

Development of Chinese Women's NGOs since the 1995 World Women's Conference

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It has been more than 20 years since the Fourth World Women's Conference (Beijing World Women's Conference) was held in Beijing. This Conference brought many things to China. The most impressive is the concept and practice of 'non-governmental organizations' ('NGOs'), which triggered a debate on the nature of the All-China Women's Federation ('ACWF') and the establishment of several new women's NGOs in China. Such NGOs have witnessed the ups and downs of human rights NGOs in China.

1. Beijing World Women's Conference and the Booming of Women's NGOs in China

The Beijing World Women's Conference was a major event in Chinese history.¹ It affected in several respects the development of Chinese women. It was the Beijing Women's Conference that introduced the concept of NGOs to China.² To be more accurate, it was the Huairou NGO Forum that greatly broadened Chinese people's horizon and vividly explained with practice what NGOs are and how they work. Chinese participants at the Forum were taken aback by the scope, variety and forms of the activities of NGOs from different countries.³ It was the first time for Chinese women to face so many NGOs and

to compare with what they had in China.

What is an 'NGO'? Is the ACWF an NGO? Those were the questions asked by the ACWF itself when the Chinese Organization Committee for the Fourth World Women's Conference was established on 28 August 1993.⁴ The positive answer was given in 1994 by the Chinese government in her national report on the implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women, in which it stated that the "ACWF is the biggest NGO for the advancement of women in China".⁵ Though not everyone agrees with this definition, one can hardly deny, at least in theory, the fact that as an NGO, the ACWF got the consultative status from the UN Economic and Social Council in 1995.⁶

For the purpose of attending the Forum, many NGOs were set up in China during the pre-forum period from 1993 to 1995, such as the Association of Women Judges, the Association of Women Prosecutors, the Association of Women Journalists, the Capital City Social Club of Women Professors, the Association of Women Mayors, and the Association of Women Entrepreneurs. As there were almost no women's NGOs outside the ACWF,⁷ the

1 In order to celebrate this event a public park named after the conference was built and opened to the public on 28 September 2004. The park covers an area of 67 hectares. See http://news.xinhuanet.com/newscenter/2004-09/29/content_2036687.htm, last accessed on 12 June 2016.

2 See LIU Bohong, "The Development of Chinese Women's NGOs", in *Journal of Zhejiang Studies*, 2000, no. 4, p. 109. See also ZHUANG Ping, "NGOs and the Women's Development", in *Journal of Zhejiang Studies*, 2004, no. 2, p. 140.

3 There were about 26,000 participants from about 185 countries and regions. The NGO fora covered about 5,000 topics. Some of them were unknown to Chinese participants, such as "Lesbian Experiences", "the status of and definition of prostitution", "the future of sex workers", and "domestic violence". See ZHANG Minjie, "Toward Equality, Development and Peace: Side Stories on the Fourth World Women's NGO Forum", in *Observation and Thoughts*, 1995, no. 10, p. 14.

4 At the Asian Pacific Forum of Women's NGOs held in Manila, November 1993, this question was asked by other participants when the Vice President of the ACWF spoke on behalf of the federation. A heated debate went on between Chinese and other participants. Of course the ACWF identified itself as an NGO. See LIU, 2000, *supra* note 2, p. 110.

5 See "Report of the People's Republic of China on the Implementation of the Nairobi Strategies for the Advancement of Women" (in Chinese), in *Chinese Women's Movement*, 1994, no. 12, p. 5.

6 See the List of non-governmental organizations in consultative status with the Economic and Social Council as of 1 September 2014 (E/2014/INF/5), p. 11, available at <http://esango.un.org/civilsociety/documents/E-2014-INF-5.pdf>, last accessed on 13 June 2016.

7 The NGOs outside of the ACWF were only two: the National Council of Young Women's Christian Associations of China (the National Council of YWCAs of China) and the Women Personnel Section of the All-China Trade Union. Actually both of them are politically reliable institutions in the eyes of the Chinese Communist Party. There had been many NGOs outside of the ACWF

above-mentioned NGOs were set up to meet the need of the Huairou NGO Forum. Otherwise Chinese NGO fora could not be organized for the Forum.⁸ It must be mentioned here that those newly established so-called women's NGOs were all attached to the ACWF as its group members.

2. Women's NGOs in China Post-Forum and Their Roles in the Protection of Women's Rights and Interests

The Huairou NGO Forum opened the eyes of Chinese women and promoted exchange activities between Western and Chinese women. As a result, many women's NGOs were established in China before or after the Huairou Forum, including the Rural Women Know-All Magazine, the Migrant Women's Club, the Jinglun Family Center, the Center for Women's Legal Studies and Legal Services of Peking University, the Center for Women Studies of Peking University, Center for Women Studies of Fudan University, the Chinese Women Health Network, the East-West Exchanging Group, the Women's Media Watch Network, and the Lesbian Pager Hotline — just to mention a few.

They are characterized as new women's NGOs in comparison to the ACWF and its group members, which are commonly regarded as government organized NGOs ('GONGOs').⁹ The women's NGOs in China are classified into different types such as academic, social service or advocacy. Influenced by the Huairou NGO Forum, women's NGOs in China have been active and played very important roles in legislation, including in the making of new laws, such as the Anti-Domestic Violence Law, and amending existing laws, such as the amendment of the Chinese Marriage Law. They have also played a very critical role in decision-making. Take the debate on "Women Go Home" as an example: women's NGOs in China successfully resisted recommendations by decision-makers urging women to quit their jobs and go home periodically in order to take care of their chil-

dren and family.¹⁰

In the area of protecting women's rights, women's NGOs have been playing important roles. The leading NGO in this regard is the Center for Women's Legal Studies and Legal Service of Peking University. In the 15 years since it was founded in 1995, this Center had dealt with over 3,000 cases nationwide to protect women's rights and interest. It has hosted and organized more than 80 seminars and training courses on women's rights.¹¹ The Maple Women's Psychological Consultation Center ('the Maple') is also well-known in this regard. Its programmes include Maple Women's Hotlines, anti-domestic violence, migrant workers' education, and education on the prevention of girl sexual abuse. There are many other new Chinese women's NGOs which have similar functions as the Maple, in Beijing and other provinces. They provide psychological consultation for battered women or victims of girl sex abuse through hotlines, training and education.

Furthermore, Chinese women's NGOs have the past 10 years become involved in the process of CEDAW's review of Chinese periodical reports. The first attempt was the trip to New York when China's 5th and 6th combined report was reviewed in 2006. In the previous reviews, the ACWF was the only NGO (or GONGO) from mainland China that participated in the review process. In this Chinese women's NGO team, there were 11 members representing six women's NGOs in China and two ACWF-related institutions.¹² Representatives of this team made a six-minute speech with some critical points at the NGO hearing held one day before the Chinese report was reviewed. They observed the review and took the opportunity of lunch and break times to contact members of CEDAW to do some lobbying. At the same time, the Chinese NGO team also had the chance to discuss with members of the Chinese government del-

before the Anti-Rightist Movement in 1957, when most of them were dissolved. In fact, the National Council of YWCAs of China did a very good job in the Huairou NGO Forum, see ZUO Furong, "NGOs and Social Services: Take the National Council of YWCAs of China as an Example (from 1980s to the Present)", in *Journal of East-China Technology University*, 2006, no. 3, p. 22.

8 Because it was the regulation that NGO fora at Huairou must be hosted by at least one women's NGO. See LIU 2000, *supra* note 2, p. 111.

9 It might be correct because the ACWF was set up by the government and has some governmental functions. But it is arguably not a governmental organization although its staff members are all public servants. See ZHANG Naihua, "NGO's Discourse and Its Impact on Chinese Women's Development", in *Collection of Women's Studies*, 2000, no. 5, p. 28. The author argues that the ACWF is changing and it is wrong to see it as static. It has gone through three major stages. In the last stage, the ACWF has identified itself as a feminist organization.

10 Such recommendations have been made several times by different decision-makers or legislators. See China.com.cn (*Zhongguo Wang*), "Discussion on the Historical and Cultural Causes of the Current Doctrine of 'Women Go Home'", available at http://www.china.com.cn/blog/zhuanli/female/2011-03/23/content_22201352.htm, last accessed on 14 June 2016. The latest similar recommendation was made by a member of the National Political Consultative Conference because of the Second Child Policy, see <http://www.rmzxb.com.cn/c/2016-03-12/732983.shtml>, last accessed on 14 June 2016.

11 See "The Full Story of the Removal of the Peking University Women's Center", available at <http://finance.ifeng.com/news/20100415/2053529.shtml>, last accessed on 14 June 2016.

12 The author was one of the four from the ACWF in the sense that her travel and accommodation expenses were covered by the organization. The new women's NGOs from Mainland China included the Center for Women's Legal Studies and Legal Service of Peking University, the Maple, the Women's Network for Media Watch, the Gender awareness resources Group, and Cultural Center for Women Migrant Workers. Except those from the ACWF, all NGO members were believed to be sponsored by foreign funds.

egation headed by Madam HUANG Qingyi, Deputy Director of the Committee for Women and Children of the State Council.

For the review of China's 7th and 8th combined report, women's NGOs in China even participated in the drafting of the shadow report led by the ACWF.¹³ Five NGOs were involved, including the Center for Human Rights and Humanitarian Law of Peking University, the Human Rights Center of CASS, the Women's Network for Media Watch and the Center for Sex and Gender Studies of China Women's University. That was the first time for Mainland China NGOs to write a shadow report, though only one and led by the ACWF. It was better than nothing.¹⁴ Women's NGOs in China again took part in the process of CEDAW review of China's report held in Geneva in October 2014. This time, seven women's NGOs in China were represented. In contrast to what happened in 2006, the team of women's NGOs in China for some reason did not have the chance to meet the Chinese government delegation.

With the hard efforts of the women's NGOs in China and the co-operation of the ACWF, many achievements have been made in the past 20 years in the protection of women's rights and interests. The most recent example is the promulgation of the Anti-Domestic Violence Law of the People's Republic of China, which was passed by the Standing Committee of the National People's Congress ('NPC') on 27 December 2015 and came into force on 1 March 2016.¹⁵ Achievements also include the rise of the proportion of women representatives in the 12th NPC (2013), which broke the record of NPC's history,¹⁶ though there is a long way to go to reach the goal which should have been reached 20 years ago.¹⁷

3. Current Status and Problems Faced by Women's NGOs in China

Similar to other civil society organizations in China affected by the 'Colour Revolution' and later the 'Jasmin Revolution', women's NGOs in China are having a hard time. This is caused by the restrictive policies of the Chinese government, which is trying to resist foreign interventions in China. As a result, the number of women's NGOs in China is declining.

It is widely suspected that many influential Chinese NGOs are financially supported by foreign funds, such as Gongmeng founded by XU Zhiyong, the Center for Women's Legal Studies and Legal Service of Peking University headed by GUO Jianmei, and Aizhixing (for helping people with AIDS) headed by WAN Yanhai. Since the 'Colour Revolution', particularly since the 'Jasmin Revolution', NGOs with foreign support or foreign related background have been negatively affected or even dissolved. For instance, the Center for Women's Legal Studies and Legal Service of Peking University was detached from the University in 2010. It had to register in another name, that is, Zhongze Center for Women's Legal Consultation Service. Less than six years later, on 1 February 2016, the Center was shut down and there appears to be little hope of reopening in the near future.¹⁸ Gongmeng was dismissed when its head XU Zhiyong was arrested and then sentenced to four years in prison. The head of Aizhixing is now a political refugee in the United States though his institute still exists, at least its web site is accessible.

Furthermore, the women's NGOs in China were taken aback when "China's Feminist Five" were arrested on 7 March 2015, one day before the 2015 Global Women's Summit held at the United Nations. They were detained on suspicion of "picking quarrels and provoking trouble" after planning a multi-city protest aimed at bringing an end to sexual harassment on public transport.¹⁹ Women's NGOs in China were threatened although the action by Chinese authorities was not focused on gender.²⁰

Apart from political twists, women's NGOs in China are faced with financial problems because many foreign donors have stopped or reduced their financial support to Chinese NGOs following the withdrawal of China from the list of under-developed countries. Without foreign

13 The Raoul Wallenberg Institute of Human Rights and Humanitarian Law ('RWI') sponsored this project.

14 It was a big leap forward for the ACWF. In the previous reviews, shadow reports from Mainland China were not possible. What is even worse is that some shadow reports or other related materials on the spot were secretly put into a black garbage bag and thrown away, which was considered as an act of patriotism. That has never happened since 2006.

15 Available at http://www.pkulaw.cn/fulltext_form.aspx?Gid=261780&from=groupmessage&isappinstalled=1 (in Chinese), last accessed on 20 June 2016.

16 Before the 1995 World Women's Conference, there had been no gender consideration when the proportion of NPC representatives was distributed. From 1995 to 2007, gender became one of the considerations but no specific percentage was indicated. At the 10th NPC, a percentage was set for the first time: the proportion of women NPC representatives shall not be lower than 22% in the 11th NPC. But unfortunately that was not reached; the figure was 21.3%. Actually the rise is too slow since the figure in 1993 was 21.03%. See the National Report on the Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women, *supra* note 5, p. 4.

17 See para. 182, the Beijing Platform for Action of the UN Fourth World Women's Conference.

18 See the Notice of Closing Business by the Center, available at http://www.woman-legalaid.org.cn/news_detail/newsId=423.html, last accessed on 15 June 2016. There were no explanations for the closing and nothing is mentioned about reopening.

19 See *The Guardian*, "China's feminist five: This is the worst crack-down on lawyers, activists and scholars in decades", 17 April 2015, available at <http://www.theguardian.com/lifeandstyle/2015/apr/17/chinas-feminist-five-this-is-the-worst-crackdown-on-lawyers-activists-and-scholars-in-decades>, last accessed on 21 June 2016.

20 But they were not afraid for they fought for the release of the "China's Feminist Five" on the Internet and succeeded.

aid they cannot continue or have to reduce their projects before domestic donations can be found. Actually it is not easy to get funds in China for potential donors are afraid of getting involved in sensitive issues.

The women's NGOs in China might be negatively affected by China's Law on the Management of the Activities of Overseas NGOs within Mainland China²¹ since foreign foundations, actually the major donors of Chinese NGOs, are also defined by that law as NGOs. According to Article 5 of the Law, foreign foundations must not engage in or fund political activities.²² Since the concept of "political activities" is broad and hard to define, and since human rights and politics are so closely related, it will be much harder for women's NGOs in China to get funds from foreign foundations when that law applies.

"While prospects are bright, the roads have twists and turns."²³ This is what the Chinese people often say when they try to encourage people who meet difficulties. In 20 years it seems that the women's NGOs in China have drawn a circle. They boomed after the Huairou NGO Forum but ended up with a fate about which it is hard to be optimistic. But that is not the end of women's NGOs in China. They are trying their best to continue their undertakings by changing policies. For instance, the Maple is trying to raise domestic funds though it is a hard job while keeping close relation with the ACWF.²⁴ Perhaps one (but not the only) way out for women's NGOs in China is to do what the Maple is trying to do. Another alternative is to keep a low profile or limit their activities to research, education and training and then wait and see the results of the implementation of the Law on the Management of the Activities of Overseas NGOs within Mainland China.

21 This law passed the Standing Committee of the National People's Congress and will enter into force on 1 January 2017.

22 See Article 5 (bilingual in Chinese and English), available at http://www.360doc.com/content/16/0504/01/32839230_556057943.shtml, last accessed on 20 June 2016.

23 Letter from MAO Zedong to JIANG Qing, 17 April 1974, in *Documents of Mao Zedong Since the Founding of PRC*, Zhongyang Wenxian Publishing House, Beijing, 1998, vol. 13, p. 373.

24 Madam WANG Xingjuan, the founder of the Maple, recognizes that it is crucial for the Maple's success to co-operate with the ACWF. See SHI Kailiang *et al.*, "China's Gender Equality and 20 Years Women's Development: In Memory of 20 Years Anniversary of Beijing World Women's Conference", in *Collection of Women's Studies*, November 2015, no. 6, p. 92.

Due to the sensitivity of the concept of human rights, it seems that Chinese human rights NGOs are in the dilemma where they have always been: trying to desensitize their activities so as to get permission from the authorities, while worrying that what they are doing may have the effect of strengthening the sensitivity of human rights in China.

4. Conclusion

Let me conclude by offering the following four remarks. First, the Huairou NGO Forum has brought tremendous change to China. The most important change is that it broke the monopoly of the ACWF, which used to dominate the whole women's civil society.

Second, women's NGOs in China are not operating entirely independently from the ACWF in protecting women's rights and interests and *vice versa*. Quite a number of them have dual identities: they are working for both organizations.²⁵

Third, it should not be ignored that women's NGOs in China have in many ways influenced and even challenged the ACWF, which as a result changed a lot particularly after the Huairou NGO Forum.

Last but not least, in order to survive and preserve their strength, keeping a co-operative relation with the ACWF is not a bad choice.²⁶ But the bottom line for women's NGOs should not be lost, namely to preserve independence from the government.

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25 They are the so-called "Chelovek-Amfibivya", which means they are working for the ACWF while participating in women's NGOs outside and *vice versa*. See LIU, 2000, *supra* note 2, p. 114.

26 Due to historical reasons the ACWF has a powerful status in the Chinese political system and it has resources that other women's NGOs in China do not have. See *ibid*.

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