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Gender Balance

Research Paper

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Background

Major reforms over the last two decades in China and the accession to WTO have resulted in rapid economic growth with GDP increasing at an average annual rate of over 9 percent per year between 1980 and 2003. These changes have also led to challenging social consequences. Income and human development disparities have widened considerably: within urban areas, between urban and rural areas and in general between the coastal provinces and the hinterland of China. The challenge for China is to pursue economic transition whilst at the same time integrating the concept of sustainability into economic growth and guarding itself against social instability. The structural changes that produced and/or accompanied this growth have had important implications for China's social security system. China needs to stabilise the economy, develop a sustainable financial system and address the income disparities by creating more employment opportunities and develop a sustainable social security system.

In accordance with EU Policy, this project addresses gender equality through the different schemes of Social Security, to promote balance between male and female in the fields of employment, social welfare and benefits and all the social policies.

Project Objectives

The overall objective of the project is to support the transition to a sustainable social security system in China, which guarantees accessible, adequate and affordable social security benefits to all Chinese citizens, male or female.

The specific objectives of the gender balance assignment are to:

1. Improve the gender balance in the field of Social Security, legislation, benefit and services, taking in account the situation at the national and local level;
2. Raise the awareness and implementation of gender balance in Human Resources within China's Social Security organisations;
3. Provide access to international systems of standards for the development of better equality between male and female.

The target groups for these are:

- The beneficiaries of Social Security schemes,
- The Social Security Scheme.

Terms of Reference

The terms of reference for the study were to:

1. Identify and report on current gender balance and social security arrangements in:
 - EU
 - China
2. Draft a quantitative and qualitative gap report on the differences between arrangements in China and the EU
3. Recommend areas where EU experience can be applied to the Chinese context
4. Establish the key gender balance Indicators to assess progress in the field of gender balance for Social Security.

Methodology

The work on this assignment was conducted between 17 February and 14 March 2008 in Beijing. It involved the following activities:

- Meetings with
 - UN agencies (UNDP, ILO, UNFPA, UNIFEM)
 - EU Delegation
 - MoLSS
 - NGOs (ACWF, CAGP, CAEP)
 - EUCSS Team
 - Universities/Research institutions (CASS)
 - Individual Experts
- Collecting and synthesizing documentation – China/EU Gender Balance/Social security
- Drafting gap analysis
- Identifying indicators
- Formulating strategy – Gender Mainstreaming

Outline of Report

A. GAP ANALYSIS

Section 1 provides an overview of institutional arrangements, relating to Gender Balance in Social Security provision, in the EU and China.

Section 2 concentrates on the 4 pillars of the EU and Chinese Social Security System. It illustrates the importance of gender mainstreaming as a cross cutting contribution to ensure gender balance, by highlighting the major gaps that differentiate the EU Social Security System from that in China, from a gender perspective.

B. FRAMEWORK STRATEGY

Section 3 outlines the nature of the gender mainstreaming process, including the concept and methods that can be applied to the Social Security system in China. It includes the key gender balance indicators.

Section 4 sets out the recommendations for actions to ensure gender balance by applying the gender mainstreaming approach.

A. GAP ANALYSIS

Section 1 Overview of Institutional Arrangements for Social Security in the EU and China

EU - Mechanisms to Promote Gender Equality

The institutionalisation of gender equality has been under way since 1957 in the European Union and is still evolving. The first and highly significant event was the EC Treaty signed in Rome in 1957, after which the European Union adopted 13 Directives in the field of gender equality. These cover the right to equal treatment for men and women in areas of work, pay and social security and access to goods and services. They provide special protection to pregnant women and those who have recently given birth, and attempt to establish common standards for women who are self-employed and helping spouses (CEC 2007a).

Apart from financial support, the European Union has two tools to promote gender equality and gender balance: legislation (primary and secondary laws) and gender mainstreaming.

Primary or Treaty Law

The Treaty of Rome establishing the European Community (1957) contains several crucial articles relating to gender equality:

- *Article 2: The European Union “shall...promote...equality between men and women”*
- *Article 3: In all its activities “the European Community [Union] shall aim to eliminate inequalities, and to promote equality between men and women”*
- *Article 13: “...The Council acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation”*
- *Article 141: “Each Member State shall ensure that the principle of equal pay for male and female workers for equal work or work of equal value is applied”.*

Secondary Law

In order for Treaty law to apply in Member States, the European Union uses directives that are binding on Member States.

Landmark Gender Equality Directives

Guarantees of equal pay for the same work or work of equal value were set out in Article 141 of the EC Treaty, 1957 and later implemented by Directive 75/117/EEC. The Directive 79/7/EEC provides for equal treatment in matters of social security. This applies to schemes for the working population, as well as state pensions for the elderly and sickness insurance for workers.

By the 1980s the concept of equal treatment in employment, occupational social security and statutory social security, was extended to self-employed men and women, including self-employed mothers. Directive 86/378/EC covers people who are self-employed and spouses who assist them in their work.

Directive 92/85/EEC made provision for health and safety at work for pregnant women and those who have recently given birth or who are breastfeeding. A further Directive in 1996 (Directive 96/34/EC) gave employed parents (fathers and mothers) the statutory right to take (paid or unpaid) parental leave, over and above the right to paid maternity leave.

Gender Mainstreaming

The European Union adopted gender mainstreaming in 1995 as a key tool for achieving equality between men and women. Gender mainstreaming requires policymakers to consider the effects that a law, programme or certain practice has on women and men.

The Council of Europe has adopted a crucial role to play in promoting gender equality in Member States, for example by defining common principles and standards to promote the full participation of women and men in society and in developing new approaches, strategies and methods to reach the goal of gender equality. Gender mainstreaming is one of these strategies. The Council of Europe's Group of specialists on mainstreaming agreed on the following definition:

“ Gender mainstreaming is the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making.

Gender mainstreaming cannot replace specific policies which aim to redress situations resulting from gender inequality. Specific gender equality policies and gender mainstreaming are dual and complementary strategies and must go hand in hand to reach the goal of gender equality” (Council of Europe 1998).

Underpinning the gender mainstreaming process, there are a number of concepts that are critical in achieving gender balance in social security systems:

Gender is a social, rather than biological, category referring to the socially constructed relationship between men and women, girls and boys.

Gender roles are those learned behaviours in a given society/community or specific group, that condition which activities, tasks and responsibilities are perceived as female and male. These roles are affected by age, class, race, ethnicity, religion and by the geographical, economic and political environment. Gender roles are dynamic and change over time in response to economic, natural or political circumstances, including reforms and development efforts.

Gender Equality is the result of the absence of discrimination on the basis of gender in opportunities and the allocation of resources or benefits or in access to services.

Gender Equity entails the provision of fairness and justice in the distribution of benefits and responsibilities between men and women, recognising that women and men have different needs and power. These differences need to be identified and addressed in a way that rectifies imbalances between the women and men.

China - Mechanisms to Promote Gender Equality

Gender equality in China has been promoted in similar ways to the EU, commencing with Article 48 of the *Constitution of the People's Republic of China* (1982):

“ Women in the People's Republic of China enjoy equal rights with men in all spheres of life, political, economic, cultural and social, and family life. The state protects the rights and interests of women, applies the principle of equal pay for

equal work for men and women alike and trains and selects cadres from among women”.

Under Article 49,

“ Marriage, the family, and mother and child are protected by the state...Maltreatment of old people, women and children is prohibited”.

In 1990, the National Working Committee on Children and Women under the State Council was established as a national mechanism to promote gender equality. This led to the establishment of working committees at provincial (including autonomous regions and municipalities), prefecture (cities and districts) and county levels. In addition, non-governmental organisations – such as the All-China Women’s Federation (ACWF), Women Workers Committee under the All-China Federation of Trade Unions and the China Association of Women Entrepreneurs – participate in the formulation, implementation and evaluation of laws and regulations. These organisations also assist governments in dealing with major and serious cases involving the violation of women’s rights.

The Programme for the Development of Chinese Women (PDCW) was initiated in 1995 for the period 1995-2000 updated for 2001-2010. Six areas are defined as priorities for development: women and the economy, women in decision-making and management, education of women, women and health, women and law, and women and the environment.

Section I *Women and the Economy*, sets out as one of the major objectives to:

- *“Ensure that women enjoy equal right with men to social security and that the coverage of the maternity insurance developed for urban workers reaches over 90 percent.*
- *Ensure special labour protection for female workers.”*

In relation to State macro-policies, the PDCW also seeks the integration of a gender perspective into the economic analysis and restructuring. Under social security and services, the PDCW contains a commitment to ensuring equal access to women to basic old-age insurance, basic medical insurance, unemployment benefit, insurance for work-related injury and the maternity insurance that are available to workers in urban areas, for *“women employed in economic entities of various ownerships and at various levels”*, by joining social security schemes.

The Marriage Law of 2001 designated domestic violence as a crime in China. This legislation has enabled women across many provinces to increase community-based efforts to eliminate violence at home and support use of legal redress.

The State Council (2005) of China produced a document on *Gender Equality and Women’s Development in China*. This refers to enhancing social security for urban women and to reducing or eliminating the restrictive regulations on the employment of rural people in cities; to resolving problems of salary arrears, to ensuring vocational safety, equal pay for equal work and social security:

“so as to relieve rural migrant workers of anxieties regarding residence registration in cities and the schooling of their children” and to protecting “the legitimate rights and interests of rural women working in cities”.

The document also states that in its policy to alleviate poverty, *“preference will be given to poor women...and the ratio of women participants would be no less than 40 percent of the total”.*

The *Law of the People's Republic of China on the Protection of Rights and Interests of Women* was adopted in 1992 and amended in 2005. Chapter IV concerns women's *Rights and Interests Relating to Work and Social Security*. In addition to Articles 22 to 27 guaranteeing equal rights in relation to work, pay, promotion, safety and health, protection against dismissal, Article 28 states that:

“The State develops social insurance, social relief, social welfare and medical and health services to guarantee that women enjoy social insurance, social relief, social welfare and health care services, and other rights and interests.”

Article 29 mentions that the State promotes a childbearing insurance system and establishes other sound security systems relating to childbearing.

According to the *United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)* (2004), China was among the first States to accede to the CEDAW. Under Article 11 the State commits to taking all appropriate measures to eliminate discrimination against women in the field of employment and in particular:

“(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave” (CEDAW 2004).

In Article 14 the particular problems faced by rural women are referred to, along with the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy. This Article states that all appropriate measures be taken to eliminate discrimination against women in rural areas and to uphold their rights, including rural women's right:

(c) To benefit directly from social security programmes. (CEDAW 2004).

More recently, gender equality has been promoted in China through legislation protecting employees' rights in two laws passed in 2007. According to Article 42 of the *Labour Contract Law 2007*, women employees should not be dismissed from their labour contract during maternity, delivery or breastfeeding of their child. Under the *Employment Promotion Law 2007*, Chapter 3 Article 27 provides for Fair Employment, under which the State guarantees that women have the same working rights as men. It states that when employers recruit new workers, women should not be discriminated against on the basis of their gender or be subject to more critical recruitment methods than men, except in posts and professions that are not suitable for them. Employers are prohibited from including restrictive clauses in the employment contracts of women workers, relating to marriage and maternity in the recruitment process.

In parallel with the commitment to gender equality, China has been actively developing its Social Security system seeing it as *“one of the most important socio-economic systems for a country in modern times” (SCIO 2004).*

A major difference between the EU's and China's protection of women and men's rights in Social Security provision stems from their linkage in EU law which has championed gender equality in employment and social security since the 1970s. Until recent years, China's gender equality and social security reform, and change initiatives, have evolved as parallel systems through the adoption of a 'gender neutral' position.

A second major difference is in the EU's centralised legal platform that has ensured the harmonisation and compliance of Member States in the provision of equal treatment in social security in accordance with the EU Treaty and subsequent secondary laws. China's social security system has shifted in the opposite direction, favouring greater decentralization of decision making and funding support for social security to provincial and local levels, since the late 1970s.

A third major difference is that the EU has actively sought to promote good practice in social security through gender mainstreaming, in recognition of the fact that gender balance cannot be attained through compliance but requires more proactive measures. Gender mainstreaming is seen by the EU as the mechanism for translating 'good aspirations' for gender balance into 'good practice'.

Section 2 Social Security Reform and Gender Equality

The International Context

Globally, gender differences are evident in employment rates, sectors of employment (informal versus formal) and lower pay/earnings for women, compared with men. This leads to discrepancies whereby women accumulate lower pension and other benefits, where eligibility is earnings-related or based on individual records of employment history. Hence, employment and social security systems may perpetuate a situation in which poverty is disproportionately borne by women. Despite this pattern, the gender perspective is often absent from national policy debates (European Commission 2006). In recognition of this, the Social Watch Report 2007 *'In Dignity and Rights: Making the Universal Right to Social Security a Reality'* expresses concern that:

“social security is being dismantled worldwide, in part because of the effort of countries to retain capital investments to follow financial recommendations that supposedly lead to a better business environment. This jeopardizes the retirement life of older citizens, particularly women”.

Support for women's rights and gender equality in the development agenda is seen as a cross-cutting issue.

Even within the European Union, gender and social security continue to pose challenges for policy makers in the wake of enlargement and socio-economic change. A majority of UNECE countries have engaged in social security reforms, including pension schemes. Social security is of key relevance for women's employability, and for achieving equality in the division of unpaid care work between women and men. Women's employability is not seen solely as a social justice issue but also as a means of achieving a productive and high employment society (UNECE 2004). However, social security reform has been criticized for marginalizing gender equality and not systematically including gender concerns in: in reform proposals; policy debate; decision-making and assessment stages (UNECE 2004).

According to UNECE (2004):

“It is now widely recognized that women and men are affected differently by social security systems.

- *Some gender differences are caused by unequal social security regulations and practices, others by differences in the need for and use of social security, and yet others by inequalities outside the social security as such, for example in the labour market.*

Social security is an important tool for achieving gender equality:

- *Time use, for example, is influenced by family benefits.....for example childcare and through parental leave schemes. In addition, creating incentives for an increased use of family benefits by fathers us an important step toward more gender balance.*
- *In the light of demographic trends, old age security remains a central element of social security. Given the greater numbers of women in old age and the persistent gender inequality in lifetime income and control over property, pension schemes are particularly relevant for women.”*

Lessons from EU experience point to a number of problems in relation to pensions that place women at a disadvantage, through their weaker labour market position (reflected in lower incomes and lower pension contributions) and their shorter working life, mainly due to the childcare and other caring duties that are assigned to women. Where pension entitlements are insurance-based, women's contributions (even where pensionable

age is the same for women and men) are likely to be less than those of men. Many EU Member States have been faced with the task of equalizing men's and women's pension ages, in compliance with equal treatment. In practice, this requires greater adjustments on the part of women since a lowering of men's retirement age does not appear to be a viable solution.

Further complications arise due to women's unpaid caring responsibilities which have a detrimental effect on pension entitlements thereby providing a clear disincentive for men to take over a greater share of caring. Caring credits in pension schemes are therefore important instruments of gender mainstreaming pensions (UNECE 2004). EU pension regulations have also highlighted the conflict that can arise in private pensions based on separate life expectancy tables for women and men which result in lower monthly benefits for women or higher monthly contributions during working life. In contrast, unisex life tables will lead to equal monthly benefits, but potentially higher lifetime benefits, on average.

Gender Segregation and the Pay Gap in China

Women's employment in China increased from 291 million (44.95% of total employment) in 1990 to 337 million (45.28% of total employment) in 2003. However, men's employment increased by 4.16 per cent more than that of women over this period (SCIO 2004). Proportionately more women than men aged 15–24 are employed while the reverse is the case for the 24–65 age group in which men's employment rate surpasses that of women (ADB 2006). Fewer women in this age group are employed due to reproductive responsibilities and/or their earlier retirement age of 55 years, whilst for men the retirement age is 60. This has a negative effect on women's pensions.

Access to employment and equal pay are enshrined in China's Constitution and laws. However, as in other countries, China's labour market is segmented and gender segregated, which has important consequences for men's and women's access to social security. Women are under-represented as heads of governments, parties, social organisations, enterprises and institutions (16.8%), office clerks and related staff (30.3%), industrial production, transport and related workers (33.4%) and as other (not classified) workers (36.2%). Women make up a smaller proportion of the white-collar workforce than men. Also, a smaller proportion of women than men have highly paid jobs (UNDP 2005).

As in other countries, occupational segregation by gender has resulted in gaps in wages and salaries. According to the second National Survey of Women's Status in China gender wage differences are smaller in China than in some other countries. However, the gender pay gap is increasing (ADB 2006). Between 1988 and 1995, the ratio of female-to-male earnings dropped from 0.84 to 0.82.68. Another indication of growing gender inequality is that wage differences between male and female urban workers have increased. These gender differences tend to be much lower in the state sector than in the non-state sector, where wages are market-based and are generally higher (UNDP 2005).

Woo (1994) suggests that the continued emphasis on women as different from men, and in need of employment protection (maternity, menstruation, breastfeeding), may have inadvertently placed them at a disadvantage in the labour market:

"...recent Chinese regulations on women and work reflect a strong trend toward the biologization of women's issues as the latest in a series of fluctuating state policies towards women...the manner in which these regulations are implemented can further reinforce discrimination practices against women in the work force".

Woo (1994) proposed that additional anti-discrimination legislation was necessary to ensure that protection of women would not become the pretext for not hiring, or promoting, women workers. This has become enshrined in Chinese Labour Law (2007) though it is too early to verify if it has achieved the desired outcomes.

Four Pillars of the Social Security System in China

(i) Healthcare

The connection between gender, health and equity has been receiving increasing attention since the 1990s and is of growing importance in China. Chen and Standing (2007) charted the development of a comprehensive healthcare system in China from 1950 to 1980 noting that while it favoured urban areas it had improved the overall health of both rural and urban residents and enabled China to make substantial gains in health indicators: life expectancy (from 35 in 1949 to 69.6 years for men and 73.3 years for women in 2002) infant mortality (from 200 per thousand in 1949 to 29.2 per thousand in 2002) and maternal mortality (from 1,500 per 100,000 in 1949 to 43.2 per 100,000 in 2002) (NBS 2004).

Based on previous trials, the Government promoted a national reform of the basic medical insurance system for urban employees. The reform combines a social pool and personal accounts. The funds for basic medical insurance come mainly from premiums paid by employers and employees: the premium paid by the employer is about 6% of the total wage bill and that paid by the employee is 2% of that person's wage. Retirees are exempted from paying the premiums. The individuals' premiums and 30% of the premiums paid by the employers go to the personal accounts, and the remaining 70% goes to the social pool program funds. In principle, medical insurance is managed locally. However, the Asian Development Bank (2006) noted that coverage of medical insurance is too limited to benefit most of China's population.

Coinciding with industrial restructuring and rural-urban migration there has been a major fall in health insurance coverage in the 1990s. The proportion of urban dwellers lacking health insurance increased from 27.3 per cent in 1993 to 44.8 per cent in 2003 (Chen and Standing 2007). However this overall figure masks the fact that while 46 per cent of men were not covered, this applied to 54 per cent of women. Rural areas have suffered though some better-off areas have raised local finance while poorer areas have struggled and are largely funded from user fees (Chen and Standing 2007). A National Health Services Survey conducted in 2003 found that 9.5 per cent of countryside dwellers had cooperative healthcare and an additional 9.2 per cent had either social security or commercial insurance cover. Thus, over 80 per cent of the rural population has no medical insurance (Chen and Standing 2007). Although there is no sex-disaggregated data to show gender disparity in benefiting from the medical insurance, women tend to be the last to use outpatient services when sick, due to financial constraints and increasing costs of health care (ADB 2006).

From a medical health entitlements perspective, the UNDP (2005) state that the most vulnerable groups are laid-off workers and pensioners, those working on short contracts or for employers providing little formal coverage, and migrants who do not qualify for urban benefits. The UNDP (2005) claim that women are disproportionately represented in most of these categories and that the impact on women of having no medical insurance is worse because of maternity care, family care and security issues.

Restructuring of medical insurance cover is seen as a major priority, by the Minister of Health Chen Zhu, with equity as the main aim of healthcare reform. He acknowledged the problems of accessing services, the unequal distribution of resources across China and growing costs of medical care. The Vice Minister for Health, Gao Qiang, has vowed that

within two years “everyone in China will be covered by some kind of health insurance policy” (China Daily, 2008).

Maternity Insurance

In 1988, the State introduced a reform of the maternity insurance system in some areas. The premiums are paid by participating employers, and should not be more than 1% of the total wage bill. Individual employees do not pay premiums. Women have the statutory right to a childbirth allowance of 90 days (ADB 2006). Female employees who have given birth, or had abortions, have the right to return to their former jobs and salary. They are also entitled to reimbursement of their medical expenses. At the end of 2003, 36.55 million employees were covered by maternity insurance. By the end of 2004, it had been introduced into 28 provinces, autonomous regions, and municipalities directly under the central government, with 43.84 million employees, or 60% of all urban employees covered (SCIO 2005). In 2003, the All China Federation of Trade Unions assessed the implementation of the maternity insurance in 20 provinces. The report indicates progress as well as difficulties. The most serious challenge is that the payments from the maternal insurance have not kept up with the costs of deliveries. Women who give birth have to pay most of the charges for better services (ADB 2006).

(ii) Old Age Pensions

Globally, there are differences in pensionable ages across countries and between men and women. Traditionally, women were expected to retire c. 5 years earlier than men (European Commission 2006). However in 1990, the European Court of Justice ruled that where female employees were forced to retire at the age of 60 years (while men could continue in employment until they were 65 years) they must be entitled to compensation for loss of earnings (Meehan, 1993). In practice, most EU States have moved towards a leveling up of women’s pensionable age to the equivalent of that applying to men.

The coverage of basic insurance for the elderly has expanded from state- and collective-owned enterprises to other enterprises. The security, rights, and interests of employees in non-state enterprises are also guaranteed. At the end of 2003, 38.60 million retirees were participating in the basic old-age insurance program. However, because women normally retire 5 years earlier and have been employed in lower paid sectors or industries, they receive less than men (Jia 2005). Thus, the living standards of retired women tend to be lower than those of retired men.

Jiange (2004) states that, for China, “*the age for receiving full benefits from the basic pension should be slowly increased to 65 for both men and women*”, on the basis that the mandatory retirement age for state-owned enterprise (SOE) workers derives from an earlier time when life expectancy was shorter. Jiange cites other reasons for raising the retirement age: (1) it is currently lower in China than in many countries with much higher levels of income; (2) the combination of lengthy retirement and the one-child policy creates a ratio between retired persons and workers that has risen dramatically, from 1:13 in 1980 to 1:3 in 2002, and is projected to reach 1:2 in 2030. Thus, Jiange (2004) argues that “*it is important that the age at which workers receive their full pensions be raised. The change should be gradual, however, so that nobody close to retirement faces a sharp increase in his working years*”.

Under current conditions in China, pension recipients must have accumulated 15 years of personal contributions. The system covers all urban employees, the self employed and contractual workers from rural areas. The retirement age is 60 years for men and 55 years

for women. By the end of 2004, the number of people covered by the basic pension scheme was 163.53 million. Few of these were rural migrant workers (UNDP 2005).

According to a survey conducted by the China Research Centre on Aging in 2000, more than 70 percent of the urban elderly were covered by a pension scheme, compared with 3 per cent of the elderly in rural areas. The research highlighted the gender differences in coverage (Table 1). While 85 per cent of elderly men were in receipt of a pension, this applied to only 55 per cent of elderly women in urban areas in 2000 (UNDP 2005). There were also notable variations in women's entitlement between regions of China. Receipt of a pension was highest for elderly women in the Eastern region (61%) and lowest in the Western region (46%). Elderly men's coverage was more consistent across the regions at 83-86 per cent.

In rural areas there are further differences between men's and women's pension coverage in 2001. While 4 per cent of the overall elderly rural population were covered, nearly 7 per cent of elderly men in rural areas had a pension, compared with less than 1 per cent of elderly women (Table 1).

Table 1 Pensions Available to the Urban/Rural Elderly according to Gender (2000)

Aged population with Pension	Men (Number)	Men (%)	Women (Number)	Women (%)
Urban	4164	84.70%	2968	54.48%
Rural	326	6.67%	34	0.66%

Source: China Research Center on Aging, 2000 adapted from UNDP (2005)

The amount paid to pensioners also varied according to gender, location of residence and work place ownership. Payment to urban pensioners was 668 Yuan per month compared with 404 Yuan per month to rural dwellers. For urban men the pension was 759 Yuan while for urban women it was 541 Yuan per month. A similar gap was discernible among rural pension holders: 420 Yuan per month for men and 277 Yuan for women. The pension earnings gap between men and women was lowest in the Central region and highest in the Western region (UNDP 2005).

(iii) Unemployment Insurance

The Regulations on Unemployment Insurance guarantee the basic livelihood of employees who lose their jobs. They also assist people laid off from State Owned Enterprises (SOEs) and help them find new jobs. In 1999, the Government effectively standardized and improved the unemployment insurance system. All enterprises and institutions in urban areas and their employees must participate in the unemployment insurance program, under which employers pay 2 per cent of their total wage bill and individuals pay 1 per cent of their wages as premiums. When the unemployment insurance funds in areas that have participated in the social pool program are not enough to cover the need, the shortfall is made up by unemployment insurance regulating funds or subsidized by local financial budgets.

Although the benefits of the unemployment insurance are intended to trickle down to women, they have not benefited equally with men since women are concentrated in sectors or industries with lower pay and less stable working hours and their accumulated and pooled unemployment insurance is generally lower than that of men (ADB 2006). Thus, they are disadvantaged in the unemployment welfare system.

Unemployment among women is increasing fast as the female employment rate in urban areas fell by 29.4 per cent between 1995 and 2003 (Jiang 2005). Employment pressure has increased as the market-oriented reforms of SOEs have resulted in many layoffs since 1960s. From 1998 to 2003, 13.36 million women were laid off and became unemployed (SCIO 2004). The All China Federation of Trade Unions noted that women were often the first employees to be laid off. Only 39 per cent of women who had lost their jobs became reemployed—24.9 per cent less than for men. Furthermore, reemployed women mainly found work in the informal sector, such as wholesale, retail sales, food, hairdressing, and domestic service, where they receive lower pay and have less employment or social security. The second national survey on women’s status in China revealed that 49.7 per cent of women workers laid off from SOEs had encountered sex and age discrimination when seeking reemployment compared with 30.8 per cent of men (NBS 2002).

Table 3 Unemployment Rate in Urban and Rural Areas in 1990 and 2000 (%)

Year	1990	2000
National Total	0.88%	3.68%
Male	0.81%	3.60%
Female	0.96%	3.88%
Urban Total	1.79%	8.36%
Male	1.64%	7.78%
Female	1.99%	9.17%
Rural Total	0.17%	1.20%
Male	0.16%	1.26%
Female	0.19%	1.16%

Source: ADB (2006)

According to the UNDP (2005), unemployment insurance covers all urban enterprises and urban workers. A larger proportion of rural migrant workers are excluded since current regulations have not required employers to pay for unemployment insurance for rural migrant workers. Based on a nation-wide survey undertaken in China in 2003 women have higher unemployment rates and longer unemployment spells than men (Dong and Du, 2008). Using a regression model of men’s and women’s unemployment, the authors show that:

“women’s [employment] search efforts are disadvantaged by lack of access to social networks, higher costs of job separation (in terms of decreased earnings), unequal entitlements to reemployment services and unfair treatment with respect to mandatory retirements” (Dong and Du, 2008).

(iv) Worker Injury Insurance

The patterns of lower coverage by women in pensions and medical insurance are replicated in unemployment and work injury insurance (Table 2).

Table 2 Participation on Insurance Schemes according to Gender (2000)

	Coverage (% paid by work unit)		
	Men (%)	Women (%)	Gender Gap
Medical insurance	56.4%	47.7%	9.7
Unemployment insurance	33.7%	29.7%	4.0

Pension	64.7%	59.3%	5.4
Work injury insurance	47.4%	37.2%	10.2

Source: ADB (2006)

The prevailing social security system also lacks continuity. Once workers change occupation or become unemployed, they may lose their social security cover. Since the possibility of layoffs for women is greater than for men, women are more likely to be excluded from the social security system. Finally China's social security system is designed for regular employment. As a result, it is not providing cover for women in the informal sector. In response to these problems, the UNDP (2005) have called for a new social compulsory social insurance system that would cover all citizens, regardless of regions and industries, including rural workers in cities.

Conclusions

- ✧ Until recently in China, Gender Equality and Social Security policies have evolved independently of each other. It is really only since the 1990s that social security has been marked out as of specific importance in promoting gender equality.
- ✧ Economic reform has brought many benefits to Chinese society but it has also led to social difficulties. One consequence is that more women have shifted into precarious employment and hence a larger proportion of them are now outside the social insurance net, compared with men.
- ✧ With the current demographic trend towards an aging population and in the interests of gender balance the current pension age gap between women and men will no longer be tenable. Abolition of this age gap could be introduced by increasing women's pension age which has been the predominant pattern in EU States. It could also be achieved by lowering men's pension age, or adopting a middle age between the current ages of men and women. Such a reform could be phased in or introduced in a target year.
- ✧ There is clear evidence that the social security system excludes 'marginal' (laid off unemployed or irregularly employed women, contract women in private and foreign enterprises and agricultural women working in the cities etc.) rural and urban women. Once they lose their ability to work, such women face poverty and insecurity. The current system is built around urban social security, closely connected with the employer, labour time and labour income.

B. FRAMEWORK STRATEGY

Section 3 Gender Mainstreaming – the Roadmap

According to the Asian Development Bank Report on China (2006),

“gender issues have only been treated as a separate program in the current social security system reform, and not been integrated into the whole social security system.....the social security system tends to ignore the different concerns and interests of men and women”

The UNDP (2005) also argues that gender analysis is not yet mainstreamed in China:

“Government decision-makers seldom consider gender factors in their decisions...a more gender-sensitive system of governance equipped with the techniques and data for gender analysis is at the heart of improving women’s lot in China”.

These contentions are not new or unique to China. They have been levelled at most EU Member States and are still relevant to the evolution of EU social security systems. However there is now a commitment at EU level to addressing gender imbalance through the mechanism of gender mainstreaming.

Defining gender mainstreaming

“ Gender mainstreaming involves not restricting efforts to promote equality to the implementation of specific measures to help women, but mobilising all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account at the planning stage their possible effects on the respective situation of men and women (gender perspective). This means systematically examining measures and policies and taking into account such possible effect when defining and implement them” (European Commission 1996).

“ Gender mainstreaming may be described as “the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies, at all levels and at all stages by the actors normally involved in policy making” (Council of Europe 1998).

Gender mainstreaming should thus be seen as a gender equality strategy, which focuses on transforming by questioning the status quo (mainstream) and assuming that a transformation of institutions and/or organisations may be necessary to establish gender equality. As such, gender mainstreaming should not be regarded as a replacement for direct equal opportunities policy but as additional to it.

An effective gender mainstreaming strategy consists of four steps. The central focus of the first step *‘getting organized’* is on implementation and organization, and building awareness and ownership. Implementation and organisation of gender mainstreaming refers to the process of providing a structural and cultural basis for equal opportunities. This includes formulation of objectives and targets, making a plan, drawing up a budget and defining responsibilities and accountability of the different actors involved. In addition, stakeholders should consider gender mainstreaming as part of their tasks and responsibilities. It is therefore important *‘to build ownership’*. A next step in the process of gender mainstreaming is *‘learning about gender differences’*. A description of the actual situation is essential in

order to assess actual gender (in)equality and to prioritise areas for attention. In addition, monitoring of the situation over time provides information on the trends in gender (in)equality.

The European Commission has identified four dimensions to the assessment of gender inequality: participation (referring to the gender composition of the target group/population of the policy); resources (referring to the access to/distribution of resources such as time, money, and power), norms and values (referring to the value attached to men and women or to masculine and feminine trends in gender (in)equality).

Gender Impact Assessment (GIA) and Gender Budget Analysis (GBA) are important instruments for implementing gender mainstreaming. A systematically conducted GIA identifies whether the policy under scrutiny has positive or negative outcomes in terms of promoting gender equality and can be used to improve the quality and efficacy of policy design. With the instrument of GBA expenditure can be analysed from a gender perspective. The first Gender Budgeting Seminar was held in Beijing in August 2007 at the request and initiative of the ACWF and UNDP to: introduce the concept and implications to Chinese stakeholders; stimulate interest and learning; and generate ideas leading to sustainable action and new initiatives (ACWF and UNDP 2007).

The *EU Roadmap for Equality* is explicit about the importance of gender equality and gender mainstreaming:

“The EU remains an important partner in the global effort to promote gender equality. Turning globalisation into a positive force for all women and men and fighting poverty are major challenges. (...) If the EU is to meet these challenges progress towards gender equality must accelerate, and gender mainstreaming be strengthened in all policies and in particular in those areas identified in this roadmap” (CEC 2006a)

The Gender Mainstreaming Concept and Tools

Gender mainstreaming of employment policies: a checklist

Gender mainstreaming is often seen as an innovative concept, encompassing much more than a ‘traditional’ equal opportunities policy. Rees (1998) distinguishes between three types of gender equality strategies: *tinkering*, *tailoring* and *transforming*. *Tinkering* refers to measures aimed at establishing formal equality between men and women, such as equal treatment legislation and mechanisms to ensure law enforcement. Examples at the EU level are the directives regarding equal pay and equal treatment in access to employment, training, promotion and working conditions. *Tinkering* is one of the oldest strategies for promoting equal opportunities.

The second strategy is *tailoring*. Since equal treatment does not automatically lead to equal outcomes, specific measures and facilities for women may be necessary. Examples are positive action programmes for women and the provision of childcare. Under this *tailoring* approach women are supposed to assimilate into the *status quo*.

The third strategy of *transforming* goes a step further by questioning the *status quo* (the mainstream) and assuming that a *transformation* of institutions and/or organisations may be necessary to establish gender equality and balance. Rees regards gender mainstreaming as adding this potential for *transformation* to the established gender equality policies of formal equality and positive action.

A checklist for gender mainstreaming has been developed by the EU Group of Experts on Gender, Social Inclusion and Employment (EGGSIE), consisting of four steps:

The four steps of gender mainstreaming

Getting organized. The central focus in this first step is on implementation and organization, and building awareness and ownership.

Learning about gender differences. The aim of the second step is to describe gender inequality with regard to participation, resources, norms and values and rights, and to evaluate trends without policy intervention.

Assessing the policy impact. The third step is to analyse the potential gender impact of the policy with reference to participation, resources, norms and values and rights.

Redesigning policy. The fourth step is to identify ways in which the policy could be redesigned to promote gender equality.

These Steps have been adapted from their employment policy orientation to relate to social security policies.

Step 1: *Getting organised*

Implementation and organisation, and building awareness and ownership may be regarded as important preconditions of successful gender mainstreaming. Implementation and organisation of gender mainstreaming refers to the process of providing a structural and cultural basis for equal opportunities (Stevens and Van Lamoen 2001, Council of Europe 1998). This includes formulation of objectives and targets, making a plan, drawing up a budget and defining responsibilities and accountability of the different actors involved. With regard to the budget, sufficient resources for implementation need to be made available. Moreover, the use of special (external) expertise might be considered. In addition, gender mainstreaming implies that all stakeholders involved in social security policy should take equal opportunities of men and women into account. In order to create a certain degree of gender awareness and expertise, training is essential. In addition, stakeholders should consider gender mainstreaming as part of their tasks and responsibilities. It is therefore important 'to build ownership' but different strategies may be adopted. In some cases all the team may be expected to take 'ownership' but where awareness levels are low it may be necessary initially to have a nominated person with specific knowledge and awareness within the policy making team or unit.

Step 2: *Learning about gender differences*

A next step in the process of gender mainstreaming is the collection of relevant data on the position of women and men. A description of the actual situation is essential in order to assess actual gender (in)equality and to prioritise areas for attention. In addition, monitoring of the situation over time provides information on the trends in gender (in)equality. The European Commission (1998) has identified dimensions to the assessment of gender inequality: participation, resources, norms and values and rights. It is important to consider the initial situation from a dynamic and not solely a static perspective.

Participation

Participation refers to the gender composition of the target group/population of the policy and implies the need to gather basic information such as the share of men and women in , for example, unemployment or eligible for pensions. Where policy measures specify particular groups of vulnerable persons, the possible differential impact on men and women should also be taken into account. While there has been progress in improving the availability of gender segregated statistics in China, further work is essential in this first step. Though statistics seem straightforward, it is important to take measurement issues

into account. For example, unemployment may be measured in several ways. Depending on the method, gender differences might vary from rather low to quite high.

Resources

Gender differences may also occur regarding the access to/distribution of resources such as time, space, information and money, political and economic power, qualifications, transport, use of public services etc. In particular the unequal division of care responsibilities has a major impact on the distribution of resources. For example, with respect to social security policies, the fact that women bear the main responsibility for raising children should be taken into account. Women are also more likely to be concentrated in the informal segment of the labour market in which wages are lower and are therefore disproportionately affected by the lack of earnings-related insurance cover. Furthermore, more women employed in this growing sector may find that they are outside insurable employment

Norms and values

Norms and values influence gender roles and the gender division of labour, and the attitudes and behaviour of women and men. They also account, in part, for the inequalities in the value attached to men and women or to masculine and feminine characteristics. It is essential to identify the role of policy measures in reinforcing social norms and values that maintain gender inequality. Tax and benefit policies are, for example, often based on the principle of a male breadwinner household model.

The move towards more individualized models may, regardless of the impact on participation rates, have an important symbolic value. Along the same line, policy focusing on a more equal sharing of paid and unpaid work – with men explicitly in a role of carer – might also contribute to a more equal set of norms and values.

Rights

Rights pertain to direct or indirect sex discrimination, human rights, and access to justice in the legal, political or socio-economic environment. For example, medical and other social security schemes may be restricted to urban employees and not open to rural migrant workers. This could leave women and men ineligible for insurance cover. Even where women have formal rights on the same basis as men, lack of facilities may restrict women's ability to exercise their rights to take up these opportunities.

Step 3: Assessing the policy impact

The third step requires an assessment of the potential gender impact of the policy with reference to participation, resources, norms and values and rights. An important issue regarding participation is that both quantitative as well as qualitative aspects should be taken into account. For example, programmes to extend medical insurance cover may in particular concern women. With respect to access to resources, it is critical to take into account not only the impact on household resources but also the impact on individual resources. On the level of social norms and values, parental policies should address men's involvement in domestic labour. If only women make use of parenting leave the traditional unequal division of unpaid work between men and women will be reinforced, thereby potentially reinforcing existing social norms. With regard to rights to social security it is relevant to include the right to care as well as to undertake employment.

When assessing the impact of policy, it may be important to differentiate between particular groups of men and women such as ethnic minority groups, parents versus the childless, age groups, educational groups, provincial and regional groups etc. While measures to increase access to social security might, for example, be effective for women from the dominant group (e.g. resident in urban areas), women from other provinces may require specific measures. In addition, a sound policy assessment should include indirect effects. Changes to gender relations outside as well as inside work may be one of the indirect

effects to be looked for.

Step 4: Redesigning policy

Where the policy assessment indicates a negative impact on gender equality or to be broadly gender neutral, it is essential to identify ways in which the policy could be redesigned to promote gender equality. The need for redesign is particularly strong where initial gender differences are high and have major impacts on women's life chances. Redesign does not necessarily imply fundamental changes. For example, regarding social security policies, a rather simple but effective measure is to extend eligibility to all those currently excluded. Redesign may also require a multi-pronged approach involving more than one policy area or department, for example medical as well as social security provisions and Ministries.

Gender mainstreaming of Social Security Policies

Step 1 Getting organized

Are there any guidelines or targets set with regard to equal opportunities?
Are all relevant stakeholders aware of the gender equality issues?
Is there a clear structure of responsibilities?
Are training facilities available and/or is it possible to make use of external expertise?

Step 2 Learning about gender differences

Are all relevant statistics differentiated by gender?
What is the gender division of the target groups?
What is the gender division of specific disadvantaged groups like unemployed, rural/urban, formal/informal sector employees, migrants?
What are the relevant trends in this respect?

Step 3 Assessing the policy impact

Do men and women have equitable access to social security?
Are measures available to include those currently excluded from social security schemes?
Are there measures addressing the needs of specific groups - migrant workers, informal sector workers, unemployed?
Do active social security policies promote access by women to insurance schemes?

Step 4 Redesigning policy

Given the results of step 1, 2 and 3, identify ways in which the policy(s) could be redesigned to promote gender equality. Take into account that gender mainstreaming calls for a more joined up approach, which may involve more than one policy area or department (e.g. health)

GENDER BALANCE INDICATORS

There are many gender related indicators available to researchers and practitioners. The UNDP have developed a number of international Indexes:

- ❖ UNDP Human Development Index (HDI)

- is a summary composite index that measures a country's average achievements in three basic aspects of human development: health, knowledge, and a decent standard of living. Health is measured by life expectancy at birth; knowledge is measured by a combination of the adult literacy rate and the combined primary, secondary, and tertiary gross enrolment ratio; and standard of living by GDP per capita (PPP US\$).

China ranks no. 81 in the 2007/2008 Human Development Index rankings

- ❖ Gender-Related Development Index(GDI)

- Since 1995, the UNDP has published a Gender-Related Development Index(GDI) in its annual *Human Development Report*. The aim of the GDI is to rank countries according to both their absolute level of human development and their relative scores on gender equality. The GDI uses the same indicators and dimensions as the Human Development Index (HDI): life expectancy at birth, representing a long and healthy life; a composite indicator for educational attainment (the adult literacy rate and a combined gross school enrollment ratio), representing knowledge; and real per capita GDP, representing the standard of living (UNDP 1995). Sex-disaggregated data for each indicator are given a single social value that presumes a fairly strong societal preference for gender equality. The resulting valuations of educational attainment, life expectancy, and GDP per capita are used to calculate a GDI for each country.

China ranks no. 72 in the 2005 Gender-related Development Index rankings

- ❖ Gender Empowerment Measure (GEM), provides a measure of gender inequality in the areas of agency and power. This paper deals only with socioeconomic aspects of gender inequality. It assesses the contribution of the GDI to measuring and comparing country performance on gender equality, and explores alternative ways to measure socio-economic gender inequality.

China ranks no. 57 in the 2005 Gender Empowerment Measure rankings

The Gender Equity Index (GEI) was developed by the Social Watch Research Team to measure inequities in different areas of women's and men's everyday lives around the world. The 2007 GEI ranks 154 countries by measuring women's relative economic activity, education and empowerment. This year's GEI report additionally focuses on progress or regression in achieving gender equity over the 2004-2007 period. The relevant data have also been analyzed regionally, with East Asia and the Pacific having a score of 62 and China of 60.

Other indicators have been developed by the *The Economic and Social Commission for Asia and the Pacific Gender Indicators for Monitoring the Implementation of the Beijing Platform for Action on women in the ESCAP Region*, UN (2003). This body is the

designated regional focal point within the United Nations system for the follow-up activities relating to regional and international agreements that deal with gender equality and the advancement of women.

From a gender balance in social security perspective the following indicators are proposed (and should be kept under review):

A. Gender and poverty

B. Access to, and take-up of, education and training by women and men:

- Primary
- Secondary
- Tertiary
- Vocational

Educational qualifications held by men and women are important in contributing to labour market activity and employability.

C. Formal and Informal economy employment of men and women – rates of:

- Labour force participation
- Sectoral distribution
- Horizontal and vertical occupational segregation
- Pay and salaries
- Unemployment

D. Social Security Eligibility and benefits by women and men:

- Medical Insurance and Maternity benefits
- Unemployment Insurance
- Worker Injury Insurance
- Pensions

Section 4 Recommendations

1. Adoption of gender mainstreaming as both a conceptual framework and a roadmap for action in the social security reform process in China.
2. Publication of gender disaggregated statistics at national, provincial and sub-provincial levels to establish and support policy formulation, delivery and evaluation from a gender mainstreaming perspective to include key gender.
3. Organisation of Open Forum/Seminar to launch gender mainstreaming at top level policy making and to agree achievable targets for each of the 4 pillars of Social Security provision (including maternity benefit).
4. Scheduling and planning of Capacity Building and Training to support policy development and design, policy implementation and policy evaluation and to promote/disseminate gender mainstreaming at:
 - Provincial
 - County/District levels.
5. Establishment of a Steering Group/Standing Committee to enable stakeholders, partners and beneficiaries to be involved in evaluation of social security reform.
6. Monitoring of key indicators and targets.

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