



## Economic and Social Council

Distr.: General  
26 November 2014

Original: English

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### Commission on the Status of Women

#### Fifty-ninth session

9-20 March 2015

**Follow-up to the Fourth World Conference on Women  
and to the special session of the General Assembly entitled  
“Women 2000: gender equality, development and peace  
for the twenty-first century”**

### **Statement submitted by Beijing Children’s Legal Aid and Research Center, a non-governmental organization in consultative status with the Economic and Social Council\***

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* The present statement is issued without formal editing.



## Statement

Since the adoption of the Beijing Declaration and Platform for Action at the Fourth World Conference on Women in 1995, the Chinese government has made great efforts to support the women's cause, to protect women's rights and interests by the means of law, and to increase women's social status gradually, and to promote equal development between men and women. So far, great progress has been achieved in every aspect, benefiting more than half the population in China.

Beijing Children's Legal Aid and Research Center has been committed to the protection of women's rights and interests, paying close attention to the survival and developing rights of women. Reviewing the great progress made in the past 20 years, we think that the greatest achievement is the conversion of women's family role, the protection of female workers' safety and security, and the progress in women's fertility security.

Firstly, the enforcement of the Law on the Protection of Rights and Interests of Women confirmed women's equal rights as men in the aspects of politics, economics, culture, society and family life. The Marriage Law and the Law of Succession have further established the marriage system based on the principles of marriage freedom, monogamy, and sex equality, protecting women's rights of property, inheritance, and marriage and changed women's traditional and sole role as fertility machine. Furthermore, based on the legal practice in the past decade, the Interpretation (III) of the Supreme People's Court of Several Issues on the Application of the Marriage Law has further confirmed women's autonomy of fertility, which is, compared with the fertility function of traditional women, helpful for the promotion of women's social position.

Secondly, since the year 1995, China has successively issued the Labour Law, Labour Contract Law, Labour Dispute Mediation and Arbitration Law, Social Insurance Law, and Regulations Concerning the Labour Protection of Female Staff and Workers, and meanwhile, released a series of judicial interpretation. These efforts, with the power of law, aim to ensure the equal rights of employment between women and men, eliminate the employment discrimination, and achieve equal pay for equal work between women and men. Moreover, due to women's special physical characteristics, women's legal rights during the period of menstruation, pregnancy, lying-in, and breast-feeding are also protected by law to avoid dismissal because of pregnancy or giving birth. Especially the full coverage of social security enables women to get access to social aid when they are sick, out of jobs, occupationally injured, pregnant or ageing. As for the means of rights relief, women are given the rights to complain, apply for arbitration, or appeal to the court when their labour rights are infringed, which further protects women's labour rights. Besides, the development of labour rights has safeguarded the income of women and promoted their status in family and society.

Last but not least, the great progress achieved in women rights is also reflected in the attention paid to the health protection of mothers and infants by our government. As known to all, China has the largest population in the world. Decades ago, the death rate of infants remained high. That changed after the adoption of the Health Protection of Mothers and Infants and Law, which engaged the protection of women and infants to be taken into the plan for national economic and social development, and to be granted by the state for necessary conditions and material

aids provided to mothers and infants. The law also stipulates that the state shall provide pre-marital health care and health care during the pregnant and perinatal period. In this way, women are able to get professional instructions on health, nutrition and psychology. Meanwhile, the state encourages and supports education and scientific research so as to promote and popularize advanced and practical maternal and infant care skills. The implementation of the health protection of mothers and infants is a great landmark in history and a big step forward in social civilization.

As a rising developing country, China is still confronted with many challenges in the way of achieving the great blueprint described by the Beijing Declaration and Platform for Action.

First of all, the conventional concept that man is superior to woman is still popular in some underdeveloped regions which means the need for more time to promote gender equality, eliminate violence against women and to increase the status of women is necessary.

Secondly, in order to pursue great benefits, some employers intentionally violate the relevant legislations and ignore the interests of female workers, which will inevitably infringe the legitimate rights of women. As a matter of fact, employment discrimination against women is quite common either in big cities or rural areas. According to the studies we carried out, in most cases, employers would make up excuses to make or force female staff to resign from work during their pregnancy, and most female workers choose to give in and keep silent for the good of health of unborn babies, thus, in return, conniving the illegal acts of employer.

Thirdly, due to economic disparities between regions which leads to the difference in health protection of mothers and infants among regions, women cannot enjoy equal health care, thus resulting in inequality between women from different places.

As a non-governmental organization specializing in providing legal aid, after reviewing the great achievements made in the past twenty years, we truly believe that although faced with great challenges and difficulties, the blueprint of gender equality and empowerment of women will come true before long with our unremitting effort.

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