫颈癌、乳腺癌等妇科疾病的查治工作，积极推进在农村妇女中开展妇科病定期检查，最大限度地降低妇女的疾病风险；着力解决妇女健康领域的重点难点问题，提高妇女保健的整体服务水平和质量。关注妇女的精神压力和心理健康问题。

四、反对针对妇女的暴力

进展与成就

北京 + 10 以来，中国反对针对妇女的暴力的法律政策进一步完善，政府各部门的防治责任逐步落实，公众意识得到提高。

1. **国家和地方立法及政策取得进展。**2005 年 8 月修订的《妇女权益保障法》在反对性别暴力上：（1）进一步明确“禁止对妇女实施家庭暴力”，强调“国家采取措施，预防和制止家庭暴力”及各机构防治家庭暴力的责任；（2）第一次提出“禁止对妇女实施性骚扰”及受害妇女的相应权利和相关机构的法律责任；（3）增加“禁止阻碍解救被拐卖、绑架的妇女”，“任何人不得歧视被拐卖、绑架的妇女”等新规定。由此，促进了地方反暴力法规的出台。在已出台的 27 个省、市、自治区《〈妇女权益保障法（修订）〉实施办法》中，绝大多数对预防和制止家庭暴力及反对性骚扰作出相关规定，在界定性骚扰、关注受害者的感受、工作场所性骚扰防治、救助途径和法律责任等方面有所突破。截至 2009 年 9 月，已有 25 个省、市、自治区人大出台了预防和制止家庭暴力的地方法规。

2005 年 8 月通过的《治安管理处罚法》规定，“殴打他人的，或者故意伤害他人身体的”，公安机关可以实施行政拘留、罚款，突破原有“造成轻微伤害的”才能予以处罚的规定，有利于受暴妇女的保护。

2006 年 12 月修订的《未成年人保护法》，增加了“禁止对未成年人实施家庭暴力”，“禁止对未成年人实施性侵害”条款，首次将禁止对儿童实施性侵害写入法律，并规定“公安机关、人民检察院、人民法院办理未成年人遭受性侵害的刑事案件，应当保护被害人的名誉。”

2008 年 7 月，最高人民检察院、公安部、民政等 7 部委联合颁布了《关于预防和制止家庭暴力的若干意见》，对各部门防治家庭暴力的职责做出规定，有利于推动各机构反家暴工作及国家反暴力专项立法的制定。

2. 政府各机构采取反对性别暴力的举措。在反对性别暴力方面，政府各机构加强了责任意识 and 行动力度，加强了跨部门合作及对民间组织的支持。2007年12月，国务院批准了《中国反对拐卖妇女儿童行动计划（2008—2012）》，这是第一个国家级反拐工作指导文件，确定了中国5年反拐工作指导思想、目标任务和战略措施及具体措施与责任分工，成立了由公安部牵头、31个部门组成的国务院反对拐卖妇女儿童行动工作部际联席会议。2009年3月，公安部等29部委联合下发了《〈中国反对拐卖妇女儿童行动计划（2008—2012）〉实施细则》，同年，公安机关再次在全国开展打击拐卖妇女儿童犯罪专项行动。

一些地方的检察机关和法院，在提起公诉及判决时，对家庭暴力情节予以更多重视，使一些因长期遭受家庭暴力被迫杀死施暴者的妇女得到从轻或减轻处罚。2008年最高人民法院应用司法研究所制定的《涉及家庭暴力婚姻案件审理指南》在全国9个基层法院试点，尝试在家庭暴力案件中引入保护令制度。2009年湖南省高级人民法院通过的《关于加强对家庭暴力受害妇女司法保护的指导意见（试行）》在省内进行试点。一些地方的公安机关制定了相关政策和措施，对家庭暴力案件单独统计，把防治家庭暴力纳入警察考核体系。湖南省公安厅2009年5月开始，计划在两年内，对全省2200多个派出所所长进行培训，其中增加了干预家庭暴力内容，已经接受培训的警察提高了干预家庭暴力的意识和能力。民政部门积极探索受暴妇女救助机制，已在全国近20个省市自治区约60个城市的救助管理站设立了家庭暴力庇护中心。⁹⁷2007-2010年，卫生部妇社司和中国疾病预防控制中心妇幼保健中心与联合国人口基金合作进行反对针对妇女的暴力医疗干预项目，旨在建立医院救助受暴妇女工作机制及多部门多机构合作机制，提高试点地区医疗机构处理针对妇女暴力的服务能力。为预防与网络有关的性侵害案件，2007年信息产业部出台《关于依法打击网络淫秽色情专项行动工作方案的通知》；同年，中宣部、教

⁹⁷ 中国妇女报，2009年7月14日。

育部、公安部等十部门在全国范围内组织联合开展依法打击网络淫秽色情专项行动等。

3. 非政府组织和研究机构开展反暴力行动。全国妇联积极开展反暴力国际合作项目：（1）2000 年至今，与澳大利亚人权委员会合作开展“中澳人权合作项目”，在上海、辽宁、新疆、山东、安徽、湖南等地召开了国家级反家暴培训研讨班。（2）2005 年中国妇女研究所与国际劳工组织合作的“在 3+1 机制中提高社会性别主流化能力项目”，在京召开了“反对工作场合性骚扰国际研讨会”，这是第一次在国家层面从人权和法律的高度就反对工作场所性骚扰展开研讨。（3）2000-2008 年与国际劳工组织合作的“湄公河次区域反对拐卖妇女儿童项目”在湄公河次区域 5 个国家及中国云南省开展；2004-2008 年，与国际劳工组织合作开展“中国预防以劳动剥削为目的的拐卖女童和青年妇女项目”。（4）2006-2010 年，与联合国人口基金合作开展社会性别平等项目，在浏阳、承德进行了反对针对妇女的暴力项目试点。

民间妇女组织：（1）开展多种形式的宣传。2007 年，中国法学会反对家庭暴力网络和网易响应联合国妇女发展基金形象大使妮可·基德曼发起的全球签名活动，在互联网上开展“对针对妇女的暴力说不”的公众签名活动；2008 年中国法学会反家暴网络支持北京 8 所高校学生社团开展反家暴辩论赛；中国法学会反家暴网络、陕西妇女理论婚姻家庭研究会等机构发起的“反对性别暴力 16 日行动”，于 2008 年国际反暴力 16 日行动期间在全国 9 个省市自治区展开。河北迁西、海南儋州等地在中小学开展了反家暴教育试点。（2）关注边缘人群，开展艾滋病与家庭暴力、女同性恋与家庭暴力、流动妇女与家庭暴力等研究与干预项目。⁹⁸（3）进行政策倡导和立法建议。中国社科院法学所性别与法律研究中心与中国法学会反对家庭暴力网络制定的《关于人民法院审理性骚扰案件的若干规定》的专家建议稿，于 2007 年、2008 年连续两年通过人大代表和政协委员向两会提交议案；北京红枫妇女心理咨询服务中心、广州中山大学女性与性别研究中心与浙江省社科院社会学所合作起草的《工作场所性骚扰防治法》草案，

⁹⁸ 这些项目分别是迁西妇联、儋州妇联及女同性恋组织“同语”、北京市妇联、云南民族学院等机构与反家暴网络第三期（2006-2009）合作项目。

2009年3月通过人大代表提交了议案。2008年北京青少年法律援助与研究中心制定了《律师办理未成年被害人性侵害案件指导意见》，并向有关部门提出立法和司法救助建议。(4)2008年北京大学法学院妇女法律研究与服务中心与河北某企业合作制定了国内首个防止职场性骚扰的企业制度；2009年与北京市海淀区妇联合作，协助两个企业出台了防止性骚扰制度。

问题与挑战

尽管中国政府和民间组织在反对针对妇女的暴力方面取得了明显进步，但由于中国正处于经济社会的转轨时期，社会矛盾比较集中和复杂，加之历史上男尊女卑的观念的影响没有彻底消除，目前中国社会中家庭暴力、对女性的性骚扰现象仍不同程度地存在；强迫卖淫、被迫提供色情服务现象比较严重；流动妇女、农村留守妇女和女童、服务和娱乐场所工作的年轻妇女等，受性侵害比例较高。拐卖妇女儿童犯罪呈现出新特点：从强迫婚姻、非法收养，到强迫劳动、被迫卖淫、被迫乞讨等多种形式犯罪并发；跨地区、跨国境趋势明显，被拐卖妇女儿童呈现低龄化趋势等。中国反对针对妇女的暴力工作还面临如下挑战：

1. **反对针对妇女的暴力的立法有待进一步加强。**尚无全国性反对性别暴力的专门法律，已有的相关规定散见在不同法律及地方法规中；对家庭暴力界定过窄，对家庭成员实施的暴力处罚明显比陌生人轻，使受暴妇女难以得到有效保护。刑法及刑事诉讼法的有关规定使很多性侵犯行为不能作为强奸罪认定，性侵害立案难；婚内强奸在立法和司法实践中没有得到重视；性暴力被害人的法律救济不完善，对特定关系（亲属、教师等）人与未成年少女发生性关系的案件关注不够。反性骚扰的国家立法和地方性法规偏于原则性，缺乏操作性，对职场交换性性骚扰及单位责任重视不够。

2. **反对针对妇女暴力的机制有待进一步完善。**以政府为主导的多机构合作干预机制不完善，受暴妇女和目睹暴力的儿童在精神和心理上的伤害没有得到足够重视，缺少有针对性的心理咨询及治疗服务；

受害妇女庇护场所不足，庇护场所功能单一；对受各种暴力侵害妇女的法律救助力度不够。反对性别暴力经费缺少制度保障，基层社区工作者开展反暴力宣传和救助工作的技巧、方法有待加强。

3. 全社会对于反对针对妇女的暴力的认识有待进一步提高。首先，决策机构和执法部门的人权和性别意识及性别平等、反对性别暴力理念不足。将家庭暴力视为私事的观念仍在政府部门及立法、执法人员中存在，使一些现行法律可以解决的问题被推诿或搁置。其次，公众对性别暴力的认识和参与反暴力行动的意愿有待提高；传媒对分人群开展不同内容的宣传倡导不够。受传统贞操观和责备受害者文化影响，大多数受暴妇女被迫屈从和忍耐，大量家庭暴力和性暴力、性骚扰被掩盖，施暴者得以逃避惩罚。

4. 数据与研究不足。缺乏对针对妇女的暴力的各项统计数据及其严重性和危害性的研究。

对策建议

1. 推动立法。一是积极推动出台反对一切形式对妇女暴力的全国立法，有条件的可先出台，如反对家庭暴力、反对职场性骚扰的法律或规定。二是修改相关法律中关于家庭暴力的界定及刑法、刑事诉讼法中的强奸立案标准，取消嫖宿幼女罪，扩大被害人的保护范围。三是对未成年人与特定人发生性关系给予关注，并纳入司法和执法中；规定禁止教师与在校学生恋爱及在各种名义下实施的性侵犯和性骚扰。

2. 完善政府主导的综合防治针对妇女暴力的机制。充分发挥政府的主导作用；⁹⁹将各级政府、社会机构及民间组织纳入防治机制，明确各机构的职责，建立评估、考核标准和实施机制。各级政府应为相关工作提供必要的、专门的经费保障。完善被害人救助机制，从法律上规定对遭受家庭暴力、性暴力、性骚扰等被害人的特殊救助程序，设立紧急救助场所；建立跨部门、多专业的保护网络，为被害人提供包括法律援助、心理辅导、物质帮助等综合服务；为受暴妇女提供就

⁹⁹ 反拐工作政府始终占据主导位置，但对防治家庭暴力、性骚扰等，政府缺乏承诺和执行力度。

业培训等参与社会发展的条件；针对未成年性侵害受害人的后续安置和生活保障面临的问题，强化国家监护和社会救助。

3. 加强培训，提高意识和能力。对决策者及相关部门人员加强社会性别平等及防治基于性别的暴力知识培训，提高各机构、特别是立法和执法部门的社会性别敏感和干预性别暴力的能力，依法公正审理各类针对妇女的暴力案件。各机构在处理家庭暴力、性侵害等案件中，应注意保护被害人隐私权、名誉权，防止对被害人造成二次伤害。提高用人单位制定及执行部门规章的能力。

4. 加大社会宣传与教育。批判和澄清传统偏见、定型观念和习俗对待性别暴力的态度和立场，从社会、经济、文化等不同层面开展工作，提高意识，标本兼治。在打破传统性别角色定型、反对性别歧视、反对职场潜规则、促进性别平等及保障人权等方面应特别着力。

5. 继续加强与国际社会和非政府组织的合作。借鉴国际经验以推动我国反对针对妇女的暴力工作的开展。支持非政府组织开展防治针对妇女的各种暴力的研究倡导活动及对受害者的救助行动，充分发挥非政府组织的作用。

五、妇女与经济

经济全球化和加入世界贸易组织使中国的经济体制和管理模式日趋受到全球经济的影响，尤其是 2005 年以来，贸易自由化和市场化对中国城乡妇女的就业机会和经济收益产生了多方面影响。与此同时，中国政府逐渐确立以人为本的发展理念，集中解决教育、就业、医疗、社会保障、住房、交通等各类民生问题，使妇女参与经济并分享经济发展成果的状况得以好转。

进展与成就

1. 批准国际公约，颁布相关法律政策，促进经济领域的性别平等。中国逐渐重视推进经济领域反歧视法律制度的建设，2005 年，全国人大常委会批准加入国际劳工组织《就业和职业歧视公约》（111

号公约), 2006年, 中国政府签署了国际劳工组织亚太地区体面工作技术框架, 为实现“人人享有体面工作”的战略目标作出重要承诺。2007年全国人大常委会相继颁布了《劳动合同法》、《就业促进法》、《劳动争议调解仲裁法》, 对保障劳动者平等就业权利给予特别强调, 为减少就业歧视、实现体面工作创造了法律环境。同年全国人大通过的《物权法》六十三条明确规定, “集体经济组织、村民委员会或者其负责人作出的决定侵害集体成员合法权益的, 受侵害的集体成员可以请求人民法院予以撤销”。这一规定使农村妇女的土地权益得到法律保障。

中国政府积极应对国内经济形势的变化和国际金融危机的挑战, 继2002年推进积极的就业政策以来, 陆续颁发了《国务院办公厅关于做好农民进城务工就业管理和服务工作的通知(国办发[2003]1号)》、《中共中央办公厅国务院办公厅印发〈关于引导和鼓励高校毕业生面向基层就业的意见〉的通知(中办发[2005]18号)》、《国务院办公厅转发人力资源社会保障部等部门关于促进以创业带动就业工作指导意见的通知(国办发【2008】111号)》、《国务院关于做好促进就业工作的通知(国发【2008】5号)》、《关于建立选聘高校毕业生到村任职工作长效机制的意见(中组部等12部委, 2008)》等一系列政策性文件; 积极开展“完善农民工就业服务的春风行动”、“建立高校毕业生就业见习制度”、“实施就业新起点计划”、“推进零就业家庭就业援助”等行动, 对于促进女性就业和自主创业、推动女大学生就业发挥了重要作用。黑龙江省首次将反对就业歧视列入劳动监察之中, 在反对就业歧视方面取得突破性进展。广东省推行男性生育假, 对有家庭责任的男女职工的平等就业机会提供了政策保障。

2. 发挥政府、工会、企业三方机制的作用, 与非政府组织紧密合作, 维护妇女的劳动权益。中国政府自2000年建立三方机制以来, 积极与国际劳工组织和非政府妇女组织合作, 开展对111号劳工公约的培训、开展对《同工同酬公约(100号)》、《有家庭责任的男女工人机会和待遇平等公约(156号)》、《生育保护公约(183号)》在中国相关情况的调研和研讨, 促进上述公约的执行或签署。政府劳动部

门与妇联、残联、民委等组织合作，开展就业培训、发放小额贷款，为妇女创业就业搭建平台，保障妇女平等就业权益。中国工会逐步完善女职工权益保障机制，积极开展专项集体合同的签订，推进在非正规就业组织中发展工会和女职工组织。截至2008年12月底，女职工专项集体合同签订数达到55.78万个，覆盖企业76.81万家，覆盖女职工4094.37万人，其中28个省的专项集体合同签订率达到80%以上。¹⁰⁰全国工会女会员数为7773.8万人，占工会会员总数的36.64%。¹⁰¹中国企业联合会推进企业承担社会责任，创造对女职工友好的工作环境，防治工作场所的性骚扰，增强对女职工权利的保护。

3. 城乡妇女就业状况和就业环境趋于好转。在劳动力供大于求的就业形势下，近年来，中国城镇女性在正规部门的就业一直保有一定比例。截止2007年底，全国城镇单位女性就业人员为4540.3万人，占城镇单位就业人员总数的37.76%。¹⁰²占企业家总数25%的女企业家在对中国经济与社会发展做出了巨大贡献的同时，还积极吸纳女性就业，据调查，2008年有66%的女性企业家主导的企业，女职工的比例在50%以上。¹⁰³据国家统计局数据，至2008年底，全国共有外出农民工约14041万人，¹⁰⁴另据国家计生委统计，青壮女性流动劳动力约为4870万人。¹⁰⁵中国政府设立国务院农民工工作联席会议，不断强化对农民工权益的保护，形成农民工工作和权益保护的协调机制。女农民工和流动妇女、儿童权益保护的制度性障碍正在逐步消除，生活状况正在明显改善。收入稳步提高，享有了更多公共服务，友好的社会环境，维权成本降低。社会主义新农村建设的推进和取消农业税、直接补贴等国家各项惠农政策的落实，提高了以女性为主的农村劳动力的农业生产积极性；生态农业与规模农业的发展和农业专业合作组

¹⁰⁰ 全国总工会女职工部，《专项集体合同简报》（内部数据）。

¹⁰¹ 中华全国总工会研究室编，《2005年中国工会统计年报》（内部资料）；《2008年中国工会统计年报》（内部资料）。

¹⁰² 根据《中国劳动统计年鉴2008》数据计算，中国统计出版社2008年版。

¹⁰³ 数据来源：中国女企业家协会提供。

¹⁰⁴ 国家统计局网，http://www.gov.cn/gzdt/2009-03/25/content_1268173.htm。

¹⁰⁵ 耿兴敏，“寓管理于服务，突出保护流动育龄妇女权益——专访国家人口计生委副主任王培安”，《中国妇女报》2008年6月4日。

织的发展，提高了农村妇女经济收益水平，促进了生活环境的改善；各级妇联组织开展的各种实用技术培训、“巾帼示范村”创建活动和 26 万多个巾帼科技示范基地的建立，增强了农村妇女在农业生产和乡村文明建设中的作用。

4. 城乡女性在享有社会保障方面，取得了突破性进展。随着中国“覆盖城乡居民的社会保障体系”建设步伐的加快，城乡女性在享有社会保障方面，取得了突破性进展。城镇居民医疗保险将女性比较集中的非正规就业者、家务劳动者纳入医疗保险范围。高达 91.5% 的新型农村合作医疗参合率，为改善女性健康状况创造了有利条件。2009 年 9 月国务院发布了《关于开展新型农村社会养老保险制度试点的指导意见》，至 2009 年底，新型农村社会养老保险试点将覆盖 10% 左右的县（市），包括女性在内的农村人口将享有国家普惠式的养老保障。与此同时，就业关联性的各项社会保险覆盖面逐步提高，2008 年参加城镇基本养老保险、医疗保险、失业保险和工伤保险的人数均比 2005 年有较大增加；特别是参加生育保险的人数达 9181 万人，是 2005 年的 1.7 倍。2008 年，包括 947.7 万名妇女在内的 2334.8 万城镇人口和包括农村妇女在内的 4305.5 万农村人口得到了最低生活保障，¹⁰⁶城乡最低生活保障应保尽保的目标正在逐步实现。

问题与挑战

虽然中国政府在促进妇女的经济参与和决策方面做出了积极努力，取得显著成效，但由于中国正处于经济转型时期，历史上形成的城乡二元机制的隔离，再加上全球化背景下世界经济形势变化和全球性金融危机等突发事件带来的影响，使中国经济领域的性别平等还面临着一些多重的复杂挑战。

1. 法律政策及其执行机制仍不够健全，政府在促进经济领域性别平等中的责任有待于进一步加强。中国不仅缺乏完善的反就业歧视的机制，而且在法律上没有明确就业歧视的定义，以至男女差别退休年龄、对女性某些职业的限制等始终未在法律中得到清理和纠正。在消

¹⁰⁶ 民政部，《2008 年民政事业发展统计提要》，中华人民共和国民政部网。

除就业性别歧视、促进就业平等中，政府部门未能很好地起到率先和引领作用。公共服务领域和公共服务事业的过度市场化，加重了家庭生育成本和妇女的经济负担，成为妇女经济参与的另一障碍。缺乏性别视角的新型农村养老保险制度设计，将部分达到或接近获得保险金年龄的农村贫困妇女拒之门外。

2. 就业机会不平等，性别歧视现象依然存在。在劳动力供大于求的情况下，用人单位为追求经济利益最大化，普遍存在生育歧视、设置性别限制、抬高女性就业门槛的情况，城镇女性就业、再就业难的问题尚未得到根本解决；女大学生就业仍然困难，并逐渐蔓延至女硕士和女博士；职业场所性骚扰现象持续存在。

3. 非正规就业比例偏高，就业层次较低、职业隔离程度有所扩大。就业女性的职业层次总体偏低，女性非正规就业比例大大高于正规就业比例，也明显高于男性非正规就业比例，¹⁰⁷就业和职业中横向和纵向的性别隔离均有所扩大。从而进一步加大了男女两性的收入差距，降低了女性就业的稳定性和社会保障的水平。

4. 流动就业女性权益受侵害问题仍然比较突出。流动女性就业更困难、失业的可能性更大，更容易被排斥在与就业有关的社会保障体系之外。现行的生育保险仍未将流动就业女性囊括进来。与此同时，流动就业女性的劳动保护问题仍然突出，超时加班、有毒有害作业等威胁女工健康，职业病情况未见根本好转。

5. 农村留守妇女问题日渐突出。受“迁而不移”的候鸟式流动模式的限制以及女性非农转移滞后的影响，截止到2006年底中国农村留守妇女已达4700万。¹⁰⁸“既主内又主外”的双重劳作加重了留守妇女的劳动负担，生产生活压力增大，身心健康受损；受教育水平偏低和技术培训机会的缺失，致使留守妇女难以适应现代农业发展；长期存在的农业收益偏低问题，使她们的超额劳动正在逐步贬值，降低了她们的家庭地位。

对策建议

¹⁰⁷ 参见蒋永萍，“中国妇女的就业状况”，《中国性别平等与妇女发展报告1995-2005》，社会科学文献出版社2006年版。

¹⁰⁸ 叶敬忠，《阡陌独舞：中国农村留守妇女》，中国农业大学出版社2008年版。

1. 在宏观经济政策中纳入社会性别视角，制定和完善妇女平等参与经济活动的相关法律政策。细化《妇女权益保障法》、《就业促进法》、《劳动合同法》等相关法律法规在促进公平就业方面的原则规定，明确界定“就业歧视”的内涵和外延。尽快修订《社会保险法》、《土地管理法》、《女职工劳动保护规定》，并在修订中充分体现社会性别的观点。尽快完善生育保险制度，明确生育的社会价值，强化政府在生育价值补偿中的责任，切实维护妇女的经济权益。将性别观点纳入城乡社会保障制度设计与执行中。加强和完善经济领域分性别数据的收集和分析。

2. 健全保障妇女平等参与经济活动、获得公平收益的执法监督机制，加大惩处力度。要建立性别审计和性别评估机制，对就业、社会保障政策的性别影响进行评估。健全以政府劳动部门为主体，有关部门参加的劳动保护监督检查机构，畅通执法监督渠道，将对女性劳动权益保障的执法监察作为经常性工作内容，及时依法严肃处理侵犯女职工权益的案件。

3. 发展并完善公共服务体系，支持、扶持妇女就业创业。政府人力资源管理部门和就业服务机构及妇联、工会等社会团体，要通过多种渠道为妇女提供职业指导和就业培训，切实提高妇女的就业能力；要加大对女性就业的服务力度，规定政府公益岗位招收女性的比例；要支持和引导妇女特别是女大学生兴办私营、个体企业和中小型科技企业；要疏通投融资渠道，建立女性创业基金，解决女性创业与发展的资金需求；要发展婴幼儿照料、老年生活服务、家庭教育支持等社会公共服务，减少妇女后顾之忧，帮助有家庭责任的男女工人更好地平衡工作和家庭。

4. 强化对女农民工的权益保护，发展完善以人为本的劳动力转移模式。要监督企业依法招收和辞退农民工，切实保障农民工工资的按时足额发放，确保女农民工职业安全与健康。要建立健全外来农民工的利益表达机制，在立法与经济社会发展决策中，反映女性农民工的诉求。要加快农民工的市民化进程，不断为农民工夫妻团聚、举家迁移创造条件。逐步转变以农村家庭夫妻分居、父母子女分离为代价的

劳动力转移模式，减少乡城流动对妇女的负面影响。

5. 加大对农村、农业的支持力度，加快现代农业的发展步伐，促进农村妇女生产生活状况的改善。要加大农业基础设施建设的投入，提升农业生产规模和经营收益，增加农村女性的经济收入；要健全农业生产互助合作组织，开展便于农村妇女参与的科技培训，提高妇女在发展规模农业、生态农业中的作用；要通过寻找新经济增长点，围绕农产品深加工和农民需要，发展二、三产业，帮助留守妇女和返乡妇女实现多种形式的就业创业；在执行土地承包管理政策、制度时，要充分考虑妇女的实际需要，切实保护妇女的土地权益。

六、妇女参与政治与决策

妇女参与政治与决策是妇女发展的关键领域和重要方面。在国家立法的保障下，中国政府积极行动，不断推动中国妇女参政与公民社会建设的进程，使妇女参与政治与决策的比例有所上升，参政能力不断提高。

进展与成就

1. 出台了新的法规政策。2005年，第十届全国人民代表大会常务委员会通过了《中华人民共和国妇女权益保障法》(修正案)，规定“国家机关、社会团体、企业事业单位培养、选拔和任用干部，必须坚持男女平等的原则，并有适当数量的妇女担任领导成员”。2007年，全国人大十届五次会议正式通过了《关于第十一届全国人大代表名额和选举问题的决定》，明确要求“第十一届全国人民代表大会代表中，妇女代表的比例不低于22%”。¹⁰⁹2009年，中共中央办公厅、国务院办公厅印发了《关于加强和改进村民委员会选举工作的通知》，要求“把更多女性村民特别是村妇代会主任提名为村民委员会成员候选人”。以上法规和政策的颁布与实施，为推动妇女参政提供了一定的

¹⁰⁹ 第十届全国人民代表大会第五次会议《关于第十一届全国人民代表大会代表名额和选举问题的决定》，新华网，2007年3月16日。

法律与政策支持。

2. 采取了积极的推进行动。为改变妇女参政的徘徊局面，中国采取了一系列推动妇女参政的积极行动。

2006年，中组部召开了全国培养选拔女干部、发展女党员工作座谈会，强调“要正确评价女干部对社会和家庭的双重贡献，在政策上给予适当的倾斜，在同等条件下优先选拔任用女干部”。同时，中组部还注重在基层发展女党员，要求“努力把各个行业、各个领域的优秀妇女吸收到党组织中来，实现女党员数量逐年增长”。截至2008年底，中国女共产党员占党员总数的21.0%，当年发展的280.7万名新党员中，女党员的比例达36.4%。¹¹⁰

中组部还加强了与妇女组织的合作，注重发挥全国妇联在推动妇女参政中的作用。2007年，全国妇联在调查研究并与政府部门沟通合作的基础上，下发了《关于积极配合党委组织部门做好优秀女干部推荐工作的通知》，建议有关部门在制定推选方案时，要有“提名比例、女性界别”等要求，注重推选“有参政议政能力、年纪轻、学历高、有基层工作经验的各界优秀妇女”，发挥了妇联组织在推动妇女参政方面的桥梁与纽带作用。

政府有关部门积极推动公民社会建设，引进或参与了公民社会建设项目。一些非政府妇女组织通过国际项目，以区域合作的方式，在河北、湖南、陕西、天津等省市开展了推动妇女进村委会、加强村委会女委员和女主任的能力建设项目，积极推动妇女入选村委会或村党支部。

5年来，在政治民主建设与公民社会建设进程中，各级人大女代表、政协女委员不断加强对妇女参与政治与决策问题的关注，全国人大女代表和政协女委员多次就妇女参政、男女平等离退休、反对家庭暴力等提出相关议案或提案。

3. 女性参政比例有了一定提高。5年来，在中国政府的促进和社会各届的关心推动下，全国人大女代表、各级女干部、村委会女委员和女主任的比例有了不同程度的提高。

¹¹⁰ 谭浩，“新中国成立60年来中国共产党党员增加16倍，总数近7600万名”，新华网，2009年6月30日。

2008年，全国人大女代表占代表总数的21.3%，比上届提高了1.1个百分点；¹¹¹全国人大常委会共推选出161位常委，其中女常委的比例为16.1%，比上届提高了2.9个百分点。

2008年十一届全国人大一次会议通过的国务院27个部委部长人选中，女部长3人¹¹²，占11.1%，改变了上一届政府组阁时女部长空缺的状况。同年产生的新一届全国人大、政府、政协领导班子成员中，女干部达106人，占干部总数的13.0%，其中，在任省级正职女干部6人，占同级干部总数的6.5%。¹¹³2007年，我国地（厅）级女干部的比例为13.7%，比2005年的12.9%提高了0.8个百分点；县（处）级女干部的比例为17.7%，比2005年的17.2%提高了0.5个百分点。¹¹⁴¹¹⁵截至2008年，全国女干部的比例达到39%¹¹⁶，其中，浙江和新疆的女干部比例已超过45%。¹¹⁷

截至2008年底，全国村委会成员中女性比例为21.7%¹¹⁸，比2005年的15.5%提高了6.2个百分点¹¹⁹。同年，湖南省村委会成员中女性比例达到31.4%¹²⁰，比上届提高了1.3个百分点。截至2009年7月，江苏省南通市女村委委员占委员总数的33.4%，其中女村委主任占主任总数的11.5%，比全国平均水平高出8.8个百分点。¹²¹

4. 公民社会建设取得新发展。公民社会建设是扩大民众有序参政的有效途径。伴随着公民社会的发育，中国政府更加注重对非政府妇女组织的支持，妇女组织呈现出多样性的发展态势。截至2008年，我国共有83.3万多个妇联基层组织，7.6万多名妇联干部和近百万兼职妇女工作者。¹²²2005年，我国各级各类妇女组织为9031个，其

¹¹¹ 全国妇联妇女研究所，《妇女研究内参》2008年第1期。

¹¹² 新华社，“国务院27个部委新任领导人名单”，新华网，2008年3月17日。

¹¹³ 全国妇联妇女研究所，《妇女研究内参》2008年第1期。

¹¹⁴ 国家统计局人口和社会科技统计司，《中国社会中的女人和男人——事实和数据（2004）》，中国统计出版社2004年版；国家统计局和社会科技统计司，《中国妇女儿童状况统计资料》，2008年。

¹¹⁵ 国务院新闻办公室，《中国性别平等和妇女发展状况》，2005年8月。

¹¹⁶ 黄晴宜，“在中国妇女第十次全国代表大会上的报告”，2008年10月31日。

¹¹⁷ 妇联组织部，《各省妇女参政状况汇报材料》，2009年7月。

¹¹⁸ 黄晴宜，“推进农村妇代会主任进‘两委’”，人民网，2009年7月3日。

¹¹⁹ 国家统计局社会 and 科技统计司，《中国社会中的女人和男人——事实和数据（2007）》，中国统计出版社。

¹²⁰ 黄晴宜，“推进农村妇代会主任进‘两委’”，人民网，2009年7月3日。

¹²¹ 张红，“南通——力争村‘两委’委员女性比例达到40%”，人民网，2009年7月3日。

¹²² 参见陈至立，“高举中国特色社会主义伟大旗帜，推动新时期我国妇女运动的创新发展”（在纪念中华全国妇女联合会成立60周年座谈会上的讲话），中国妇女网，

中高等院校妇女组织 730 个，民政部注册登记的妇女社团 2682 个；2008 年，我国高等院校妇女组织数量增至 844 个，民政部注册登记的妇女社团增至 2892 个。¹²³

近 5 年来，妇女组织普遍注重自身能力建设。通过积极推动农村妇代会直选工作，积极就妇女参政问题展开调查研究，向立法机构和政府谏言献策等方式，积极发挥公民社会的作用。在汶川地震期间，一些民间妇女组织和大批志愿者积极投身于抗震救灾和灾后重建工作，进一步推动了公民社会建设。

问题与挑战

虽然中国在推动妇女参政方面采取了多种积极的政策措施，取得了一定成效，但由于历史的、文化的和社会的多种原因，中国在促进妇女参政方面还有许多问题需要解决。

1. 法规政策的系统性和可操作性有待进一步增强。5 年来，国家和各省（市、区）出台了推进妇女参政的相关法规政策，但是并未形成系统有效和有较强可操作性的政策体系。一是一些政策缺乏性别视角，向女性倾斜的力度不足；二是个别政策依然存在性别区别对待的现象，如男女退休年龄不同；三是还存在对女性参政比例缺乏明确规定或规定比例偏低的问题。

2. 对培养选拔女干部的重要性认识有待进一步提高。有些人认为，经济发展了，妇女地位自然就提高了，是否当官无关紧要；还有些人认为妇女素质低、心胸不开阔，不适合担任正职等，这些错误的观念制约着政府推动性别平等责任的履行。

3. 妇女参政比例低、正职少等现象需要引起更高层次的重视。一是全国人大女代表的比例长期徘徊不前，30 年来一直在 21% 上下波动，与联合国提出的妇女在议会中至少占 30% 的目标还存在较大差距。二是女干部比例低，正职少。2008 年选举产生的新一届省级人大、

<http://www.women.org.cn/allnews/1410/9.html>，2009 年 5 月 7 日。

¹²³ 中华全国妇女联合会，《2005 年妇联年度统计汇总表》，2006 年；《2008 年妇联年度统计汇总表》，2009 年。

政府、政协领导班子成员中，正职女干部仅占 6.5%¹²⁴；截至 2009 年初，全国女村委会主任的比例仅为 2.7%左右¹²⁵，女干部的比例与妇女在总人口中所占的比例不相适应。三是对基层女干部的培养尚显薄弱，使妇女参政存在后顾之忧。

4. 公民社会建设滞后，民间组织发展面临诸多挑战。1995 年联合国第四次世界妇女大会以后，中国民间妇女组织得到很大发展。但与公民社会的需求相比，民间组织的发展仍然存在不足，包括经费短缺，人才流失等。政府对公民社会建设的重视不够，对妇女群众特别是基层妇女群众的需求了解和倾听不足。

对策建议

1. 加强研究，提高法规政策的系统性和可操作性。应在深入调查研究的基础上，制定更为系统和完善的法规政策，增加政策的透明性、公开性和可操作性，并加大向妇女的倾斜力度，为妇女参政提供更加坚实的制度保障。

2. 明确规定妇女参政比例，探索提高妇女参政比例的有效机制。应明确妇女参政比例，建立推动妇女参政的机制，特别要注意倾听妇女的呼声，关注基层公民社会建设与妇女发展。

3. 加强对女干部和基层妇女骨干的能力建设。采取多样性的培训方法，分层培训，提高培训内容的针对性，特别注意性别平等，提高社会性别主流化进程和妇女干部的参政议政能力。

4. 不断提高对妇女参政和公民社会重要性的认识，努力营造有利于妇女参政的社会环境。

七、妇女的人权与法律

¹²⁴ 全国妇联妇女研究所，《妇女研究内参》2008 年第 1 期。

¹²⁵ “陈至立在全国推动农村妇女参与村民自治实践经验交流会上的讲话”，中国妇女网，2009 年 5 月 7 日。

进展与成就

1. 妇女人权主题纳入国家人权行动计划，妇女人权事业走上有计划推进的新阶段。2004年3月，“国家尊重和保障人权”载入中国《宪法》，人权成为国家追求的基本价值和目标，这是中国人权事业也是妇女人权事业的一次重大突破，为进一步推进中国妇女人权事业创造了良好的政治法律环境。2006年8月，中国政府派出规模庞大的代表团，参加了联合国消除对妇女歧视委员会对中国政府执行《消除对妇女一切形式歧视公约》第五、第六次联合报告的审查，并在审议后积极推进“结论性意见”所提出的各项建议。2009年4月，中国政府发布了历史上第一个推进中国人权事业发展的纲领性政策文件《国家人权行动计划（2009—2010年）》，明确了未来两年中国政府在促进和保护人权方面的工作目标和具体措施，凸显了国家责任。《行动计划》强调了国家将采取措施进一步保障妇女人权，尤其关切妇女参政、就业、教育、生育健康、针对妇女的暴力、拐卖等问题，标志着包括妇女人权在内的中国人权事业从此走上有计划全面推进的新阶段。

2. 妇女人权法律体系不断完善，妇女人权保障成为关切点。五年来，国家在起草和修订法律法规过程中，高度关注妇女人权保障问题，并在具体立法工作中予以体现，使保障妇女人权的法律法规进一步完善。2005年8月28日通过的《妇女权益保障法》（修正案），明确写入了“男女平等是国家的基本国策”、充实完善了妇女权益保障的内容、加强了对弱势群体的特殊法律保护、突出了政府保障妇女人权的主导地位。2005年8月28日通过的《治安管理处罚法》，明确规定违反治安管理行为人如怀孕或者哺乳自己不满一周岁婴儿的，不执行行政拘留处罚。该规定既是对怀孕妇女的保护，也是对胎儿和婴儿健康发育成长的保护，体现了尊重和保障人权的基本精神。2006年12月29日通过的《未成年人保护法》（修正案）明确规定，禁止对未成年人实施家庭暴力，禁止虐待、遗弃未成年人，禁止溺婴和其他残害婴儿的行为，不得歧视女性未成年人或者有残疾的未成年人。2007

年3月16日通过的《物权法》明确规定“集体经济组织、村民委员会或者其负责人作出的决定侵害集体成员合法权益的，受侵害的集体成员可以请求人民法院予以撤销。”这一规定使农村妇女合法权益受到侵害时有了相应的司法救济途径，有利于切实保障农村妇女合法权益。2007年8月30日通过的《就业促进法》针对就业中对妇女歧视的现象，规定国家保障妇女享有与男子平等的劳动权利。用人单位招用人员，除国家规定的不适合妇女的工种或者岗位外，不得以性别为由拒绝录用妇女或者提高对妇女的录用标准。用人单位录用女职工，不得在劳动合同中规定限制女职工结婚、生育的内容。2007年12月29日通过的《禁毒法》规定，怀孕或者正在哺乳自己不满一周岁婴儿的妇女吸毒成瘾的，不适用强制隔离戒毒，体现了现代法治的精神和对妇女人权的保障。2008年7月31日，最高检、公安部、民政部、司法部、卫生部等七部门联合颁布了《关于预防和制止家庭暴力的若干意见》，对各部门预防和制止家庭暴力的职责做出明确规定，强化了公权力的介入，对预防和制止家庭暴力，依法保护公民特别是妇女的合法权益具有重要意义。

3. 司法和执法机关积极作为，保障妇女人权的职能有效发挥。

2008年3月，最高人民法院中国应用法学研究所制定了《涉及家庭暴力婚姻案件审理指南》，尝试在家庭暴力案件中引入保护令等制度，目前在全国9个基层法院试点。虽然《审理指南》不能作为法律依据，但法官在审理案件时可以充分利用《审理指南》的理念对案件进行说理，《审理指南》成为法院审理家庭暴力案件的有力参考依据。2005年，最高人民法院、最高人民检察院、公安部、司法部联合制定了《关于刑事诉讼法律援助工作的规定》、《关于民事诉讼法律援助工作的规定》，建立了法律援助与司法救助的衔接和配合机制，为经济困难妇女寻求司法救助开辟了一条绿色通道。

4. 政府更加重视和支持非政府组织工作，非政府组织推进妇女人权事业的作用日益突出。

妇女组织在妇女人权法律体系的形成完善过程和维护妇女权益的各项实践中发挥了重要的作用。全国妇联紧跟十届全国人大立法进程，在起草和修订《治安管理处罚法》、《未成年人

保护法》、《物权法》、《就业促进法》、《劳动合同法》等重要法律的过程中，提出了多条涉及妇女权益的建议，有些被采纳。同时，积极争取、主动承担了《妇女权益保障法》修改的基础性工作，向国务院报送了《妇女权益保障法》修改建议稿，成为《妇女权益保障法》的积极推动者和主要参与者。中国法学会反对家庭暴力网络作为专门致力于家庭暴力防治工作的非政府组织，与中国社科院法学所性别与法律研究中心共同起草了《关于人民法院审理性骚扰案件的若干规定》专家建议稿，于2007年、2008年两次向全国人大提交议案。北京红枫妇女心理咨询服务中心、广州中山大学女性与性别研究中心与浙江省社科院社会学所联合起草了《工作场所性骚扰防治法》建议稿，于2009年3月向第十一届全国人大提交了议案。受中国人权事业的驱动，妇女人权研究不断深化，为妇女人权立法及实践提供了理论先导，例如中华女子学院妇女人权研究中心于2005年编写出版了《妇女人权的理论与实践》一书，产生了一定积极影响。非政府组织的积极推动，对于促进妇女享有人权具有非常重要的意义。

问题与挑战

全面客观地审视分析中国妇女人权立法、执法及司法实践，不得不承认，由于历史的、文化的和社会正处于转型阶段等多方面的原因，中国的妇女人权事业仍然面临如下挑战：

1. 面向全社会的人权意识和社会性别意识的宣传教育有待进一步加强。大中小学课程及教科书中有关人权和社会性别意识的内容不足，广播、电视和印刷品等媒体宣传中存在着一些歧视、贬低妇女的陈旧定型观念。

2. 妇女人权法律体系有待进一步完善，立法质量有待进一步提高。《妇女权益保障法》等法律中没有对歧视进行明确界定，直接影响到法律在审判实践中被切实遵从。缺乏全面禁止针对妇女一切形式暴力侵害的全国性立法，已有的相关规定散见于不同法律法规中，相互之间缺乏衔接，不够周延；部分法律规定过于抽象笼统，缺乏操作性，缺乏可诉性，在司法实践中难以直接援用，影响了法律的执行；

部分违法行为没有相应的惩罚措施或惩罚力度不够，缺乏有效的救济手段。一些有关妇女人权的政策法律缺乏社会性别意识。

3. 弱势妇女群体的权益保障问题仍待关注。家庭暴力、侵犯农村妇女土地承包权、就业性别歧视、拐卖妇女和女童、强迫妇女和女童进行性服务、非法进行性别选择堕胎等行为依然不同程度地存在。农村留守妇女、女童面临着人身、财产和性安全的问题；流动人口中妇女生活保障和女童的教育机会等问题凸显；单亲、特困、残疾，空巢家庭老年妇女的社会保障问题不容忽视。

4. 执法、司法人员的社会性别意识有待进一步提高。执法和司法机关的工作人员对社会性别分析工具的理解和认识还有待提高，社会性别意识和能力有待进一步提升。

对策建议

1. 全面提升全社会的人权意识和社会性别意识。在大中小学课程及教科书中纳入相关内容，提高性别敏感，采取措施消除媒体及社会文化中对妇女和男子在社会中作用的陈旧定型观念。

2. 在法律中明确规定对妇女歧视的定义。参照联合国《消除对妇女一切形式歧视公约》中“性别歧视”的定义，在相关法律的制定和修订中作出对妇女歧视包括直接歧视和间接歧视的定义。

3. 进一步完善立法、提高立法质量。在国家层面推动出台禁止针对妇女一切形式暴力侵害的法律；法律规定得应更加具体、明确，便于操作；强化法律责任，在执法主体、处罚办法、救济方式和执法机关的职责等方面作出明确具体的规定，进一步加大对侵权行为责任人和有关单位、部门的惩处力度，为受害妇女提供及时、有效、便利的法律救济手段。加强社会性别方面的研究和数据收集，数据收集时注意按性别分列，使之成为体现两性状况比较的分性别指标而不是孤立的妇女指标。

4. 进一步遏制侵害妇女权益的行为，重视妇女弱势群体的权益保障问题。开展法制宣传教育，严格执法，加强监测现行法律的执行情况，遏制侵害妇女权益的行为。充分利用暂行特别措施，明确指标和

时间表，加快实现妇女与男子实质上平等的目标。关注和重视留守妇女、流动妇女以及特困妇女等群体的权益保障问题，进一步评估分析原因，在助困、助医、助学等方面建立相应的救助机制。

5. **加强对执法和司法人员的社会性别意识培训。**对执法人员和司法人员广泛开展社会性别意识培训，提高他们的社会性别意识，强化社会性别分析、社会性别政策法律执行的能力。

八、妇女与媒体

进展与成就

1. **出台了有利于性别平等的媒体政策法规。**政府相关部门出台的规章和规范性文件，客观上有助于减少传媒中的性别陈规定型，以及消费主义对妇女形象的侵犯。2007年，国家广播电影电视总局联合国家工商总局发出《关于整顿广播电视医疗资讯服务和电视购物节目内容的通知》，要求各地电视台暂停有关丰胸、减肥、增高产品的电视购物广告；2007年，国家广播电影电视总局、信息产业部发布《互联网视听节目服务管理规定》，禁止视听节目中的色情和淫秽内容；2007年《广电总局关于重申禁止制作和播映色情电影的通知》、2008年《广电总局关于重申电影审查标准的通知》、2009年《广电总局关于加强互联网视听节目内容管理通知》，详细规定了电影和互联网视频不得出现的各种色情淫秽内容。

2. **妇女参与和运用媒体及新通讯技术取得新进展。**伴随着中国媒体产业的快速发展，妇女在大众媒体中的从业人数和比例从20世纪90年代中期的32%上升到2007年的42%左右；¹²⁶一些女性担任了有影响的电视和广播节目的制片人，一些主要媒体中女性进入中高层管理和决策的人数有所上升。妇女对新通讯技术的使用进一步增加。截至2009年6月30日，中国网民规模达到3.38亿人，其中女性网民占47%，比2005年提高了6个百分点；农村女性网民占农村网民

¹²⁶ 参见国家统计局社会和科技统计司编，《2008中国妇女儿童状况统计资料》，第35页。

的 44%。¹²⁷越来越多的普通妇女通过网络论坛、博客、电子邮件组、QQ群等形式获取信息，讨论问题，发表意见。妇女组织的网站、女性主义学者和活动家的博客有了进一步的发展，性别平等的声音有了更多的表达和传播途径，并促进了妇女组织的互联网应用。妇女的替代性媒体借助互联网有了发展的可能。

3. 大众媒体与妇女组织的合作关系有了新的发展。妇女组织继续以社会性别视角努力影响大众媒体，并推动媒体关注对妇女的暴力等社会性别议题。方式包括：运用媒体监测结果开展倡导，对媒体领导人和编辑记者进行社会性别培训，与有影响力的传统媒体以及网络媒体合作共同策划专题活动、开展媒体评奖等。例如，全国妇联和国际劳工组织合作的“中国预防以劳动剥削为目的的拐卖女童和青年妇女项目”，在云南、常州等地举办了多次“媒体反对拐卖培训班”，并推广关于拐卖报道的伦理原则。

4. 大众媒体对妇女和社会性别议题的报道有一定拓展。媒体对两性形象和气质的表现更加多元，对所谓“中性”等另类气质和形象 的报道甚至追捧，在客观上带动了公众特别是年轻人对传统性别规范的反思和挑战。一些过去从未成为新闻主题的妇女议题（如防止拐卖、性工作者在遏制艾滋蔓延中的参与）得到媒体呈现，流动妇女、女同性恋、性工作者、HIV 感染者等边缘妇女群体的生存状况和权益诉求得到了一定程度的揭示。一些性别暴力事件在网络和传统媒体的介入后受到社会广泛关注，促进了特定个案的解决，增强了妇女从受害者到抗争者的形象赋权。

问题与挑战

在看到中国媒体中的性别平等取得的成绩的同时，也应该认识到，由于市场化、商业化以及媒体从业人员和社会公众的意识等方面的原因，中国促进媒体中的性别平等工作还面临着如下挑战：

1. 传媒政策法规仍然缺乏足够的社会性别敏感。《中国妇女发展纲要（2001-2010 年）》提出“制定具有社会性别意识的文化和传媒

¹²⁷ 中国互联网络信息中心编，《中国互联网络发展状况统计报告（2009 年 7 月）》，第 11 页；《中国互联网络发展状况统计报告（2006 年 1 月）》。

政策”，迄今并无切实举措。在打击网络不良信息的过程中，有些女性网站和博客包括女性艾滋病毒感染者群体的网页也被关闭和过滤。与此同时，对于消费主义影响下媒体继续强化陈规定型、滥用和剥削妇女形象的现象，以及妇女组织、性别专家的批评之声，新闻管理部门则缺乏认识、倾听和回应。

2. 妇女媒体发展困难，新通讯技术带来新挑战。立足于促进性别平等的妇女报纸和电视节目面临市场的巨大压力，其内容质量、传播可及性、社会影响等方面停滞或退步。据统计，截至2009年6月，国内的女性电视频道从十家左右减少到四家。新媒体技术的发展具有双重作用，在用户数性别差异日益缩小的同时，互联网和手机也成为复制、扩散和强化性别陈规定型乃至性别歧视和性骚扰内容的载体。妇女在掌握新媒体的内容上仍处于明显的弱势，其参与性和技术运用能力仍亟待加强，尤其是边远农村妇女、流动妇女对传统媒体及新媒体的使用权利和掌握权利仍难以得到保障。

3. 大众媒体缺乏社会性别意识，性别歧视现象仍然严重。服从传统性别规范的妇女形象在大众媒体中仍有广泛市场，与此同时，以妇女的性特征为招徕的媒体产品也大量存在。老年妇女、贫困妇女、流动妇女的积极形象及其对社会的贡献呈现不足，妇女的多元成就、价值及其能动性仍未受到充分重视。关于妇女发展和性别平等的深度议题仍很少得到报道，主导媒体在这方面尤显薄弱，有时甚至出现负面报道。妇女组织仍缺乏传播平台，其主张经常难以在大众媒体上发表，或有时遭到歪曲。

4. 妇女的媒体参与仍面临障碍。妇女的媒体参与仍多停留在较低层次，并存在性别隔离现象。新闻院系和大学人文社科专业中的女生比例若干年来大都高于50%，而媒体机构中的妇女的比例却只有42%，在管理层决策层的女性比例更低。妇女虽然占到新闻播音主持人的68%¹²⁸，但是她们对媒体内容却缺乏决定和掌握权。女新闻工作者的职业发展，受到年龄、生育甚至相貌等社会性别因素的影响。

对策建议

¹²⁸ 国家统计局社会和科技统计司编，《2008中国妇女儿童状况统计资料》，第35页。

我们主张，遵循《北京行动纲领》关于在符合言论自由的原则下采取行动的精神，鼓励媒体机构自觉制定议程和方案并建立协商和自律机制，以解决自身存在的问题，为此，行业协会、媒体机构，以及媒体工作者都应承担起的相应责任，而国家的作用则主要体现在提供法律和政策环境来督促、鼓励和支持媒体行业及妇女组织的相关努力。

1. 国家和媒体管理部门须进一步建立健全相关机制，保障妇女的传播权利。国家应在基本法律中确认妇女平等运用媒体资源的权利，以及政府、社会、媒体机构相应的保障义务，切实保障《宪法》规定的妇女的言论自由，为妇女发表对决策行政和公共事务的意见提供通畅的媒体表达渠道，重视媒体对妇女/社会性别议题的报道并给予积极反馈，鼓励社会性别视角的舆论监督。传播法规政策不仅应该反色情淫秽，而且应该明示“禁止性别歧视”，并设置相应的标准和监督、投诉、处置机制。国家应投入必要的资源，包括设备、服务和培训，支持和促进农村妇女、流动妇女等边缘妇女使用媒体和通讯传播技术，增强她们通过媒体和新通讯技术表达意见和做出决定的能力。

2. 媒体机构，尤其是国营媒体应做出必要的承诺和机制安排，以提高妇女在行业和机构中的地位。新闻管理部门和新闻传播机构的决策层和管理层中女性的比例应至少达到三分之一。新闻传播机构应该在任务分配中注意性别公平，必要时为女性提供专门的培训和进修机会，通过制定促进妇女发展和性别平等，以及反性骚扰的机构政策和机制，创造性别公正的媒体工作环境。

3. 媒体应采取积极措施以改善对妇女及社会性别议题的报道。支持媒体工作者包括决策层和管理层接受社会性别培训，在对重大社会议题的报道中应该更多采用来自妇女的信息和看法，反映妇女群体多样的需求和关切；鼓励媒体工作者关注和了解妇女及社会性别议题，鼓励他们更多报道多元和超越陈规定型的妇女形象，以及社会性别平等的行动和主张。对有助于促进性别平等的报道及其作者应该给予鼓励和表彰；媒体机构应该认真对待妇女和妇女组织对报道的监督和协商意见，积极解决被指出的问题。行业协会和媒体机构应该采纳或制

定具有社会性别敏感的专业方针、自律守则，以促进消除媒体中的暴力、歧视和侵权现象。

4. **进一步开展媒体性别教育和媒体性别研究。**教育性电视台、高等院校，尤其是新闻传播院系应酌情开设媒体和性别的教育内容和课程；支持妇女组织对边远农村和流动妇女开展媒体素养教育和运用媒体及通讯技术的能力建设；院校和研究机构应该支持设立媒体性别研究中心，并提供相应的资源，将受众的媒体素养与公民的社会性别意识结合起来加以推进。

九、妇女与环境

进展与成就

1. **中国政府制定促进中国妇女参与可持续发展的战略目标。**《中国21世纪议程》中专门谈到了妇女参与可持续发展的问题，提出增加妇女在环境和发展领域中的决策管理人员比例；促进妇女参与农村经济发展和生态环境建设；在消费等领域推动妇女全面介入国家可持续发展战略；建立保障妇女参与可持续发展的执法监督检查机制等行动计划。《中国妇女发展纲要（2001-2010）》将“妇女与环境”确定为六个优先发展领域之一，把保护自然环境作为保障妇女合法权益、促进妇女进步与发展的重要因素，并制定了“提高妇女参与环境保护及决策的程度”的目标及相关的策略措施。

2. **政府努力保护和改善妇女生存与发展的人居与生态环境。**近年来，政府大力推进农村的改水改厕工程，成效较为显著。截至2008年底，全国累计农村改水受益人口8.94亿人，改水受益人口占农村总人口93.6%。农村自来水普及率为65.5%；农村卫生厕所普及率59.7%¹²⁹。政府开展的各种基础设施建设工程，包括推动太阳能和沼气的使用，降低室内污染以及农林业生态建设等项目，也都在一定程度上改善了妇女生存发展的环境。

¹²⁹ 卫生部统计信息中心，《2008年我国卫生事业发展统计公报》，<http://www.moh.gov.cn/publicfiles/business/htmlfiles/mohwsbwstjxxzx/s8208/200904/40250.htm>。

3. 中国政府积极参与国际合作,在有关环境资源管理和促进可持续发展的项目中纳入性别视角。例如,2002-2007年开展的中澳合作青海林业资源管理项目,在实施过程中强调为作为参与者和受益人的男女村民提供平等机会,提高在各级领导和决策层中妇女的参与力度,并通过培训等方式赋权妇女。2007年环境保护部第四届中国环境与发展国际合作委员会在有关项目执行方案中,将制定性别平等战略作为重要内容之一。其主要包括:在有关环境管理和可持续发展的意见和建议中涵盖性别平等视角;将社会性别因素尽可能纳入到各项活动中;尽可能增加女性专家参与委员会的研究、政策形成和决策过程。

4. 中国政府鼓励和支持非政府组织参与环保活动,促进妇女平等参与可持续发展。国家林业局与全国妇联从1990年开始共同实施的“三八绿色工程”继续向纵深发展,1993至2008年,国家林业局为“三八绿色示范基地”建设累计投资约3000多万元,建设了国家级示范基地253个,基地绿化面积达24万余亩,发展以妇女为主的林业大户1100万个¹³⁰。2007年9月,全国妇联、中央文明办及国家发展和改革委员会联合组织实施“节能减排家庭社区行动”,在广大妇女和家庭中树立节能减排的科学观念,倡导有利于节约资源、保护环境的生活方式。为改善西部贫困干旱地区农村妇女的生存与发展,中国妇女基金会从2001年开始实施“大地之爱·母亲水窖”项目,截至2008年底,投放资金(含政府配套资金)累计3.7亿元人民币,修建水窖11.5万多眼,小型集中供水工程1300多处,受益人口近150万,受益范围至23个省区市¹³¹。2009年4月,全国妇联、联合国国际减灾战略秘书处、民政部及联合国驻华机构共同举办了“性别与减灾国际会议”,讨论并通过了《将性别纳入减灾全球行动北京倡议》,提出了加强对性别分析和性别主流化的政治承诺,促进负责减灾、气候变化、扶贫和性别问题的部委之间合作与协作,将性别意识纳入国家发展政策、规划与方案主流等9项行动建议。2004年11月,

¹³⁰ 李育才,“充分发挥妇女‘半边天’作用,全面推进‘三八绿色工程’向纵深发展”,2008年2月1日,中国妇女网。

¹³¹ 数据来源:中国妇女基金会“大地之爱·母亲水窖”项目办公室2008年统计。

中国环境协会的妇女与环境小组将妇女与环境网络发展为妇女环境与健康网络活动中心，致力于对妇女、环境与健康的教育和倡导工作。2006年“陕西省妈妈环保志愿者协会”的“农家生物沼气替代传统烹饪能源”项目荣膺全球绿色能源奖。此外，“北京地球村”及“绿家园志愿者”等民间环保组织继续致力于环保教育和倡导，为政府的环境决策提供事实依据，并积极主动地参与相关决策。

问题与挑战

虽然中国的环境保护事业取得了积极进展，妇女对环保的参与程度不断提高，但在目前中国环境形势依然十分严峻的背景下，降低环境对妇女健康的影响，增强妇女对环境保护的参与，还面临着一些挑战。

1. 可持续发展政策和方案中的社会性别主流化程度有待进一步提高。从国家环境发展战略与政策来看，社会性别很少被当做一个亟待关注的现实与政策问题，还谈不上将社会性别纳入决策主流；决策者对社会性别与环境问题缺乏足够的意识、敏感性、理解及承诺以及将承诺转化为现实的意愿和能力。政府和环境部门有关妇女与环境的政策和行动只是零星、非制度化的，很少明确阐述并关注环境对妇女的特殊影响和妇女参与的重要性，而且未能将社会性别平等、贫困及环境可持续性联系起来。

2. 尚未充分吸纳妇女参与环境管理和决策。妇女获得的环境资源相对较少，而且获取信息和培训的机会也有限。无论是在各级政府还是民间环保组织中，妇女参与环境决策的人数和参与程度都不尽人意。妇女的生态环境知识、经验、关切及需求往往没有得到足够重视，更难以被纳入主流。赋权妇女在男女平等的基础上充分参与环境决策仍面临着巨大的挑战。

3. 缺乏有效的评估机制，在一定程度上限制了可持续发展战略及相关环境政策对妇女影响的评估。缺乏分性别数据的收集、利用和对环境政策的评估标准，不利于相关政策制定、实施和资源分配中的社会性别平等。

对策建议

1. 推动政府将性别观点纳入可持续发展的政策和方案,并根据两性的不同需求制定促进妇女和男性平等参与和受益的策略。建议在干部培训计划中增加环境意识和性别意识的教育,提高决策者的社会性别主流化能力;建立收集、分析和利用分性别和年龄数据的有效机制;积极支持妇女与环境可持续发展的科学研究,特别是环境退化、气候变暖对妇女发展影响的研究,以便为实现社会性别主流化提供决策的基础和依据。

2. 承认妇女在资源管理和环境保护中的作用,并赋权妇女尤其是边缘化的弱势妇女充分参与环境管理和决策。在方案设计、规划和实施中以及政策开发过程中倾听妇女的声音,考虑妇女的权利和需求,以提高妇女参与环境和可持续发展的能力。

3. 建立各级评估机制,以评估可持续发展战略以及相关的环境政策对男女可能造成的不同影响。

十、女童

进展与成就

1. 修改法律并制定促进女童发展的政策目标。全国人大 2006 年颁布了《中华人民共和国未成年人保护法(修订)》,明确提出“未成年人享有生存权、发展权、受保护权、参与权等权利”,“未成年人不分性别、民族、种族、家庭财产状况、宗教信仰等,依法平等地享有权利”,延续使用了“不得歧视女性未成年人”条款。在中国,促进女童发展的国家层面的政策方案主要是《中国妇女发展纲要》和《中国儿童发展纲要》(2001-2010)。《中国妇女发展纲要》提出要解决女童入学率的问题以及要帮助失学、辍学女童完成九年义务教育。《中国儿童发展纲要》则要求“逐步提高女童及流动人口中的儿童保健覆盖率”、“将性别平等意识纳入教育内容”和“切实保障女童受教育的

权利，消除阻碍女童入学的障碍”、“禁止虐待、溺弃儿童，特别是女婴和病残儿童”以及“关注女童和处于特殊困境的儿童，保证其获得健康成长和平等发展的机会”等。全国各省均制定了本地的儿童发展规划，并将其纳入当地经济和社会发展总体规划。国务院妇女儿童工作委员会与各方专家合作，制定了两个《纲要》的监测评估体系，并进行督导。

2. 采取专门行动保护女童权利。一是遏制高出生性别比的发展势头。2005年12月，国务院办公厅转发人口计生委等12个部门《关于广泛开展关爱女孩行动综合治理出生人口性别比偏高问题的行动计划》，明确了分阶段目标，确定了各相关部门的职责。于2003年在全国11个省（区）组织开展的“关爱女孩行动”试点工作，至2004年扩大到24个省（区、市），2007年在全国全面推开。目前已经探索出党政主导、部门配合、群众参与、标本兼治的经验。其中，各地从实际出发，在就学、就业、就医、扶贫、养老、征地补偿等方面，推动出台有利于计划生育女儿户的优先优惠政策，以形成支持女童的良好社会环境。二是反对拐卖妇女儿童。2004年以来，国家层面上的最重要的战略转变是从以公安部为主的“打拐”（打击拐卖妇女儿童的犯罪行为）转向国家各部门合作的“反拐”。“反拐”包括预防、打击拐卖、解救、受害者康复以及重新融入社会等过程，并强调多部门的合作干预。这一战略转变主要表现在国务院于2007年12月颁布的《中国反对拐卖妇女儿童行动计划》（以下简称《行动计划》）中。

《行动计划》的重要意义在于：将反对人口拐卖纳入一种制度安排，进行多方面的综合干预，使之具有法律、社会福利等制度上的保障，而不是一时的或单方的“专项斗争”。

3. 联合国际社会与非政府组织促进女童发展。一是开展针对贫困大龄女童和女青少年的技术教育。2002-2006年，商务部与英国国际发展部在四川、云南和甘肃开展了“中英大龄女童技能培训和能力建设合作伙伴项目”，通过对15-18岁的失辍学农村女童的职业技能和生活技能的培训，使中国西部贫困地区的大龄女童能够参与经济和社会发展，并从中受益。二是开展针对家庭中监护人的性别平等教育。

联合国儿童基金会与中国政府于2006年至2010年发起了“家庭教育与性别平等”合作项目，在天津、黑龙江、上海、河南、广东、广西、陕西、宁夏8个省市试点，将儿童权利的视角和性别平等原则融入指导和推进家庭教育工作中，以提高女孩在家庭中的地位。三是反对针对儿童的暴力。2004年至今，中国政府在联合国儿童基金会的支持下，参与了全球针对暴力的调研活动，并通过召开国家级专家研讨会、基线调研、家庭预防试点、学校预防试点以及受暴儿童救助试点等活动，探讨在中国情境下消除暴力侵害儿童现象的经验。四是中国政府与国际组织（如联合国儿童基金会、国际劳工组织、英国救助儿童会、联合国机构间湄公河次区域反对拐卖人口项目等）合作，开展女童拐卖的预防和干预活动。这些活动覆盖了预防（包括宣传教育和提供服务以及咨询）、打击和解救、受害者保护（包括救助和康复）以及政策和法律检查和完善等领域。

4. 中国的女童教育已取得历史性进展。统计数据显示，中国适龄儿童入学率性别差异由1995年的0.7缩小到2004年的0.04，同期女童小学辍学率由1.52%下降到0.04%。2006年，男女童净入学率分别达到99.25%和99.29%¹³²。

5. 开展女童权利的公共宣传。2005年以来，随着反对针对儿童暴力、“关爱女孩”、反对拐卖妇女儿童等行动，全国妇联及民间组织在媒体中进行了有关倡导性别平等、促进女童报道的多种培训，并在记者中开展了发展促进性别平等的报道指南活动。

问题与挑战

虽然中国在维护女童权利方面取得很大进展，但由于中国社会处于各种矛盾错综复杂的转轨时期，加之重男轻女的封建习俗的影响没有完全消除，中国在女童权利维护方面还需面对如下挑战：

1. 一些立法决策和行动方案中仍存在社会性别盲点。新修订的《中华人民共和国未成年人保护法》在学校保护、社会保护和司法保护中未提到女童议题。目前，中国仍然缺少系统地分性别和分年龄的

¹³² 教育部，《2008年全国教育事业统计公报》。

有关儿童在保健、教育等方面的数据，所以未能在规划、执行和监督这类方案时纳入性别观点。自 2005 年以来，国内已经发起了许多促进妇女发展、促进儿童健康成长的行动方案，但由于妇女行动方案通常不包括女童，大多数有关性别平等的行动项目不分年龄，女童的特殊需求因而被忽略；同时由于儿童问题通常不分性别，许多儿童项目和儿童研究缺少具有社会性别敏感的行动干预。

2. 教育方面仍存在着不利于女童发展的问题。尽管总体上女童与男童的入学率基本持平，但统计数据未能反映女童男童的辍学率，特别是女孩初中的辍学率。一些受到贫困、艾滋病和流动等因素影响的农村女童，比男童更难获得完成九年义务教育的机会。除此之外，学校教育的教学内容、教学方式等缺乏社会性别敏感，使男女学生难以获得均衡发展，不利于全面培养女童的学习能力，影响女童未来的就业机会和参政能力。

3. 女童成长环境亟待改善。一是出生性别比仍居高不下。我国出生人口性别比 2005 年为 118.58，2007 年为 120.22。有关部门采取的“关爱女孩”行动，未能带来这个问题的根本改变，除行动力度需要加强之外，还应改变农村基本制度及其影响。二是国内及跨境儿童拐卖仍时有发生。易被拐卖的儿童和青少年大都是处于社会边缘地带，经济贫困、信息匮乏、缺少来自家庭和社区的支持。大龄女童的多重脆弱性使她们更容易被拐卖。三是针对女童的身体、精神和性暴力一直存在，未能得到应有的重视。受到性侵害的女童常常遭到巨大的社会压力和文化暴力，不仅严重损害女童的身体健康，更威胁着女童的心理健康和未来的发展；目前亦缺少对监护人及其机构人员的相关培训以及对女童的身心康复及重新融入社会的系统支持。

对策建议

1. 制订和执行关于女童的生存、保护、发展和提高地位的全面性政策、行动计划和法案，以确保女童享有人权。要认识到儿童发展并不必然导致女童也能得到发展，因此要检查所有的法律和法规，特别是“两纲”，是否将女童发展列为专门的目标。政府应推动将性别观

点纳入所有政策和方案的主流，以便在作出决策之前，分析对女童和对男童的不同影响。国家与地方政府应加大对女童教育、健康等各方面扶持的资源投入，不但在主流发展战略策略中保障一定的资源投入，还要设立专门的针对女童的项目，以促进女童的发展；应成立专家委员会或雇用社会性别顾问，审视所有涉及儿童的或针对儿童的干预项目，督促纠正缺少性别敏感的干预项目，以确保所有针对儿童的项目具有社会性别敏感。

2. 将社会性别平等意识纳入基础教育政策的主流。对各项基础教育法规和政策进行社会性别分析，审视、清理和修订现行教育法规中的性别歧视和性别盲点，并完善义务教育管理机制，制定政策和法案，将支持女童和使女童获得知识、建立自信和对其本身生命负责的正规和非正规教育方案列为优先事项。除了提高入学率，政府部门还要采取适当措施提高女童的毕业率和接受初等或高等教育的可能性，要有鼓励辍学女童返回学校的措施以及针对辍学女童的特殊教育方案。教育部门应该制定政策，定期以社会性别视角审查课程、教材和教科书以及所有针对儿童的宣传材料，并为教师和教育工作者提供培训，提高他们进行性别问题敏感的教学、建立性别平等的课堂的能力。为女童，特别是农村女童提供关于社会、文化、经济和政治问题的信息和相应的培训，增加针对女童和女青少年的技术教育，提高她们的就业机会和参政能力，以促进女童认识并参与社会、经济和政治生活。

3. 采取适当的立法、行政、社会和教育措施，在家庭、学校和社会中保护女童，使其免受各种形式的生理或心理上的暴力行为和忽略等。对已经受到伤害的女童，特别是受到性侵害的女童，要建立专门机构，帮助她们身心康复，以重返社会；支持非政府组织及相关机构对受害女童的法律援助以及支持对女青少年的就业服务和保护，以防止被拐卖。从预防、解救到法律援助和康复这一系列的过程中，应该采取具有社会性别敏感的态度和行动。

4. 采取适当措施促进女童研究或儿童与性别研究。政府应加大投入，进行有关女童发展的调查研究，广泛收集有关儿童发展的分性别数据，并建立具有社会性别敏感的监测指标。对儿童研究应从社会性别角度进行重新评价。儿童研究者除了应具备专业知识外，还应通过

培训学习有关社会性别知识。在研究中，女孩不能仅被看作研究对象，她们应该能从研究中获益，并鼓励其有效地参与研究。

十一、提高妇女地位的国家机制与社会性别主流化

进展与成就

1. 国家最高领导层对男女平等作出明确的政治承诺。1995年，时任国家主席的江泽民同志在第四次世界妇女大会开幕式上的讲话中表示“把男女平等作为促进我国社会发展的一项基本国策”。2005年，现任国家主席胡锦涛在纪念第四次世界妇女大会十周年会议上的讲话中承诺：“我们将继续运用经济、法律、行政及舆论等多种措施，使男女平等的基本国策真正落实到经济社会发展的各个领域和社会生活的各个方面。”同年，国务院总理温家宝在第四次妇女儿童工作会议上的讲话中提出，要“认真贯彻男女平等基本国策，积极创造条件支持妇女广泛参与经济、政治、文化等社会活动，提高妇女参与国家和社会事务管理能力”。

2. 将性别平等纳入国家法律、政策与发展规划之中。一方面是修订和颁布了促进性别平等的专门法律和发展规划。2005年，全国人大常委会对1992年颁布的《中华人民共和国妇女权益保障法》进行修订，写入“实行男女平等是国家的基本国策。国家采取必要措施，逐步完善保障妇女权益的各项制度，消除对妇女一切形式的歧视”的规定。2006年3月公布的《中国国民经济和社会发展“十一五”规划纲要》首次将“保障妇女儿童权益”作为专门一节，将妇女发展纳入国家发展规划之中。2007年全国人大通过的《关于十一届全国人大代表名额和选举问题的决定》，要求十一届全国人大代表中，女性代表的比例不低于22%，这是中国首次对全国人大女代表比例作出明确规定。继1995和2001年颁布《中国妇女发展纲要（1995—2000）（2001—2010）》之后，目前，正在进行新一轮《妇女发展纲要》的编制工作。另一方面，加强对相关法律与发展规划的执法检查与监测评估。定期进行《妇女权益保障法》的执法检查，督促法律的贯彻落

实；《中国妇女发展纲要（2001-2010）》颁布之后，国务院妇儿工委积极推动《纲要》的实施，并于2006年组成了由多位副部级领导参加的国家级评估督导组，对全国实施《纲要》的情况进行中期评估、督导，并根据中期评估的情况对《纲要》的监测评估指标进行了调整。2010年将进行《纲要》的终期评估。

3. 提高妇女地位的国家机构不断完善。中国政府1990年成立国务院妇女儿童工作委员会，是中国政府推进妇女儿童事业发展的专门机构，其职能是“负责组织、协调、指导、督促有关部门做好妇女权益的保障工作。”国务院妇儿工委的成员单位现为33个（27个政府部门和6个非政府组织），主任为国务委员刘延东。近年来，国务院和地方各级妇儿工委办公室的人员编制和工作经费都有所增加。

4. 积极探索建立社会性别主流化的机制。一是积极摸索和建立社会性别统计制度。2006年国务院办公厅印发性别统计重点指标目录，国家统计局制定了《妇女儿童部门综合统计报表制度》，将重点指标目录中的分性别指标和妇女儿童发展目标的监测统计纳入国家统计制度，并建立了数据库。国家统计局先后编辑出版了《中国社会中的女人和男人：事实与数据2007》、《2008年中国妇女儿童状况统计资料》和《2008年时间利用调查资料汇编》等。2007年，国务院妇儿工委办公室、国家统计局和中国妇女研究所联合举办了首次全国性别统计研讨会，共同探讨性别敏感指标与性别统计在促进妇女发展中的作用与面临的挑战。国务院妇儿工委、国家统计局等，还对相关人员进行性别统计的培训，提高收集和分析分性别数据信息的能力。上海、四川和山西等省市也出版了本省市第一本性别统计手册。二是开始尝试进行社会性别预算的试点。近年来，一些地方开始尝试引入社会性别预算，开展了一些社会性别预算的试点培训和研讨，并在个别地方开展了社会性别预算的宣传、倡导，并对国家及地方的预算体系与程序进行背景研究。

5. 大力开展男女平等与社会性别的宣传倡导与能力建设。国务院妇儿工委办公室与有关部门联合开展男女平等基本国策宣传年活动，在报刊电视上开辟专栏和专版，创设专题网站，召开新闻发布会，积

极推动将男女平等基本国策纳入党校和行政院校的教学内容。各级妇儿工委办公室也积极推动男女平等基本国策的宣传教育进学校、进社区。国务院妇儿工委还开展了多层次的社会性别培训与能力建设，加强对省地县三级妇儿工委办公室工作人员的社会性别培训；加强妇儿工委各成员单位联络员队伍建设，对联络员进行社会性别主流化的培训；对全国县级政府负责性别平等事务的领导干部进行培训。

6. 与非政府组织合作推进社会性别主流化。一方面，与非政府组织合作，利用非政府组织的优势，对政府部门工作人员进行社会性别主流化的培训；另一方面，在进行立法决策时，听取妇联等非政府组织的意见，以使法律政策能够反映妇女的需求。

问题与挑战

虽然中国政府在完善提高妇女地位的国家机制，推动社会性别主流化方面取得了一定进展，但由于这是一项比较新的工作，在这方面能够借鉴的经验很少，还处于不断探索和完善的过程之中，中国在如何完善提高妇女地位的国家机制和实现社会性别主流化方面仍面临一些挑战。

1. 决策者对社会性别主流化的认识有待进一步提高。一是一些决策者对性别平等和社会性别主流化本身的认识存在偏差；二是一些政府部门领导对政府在促进性别平等中的责任认识不足，缺乏推动性别平等的积极性和主动性。

2. 需要进一步将社会性别视角纳入国家立法决策、规划和项目。立法决策领域中妇女参与比例较低。中国目前的法律中没有“歧视”的定义，导致在司法实践中对性别歧视的案例很难认定。中国法律政策中还存在一些直接歧视的规定，比如男女不同龄退休的政策和一些地方执行的第一胎是女孩可以生二胎的政策等。一些表面上性别中立的法律政策，在实际执行中往往导致男女不平等受益的结果。

3. 提高妇女地位的国家机构的权威性和效率仍面临一些挑战。国务院妇儿工委的职能定位尚有欠缺，没有明确其对执行中国签署的《消除对妇女一切形式歧视公约》、《北京行动纲领》应承担的职责；

国务院妇儿工委作为协调机构，对成员单位的监督、约束和问责有待加强；参与立法决策的制度性渠道有待增加，其政策建议应该得到进一步的重视；资源及预算紧缺，人员配备不足。

4. 社会性别主流化的机制与能力建设还存在不足。一是缺乏对中央和地方一级政府机构在促进社会性别主流化方面责任进行评估的有效机制。二是统计制度的性别视角有待进一步加强。决策者对社会性别统计的重要性及对社会性别统计数据的进展情况了解不够；缺乏系统、操作性强、与国际接轨的指标体系；分性别统计方法滞后，统计分析能力薄弱。三是性别平等纳入财政预算体系尚未有实质性进展。政府及有关部门在进行财政预算时，往往忽略了性别平等方面的财政预算和拨款，对预算拨款对男女两性已经产生或即将产生的影响缺乏分析。

对策建议

1. 进一步提高各级决策者的社会性别意识。建立对决策者进行社会性别培训的长效机制，提高其社会性别主流化的意识及社会性别分析的能力，以便在决策中将社会性别纳入主流。

2. 进一步将性别平等纳入立法决策、规划、项目的主流。建立对国家立法决策和规划项目等进行社会性别评估的机制，将社会性别纳入立法决策和规划项目制定和实施的各个环节，提高立法决策领域中女性的比例，扩大妇女组织与妇女群众参与立法决策的制度化渠道。

3. 不断增强提高妇女地位国家机构的权威性和效率。建议进一步加强国务院妇儿工委，将其作为推动性别平等、贯彻《北京行动纲领》、《消歧公约》和《千年发展目标》、执行和监测男女平等基本国策及《妇女发展纲要》的职能部门，赋予其更多的权力和资源。推动国务院妇儿工委成员单位在促进社会性别主流化中发挥更大作用，任命在核心部门任实职的领导担任联络员等。在政府部门内设立性别平等顾问、专员和巡视员及性别平等工作协调机构等，使推动性别平等成为政府部门的主流工作。

4. 进一步完善社会性别主流化机制。完善性别平等与妇女发展状

况监测评估体系及方法，定期向社会公布监测评估结果，将其作为考核政府部门绩效的重要依据，并建立相应的激励机制。完善性别统计数据的收集、整理、分析、发布机制，增强统计指标的社会性别敏感性，提高政府部门和非政府机构收集和利用分性别数据的能力。进行社会性别预算和社会性别审计的培训、倡导和试点，总结经验，逐步推广。加强性别平等与社会性别主流化的宣传倡导，借助大众传媒的影响力，澄清社会性别平等与传统性别观念的区别，倡导打破传统性别分工和角色定型，使男女共同承担家庭责任和社会责任，推动性别平等。

十二、金融危机对中国妇女发展的影响

金融危机对妇女的主要影响

面对席卷全球的金融危机，中国政府采取了一系列积极的财政、税收、信贷、进出口等应对措施，并进行了4万亿的产业投资，力争保民生、保就业、保增长。但是，受金融危机影响，中国所面临的就业形势更为严峻，人民的收入和福利受到严重影响，从整体而言，金融危机对女性的冲击更大。由于社会文化制约和社会分工，与男性相比，在劳动力市场上妇女总是最后找到工作和最先失去工作的人，而金融危机加剧了妇女的这种不利状况，使得妇女在生活、就业和权益保护等各个方面受到更为严重的影响、面临更为严峻的挑战。

1. 外向型企业、服务业和非正规就业女性失业增加、收入减少。这次金融危机冲击最大的是中国沿海地区的外向型企业和旅游餐饮等服务性行业，农村外出打工女性作为外向型经济和服务行业的主力，在经济下行期间首当其冲被裁减，因失去工作或收入过低而返乡。缺乏职业规划、身乏技能的农村妇女无力应对金融危机的冲击，无论是再次外出还是在本地就业和创业，都更不容易。非正规就业的劳务派遣工、家政工和临时工，在经济波动时期更容易失去工作和收入减少。据全国“跨地区人力资源外包（派遣）高峰论坛”（成都）提供

的数据，受到金融危机影响，劳务派遣公司的员工派遣数量平均降幅达 20%。¹³³

2. 女大学生就业性别歧视更加凸显。在全球经济危机严峻挑战下，中国大学生就业问题已经摆到了政府就业工作的首位。2009 年需要就业的大学生高达 700 万人。麦可思公司 (MyCOS) 2009 年 2-3 月对 21876 个大学生网络调查结果显示，女大学生签约率为 30%，男大学生为 34%；签约女生平均薪酬为 1666 元，男生为 1967 元，专业对口率女生为 57%，男生为 67%。¹³⁴2009 年黑龙江省高校女毕业生就业率为 58.67%，低于总体就业率 4.7 个百分点，比 2008 年下降 19.2 个百分点。¹³⁵

3. 妇女生活负担加重，妇女的工作、健康以及家庭关系的和谐与稳定受到严重影响。由于妇女承担着工作和家庭照顾的双重责任，在经济不景气、家庭收入减少的情况下，有的妇女通过减少家政服务性支出、消费性支出、多打工等方式，节约家庭开支或赚取家庭补贴，导致女性更多地承担无酬的家务劳动和照顾性劳动，从而强化传统的男主外女主内的分工模式，并对妇女身心健康产生不利影响；家庭成员失业、资源分配不公等会增加家庭关系、特别是夫妻关系的紧张或冲突，如家庭暴力甚至离婚等。

4. 性别平等观念受到冲击。就业的困难和劳动力市场性别歧视使得社会的传统观念和陈规定型观念趋于严重。面对就业压力，“干得好不如嫁得好”，“找工作不如找老公”成为一些女大学毕业生曲线生存的策略和选择，在有的大城市出现了女大学生早婚早育现象，社会上希望女性回归家庭的声音也悄然升起。而资金短缺和裁员压力，使企业打破传统角色定型的努力更加困难，比如培训经费的缩减、管理岗位的减少，都可能使提拔女性进入高管层级的可能成为泡影。据北京大学法学院妇女法律研究与服务中心的 3000 份样本调查，36% 的被调查者认为他们所在单位存在女性在高薪岗位或管理层明显偏

¹³³ “受金融危机影响，劳务派遣员工遣数量降幅 20%”，[四川成都]，<http://www.tryjohn.com/23566084.html>，2009 年 3 月 18 日。

¹³⁴ 数据来源：腾讯教育网。

¹³⁵ 数据来源：黑龙江省人力资源和社会保障厅。

少现象。¹³⁶

5. 应对危机的公共政策的性别视角缺失不利于妇女权益保护和长期发展。首先, 抗击金融危机的产业发展结构, 有可能在宏观上加剧女性结构性失业。如政府应对金融危机, 投资 4 万亿, 拉动钢铁、船舶、石化、纺织、轻工、有色金属、装备制造、电子信息以及物流产业发展, 吸纳 3 千万人就业。但从就业结构来看, 10 大产业中只有纺织和轻工是吸收女性就业较多的产业。这种应对危机的宏观规划, 势必导致结构性的女性就业机会缺失。其次, 经济不景气期间《劳动合同法》的“软化”和“灵活”实施, 削弱了保护女工权益的力度。在金融海啸的冲击下, 企业主、部分学者和部分地方官员要求暂缓、修改甚至撤销《劳动合同法》的声音不绝于耳。这种要求甚至做法, 使女工的劳动权益保护更加弱化。第三, “金融危机”冲淡、遮蔽了现实的性别不平等问题。2009 年“两会”期间, “公务员同龄退休”和“专业技术人员同龄退休”的议案再次被提了出来, 因金融危机导致青年就业困难, 致使这一合法权益要求再次流产。

在金融危机中促进妇女发展的战略和策略

1. 将社会性别纳入公共政策和中国经济发展战略的主流。在应对经济危机中制定有利于两性平等地参与发展的公共政策, 促进妇女平等地获得发展机会, 为经济社会的平稳发展作出贡献, 并平等地分享发展的成果。重视对社会发展和妇女发展状况的社会性别分析和研究, 加强对各项经济社会政策对不同地区、不同阶层、不同性别的人群的监测和评估, 适时做出社会性别敏感的政策建议和倡导, 将社会公正和性别平等的价值追求纳入应对经济危机促进社会发展的各个层面和全部过程。

2. 千方百计促进妇女多种形式的就业和创业。政府有关部门应建立就业性别统计与分析机制, 及时对女性就业状况进行评估和监测, 加强对女性就业培训与就业服务的宏观管理, 制定遏制对女性就业歧视行为的相关制度, 加强对女性非正规就业的社会保护; 在应对金融

¹³⁶ 2008 年 6 月至 2009 年 5 月, 北京大学法学院妇女法律研究与服务中心开展“中国职场性别歧视状况”调查, 发放了 3000 份调查问卷, 涉及全国 20 余个省市自治区, 共收回有效问卷 2707 份。

危机的经济结构调整中，要大力发展第三产业和社区服务业，增加女性的就业机会，满足人民生活和中国社会老龄化的多种需要；要建立良好的、具有高科技含量的就业信息咨询系统，最大限度地为女性特别是失业女性提供及时、准确的就业信息服务；要从改善劳动供需双方预期入手，提高工作匹配效率，实现包括女大学生在内的大学生就业。在就业需求冻结及萎缩情况下，更要严格执行《就业促进法》，为女大学生提供不受歧视的公平就业机会，并配套财政补贴，由政府提供或购买继续教育服务并提供给女大学生，从而平缓女大学生当期就业压力并提高其远期就业能力。

3. 加强教育培训，提高妇女的就业能力。国家应改变教育机制，变革教育内容，打破传统角色定型和职业隔离，培养适应高技术和数字经济发展的女性创新人才。在应对金融危机中，要特别注意根据妇女的需求，加强对妇女的职业技能培训，提升女性劳动者特别是农村劳动者、非正规就业者的就业和市场适应能力，不断提高就业层次。

4. 为妇女提供有效的公共服务，平衡妇女的工作和家庭矛盾。政府应当把为有家庭责任的男女劳动者提供公共服务当作政策目标，鼓励男女两性平等地承担家庭责任和社会责任，为他/她们提供家庭照顾服务和家庭福利，逐渐消除传统角色定型，从而真正拉动内需。

5. 在全社会推进社会性别平等和反歧视的观念，进一步消除不利于社会性别平等的社会文化环境。大众传媒要在社会上广泛宣传男女平等基本国策，倡导公平正义理念，保障每个公民平等参与社会发展并平等分享社会发展成果，消除在经济不景气、社会竞争激烈情况下容易出现的让“妇女回家”、以牺牲妇女保经济增长等奇谈怪论。关注家庭领域可能强化的男女不平等趋向，倡导尊重妇女的价值和自尊，消除对妇女的暴力。

中国是第四次世界妇女大会的主办国。15年来，中国政府在执行《北京行动纲领》方面更加具有国际视野和发展眼光，不仅通过具体的工作切实提高了妇女的福祉，还为促进性别平等创造了更加有利

的社会环境和制度环境，这些都是我们未来推进性别平等事业发展的有利因素。

尽管推动性别平等的事业任重道远，我们仍充满信心，不仅将继续运用国际上的成功经验继续推进中国的性别平等事业发展，也将为世界妇女追求平等的历程贡献自己的经验。