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### Article in Brief

#### **A Mechanism to Construct Safeguards for the Rights and Interests of Women and Children, The National Organisation for the Protection of the Rights of Women and Children Holds Its Sixth Plenary Meeting**

Full text: <http://www.china-woman.com/rp/>

Women of China, 24<sup>th</sup> January 2007: The National Organisation for the Protection of the Rights of Women and Children held its sixth plenary meeting on the 23<sup>rd</sup> in Beijing. The deputy head of the Standing Committee of the People's Congress, the chairperson of the All China Women's Federation and the head of the National Organisation for the Protection of the Rights of Women and Children, Xiulian Gu attended the meeting and gave speeches. Xiulian Gu highly approved of the work of the National Organization for the Protection of Rights and Interests in 2006.

Xiulian Gu emphasized that he wanted to improve the mechanism, develop and break new ground, continually promote new practices in the work for the protection of the rights and interests of women and children, such as: the establishment and perfection of a mechanism to coordinate the rights and interests of women and children, a mechanism for women and children to express their demands, a mechanism which mediates for women and children in conflicts and a mechanism for the protection of the rights and interests of women and children. Through the establishment of a working mechanism, earnestly giving impetus to the solving of women's and children's most concerning, directly affecting, real problems regarding their rights and interests it will play an appropriate role in a harmonious society.

In 2006 the national Women's Federation led every province's (region and municipality) Women's Federation to actively participate in local work to change ways in which laws which safeguard the rights and interests of women and children are implemented. Five provinces have already amended the way in which they implement these laws, in addition to this nearly 20 provinces are going to include the amendments in legislative regulations; Several Regulations Regarding the Prevention and Curbing of Domestic Violence has been drafted, listening to ideas from all sides and after further amendments to improve the situation they plan to unite with the relevant ministries and commissions; They will take part in the drafting of a national action plan to combat human trafficking, promoting the establishment of a national mechanism to combat trafficking.

**Using B-Ultrasound to Determine or Choose the Sex of a Foetus and Induced Termination of a**

### **Pregnancy Will be Seriously Prohibited in China**

Full text: [http://www.singtaonet.com/society\\_focus/t20070123\\_451866.html](http://www.singtaonet.com/society_focus/t20070123_451866.html)

Xingdao Net: On the 22<sup>nd</sup> China's State Council issued a resolution regarding the intensification of work on population and family planning and made a general resolution on population problems. The resolution emphasised the serious prohibition of determining or choosing the sex of a foetus without a medical necessity and induced termination of a pregnancy.

According to a report from Xinhua Agency, the resolution demands the establishment of a system to register B-ultrasound checks and induced terminations, pregnancy screening and manage the course pregnancy. A system for authentication of endowments and standards for using B-ultrasound will be fully implemented. Strict management of medicines for abortions and medicines to bring on the ejection of the egg will be implemented. Using legislative means the illegal action of determining and choosing the sex of a foetus and abortion associated with this will be attacked. The criminal activities or discrimination of trafficking in weak, abandoned or injured baby girls, the abduction of girls, the maltreatment of women who have given birth to girls and other such actions which violate the law will be seriously punished according to the law.

### **Last Year Guangxi Provided Free Legal Assistance in a Total of 67 Cases Involving Foreigners Let Convicts Who Are in China Enjoy Its Justice**

Full text: <http://www.fzkb.cn/news/20070212/fz1b/210819.htm>

Legal Telegram, 12<sup>th</sup> February: It has been learnt from Guangxi's Legal Aid Centre that in 2006 every level of the legal aid organisation has adhered to the spirit of the constitution, "All citizens are equal in the eyes of the law." Free judicial help was supplied successively in 67 cases involving more than 100 foreigners, earnestly protecting the legal rights and interests of foreign convicts, letting them enjoy the sunshine of China's socialist justice.

It has been learnt that cases of foreigners violating the law in Guangxi can be divided into three main types of criminal activities: The first is trafficking in drugs; the second is organised and sheltered prostitution; the third is trafficking in women and children.

How are the legal rights and interests of those foreigners who commit crimes in China effectively protected? According to the relevant foundations and regulations of national and criminal litigation laws, "Foreign defendants who do not have an advocate can obtain legal aid." In order to ensure all citizens enjoy equal and fair legal protection which embodying humanitarianism, every level of Guangxi's legal aid centre fully carries out its functions, they make an active effort to safeguard the legal rights and interests of foreign parties and they have obtained good results.

In February 2006, Chongzuo City's midlevel People's Court tried a case involving Chongzuo City's Investigation Unit against the defendants, Yuan A, Yuan B, He, Zheng and other traffickers in women. Due to the foreign detainees Yuan A, Yuan B, Zheng and the Vietnamese, He not having advocates the court instructed four lawyers to give separate legal aid to these four foreign defendants. Finally the court accepted the lawyers' belief that Yuan B and Zheng's actions did not constitute the crime of trafficking in women, yet the characteristics of this crime constituted selling trafficked women. Different decisions for different criminals, the responsibility for the crime was also divided. This completely embodies China's socialism which is full of humanistic governing spirit.

### **以机制建设保障妇儿权益，全国维护妇女儿童权益协调组第六次全体会议举行**

全文: <http://www.china-woman.com/rp/>

中国妇女报 2007-01-24 讯：全国维护妇女儿童权益协调组第六次全体会议 23 日在京举行。

全国人大常委会副委员长、全国妇联主席、全国维护妇女儿童协调组组长顾秀莲出席会议并讲话。顾秀莲对全国维权协调组 2006 年的工作予以了高度肯定。

顾秀莲强调，要完善机制、开拓创新，不断推进维护妇女儿童权益工作的新实践：建立健全妇女儿童利益协调机制、妇女儿童诉求表达机制、妇女儿童矛盾调处机制和妇女儿童权益保障机制。通过工作机制的建设，切实推动解决广大妇女儿童最关心、最直接、最现实的利益问题，在和谐社会建设中发挥应有的作用。

在 2006 年，全国妇联指导各省（区、市）妇联积极参与地方妇女权益保障法实施办法的修改工作，已有 5 个省修改通过了实施办法，另有近 20 个省将地方实施办法的修改纳入立法规划；草拟了《关于预防和制止家庭暴力的若干规定》，现已听取了各方面意见，拟进一步修改完善后与有关部委联合下发；参与制定了反对拐卖国家行动计划，推动建立反对拐卖国家机制。

### 中国将严禁做 B 超鉴定胎儿或选择性别人工终止妊娠

全文：[http://www.singtaonet.com/society\\_focus/t20070123\\_451866.html](http://www.singtaonet.com/society_focus/t20070123_451866.html)

【星岛网讯】中国国务院 22 日发布关于加强人口和计划生育工作统筹解决人口问题的决定，决定强调，严禁非医学需要的胎儿性别鉴定和选择性别的人工终止妊娠。

据新华社报道，决定要求，建立 B 超检查和人工终止妊娠登记、孕情检测、孕产过程管理等制度。完善执业资质认证和 B 超使用准入制度。对终止妊娠药品和促排卵药品实行严格的处方管理。运用法律手段，严厉打击非法实施胎儿性别鉴定和选择性别人工终止妊娠的行为，依法严惩溺、弃、残害女婴和拐卖、绑架妇女儿童的犯罪活动及歧视、虐待生育女婴的妇女等违法行为。

### 广西去年共为 67 件外国籍人案件提供无偿法律援助，让异国囚犯同享中国司法正义之光

全文：<http://www.fzkb.cn/news/20070212/fz1b/210819.htm>

《法制快报》2 月 12 日讯：从广西法律援助中心获悉，2006 年，各级法律援助机构遵循“公民在法律面前人人平等”的宪法精神，先后为 67 件涉及上百名外国籍人案件提供无偿法律援助，切实维护异国囚徒的合法权益，让他们享受到了中国社会主义司法正义的阳光。

据悉外籍人员在广西从事违法犯罪活动主要有三类案件：一是贩毒；二是组织、容留卖淫；三是拐卖妇女儿童。

这些外国人在我国境内犯罪，他们的合法权益如何才能得到有效维护？根据国际法以及我国刑事诉讼法的有关依据和规定：“外国人为被告人没有委托辩护人的，可以得到法律援助。”为确保公民享受到平等公正的法律保护，体现人文关怀，我区各级法律援助机构充分履行职能，为维护外籍当事人的合法权益做了积极努力，并收到了良好成效。

2006 年 2 月，崇左市中级人民法院受理崇左市人民检察院起诉被告人阮 A、阮 B、何某、郑某等人拐卖妇女一案。由于阮 A、阮 B、郑某系无国籍人员，何某系越籍人员，没有委托辩护人。为此，法院分别指定 4 名律师为这 4 名异国被告人进行法律援助。最终，法院采信辩护律师认为阮 B、郑某的行为不构成拐卖妇女罪的意见，而认定其犯罪性质为收购被拐卖妇女罪。不同的定性，不同的罪名，罪责也有别。这充分体现了中国社会主义充满人文关怀的法治精神。

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