

[Translation]

Does the law provide that the family planning IUD insertion and sterilization are mandatory?

<http://12345.fuzhou.gov.cn/detail.jsp?callid=08102200018>

Fuzhou Call Center for the Convenience of the People 12345

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Does the law provide that the family planning IUD insertion and sterilization are mandatory?

Inquiry Number: 08102200018

Inquiry Title: Does the law provide that the family planning IUD insertion and sterilization are mandatory?

Inquiry Content: I feel that IUD insertion and sterilization should be voluntary because IUD insertion and sterilization can be reversed. That's why making them mandatory is not effective. So, why a person cannot choose what contraceptive measure to use? If [a person claims that such procedure] is inappropriate due to illnesses, [such person] must obtain a certificate and cannot tell it to the family planning official directly. The fact that a certificate must be obtained will let certain people the chance to develop a habit of accepting bribe. I hope that the family planning office of Jiangjing will have a window for simplified processing window like that for passport processing. The procedure should be simplified, and the law should reflect humanitarian concerns – some people are not willing to undergo IUD insertion or sterilization.

Referral Opinion: Fuzhou City Petition Department 1. Fuqing City Petition Department please review and refer by October 23, 2008 15:13. (October 22, 2008 15:13)

Fuqing City Petition Department 1. Jiangjing Town, Fuqing City please reply by November 5, 2008 15:32. (November 22, 2008 15:32)

Fuzhou City
Leader's Instruction:

District (City) County
Leader's Instruction:

Reply:

Feedback is as follows:

- 1) According to the provincial family planning laws Article 18, those couples who have procreation ability must implement a contraceptive measure as provided by the family planning laws and receive contraceptive or birth control checkups. The provincial family planning law Article 43 provides that [if a person] does not implement an effective birth control measure according to the family planning laws, s/he must receive critical education by the village or town government. If [such person] does not correct his/her conduct after such critical education, the family planning administrative department of the county or above level will impose a fine of less than 500 yuan.
- 2) IUD insertion and sterilization are long term and most effective contraceptive or birth control measures. Pregnant women of an agricultural household should first choose to use IUD insertion within 3 months after giving birth to the first child and should first choose sterilization after giving birth to the second child. This will effectively prevent out-of-plan pregnancy or birth. If such contraceptive or birth control measures are not carried out or not adequately carried out, out-of-plan pregnancy or birth will very likely result and will bring to the family unnecessary frustration and burden.
- 3) It is the responsibility of the family planning office to provide free IUD or sterilization information and premium service for family planning targets. At the moment there is no other contraceptive or birth control method more effective and convenient than IUD or sterilization. IUD and sterilization are being universally implemented in agricultural villages nationwide. It is hopeful that the masses of procreation age will understand and cooperate.
- 4) For individual women of procreation age for whom IUD insertion or sterilization are inappropriate due to illness, IUD insertion or sterilization may be postponed after having been certified by qualified physician (e.g. [certificate] signed by an assistant physician-level or above from a city hospital, city family planning guidance center, city health clinic for women and children, Jiangjing health center, or Jiangjing family planning service office). When the health condition becomes permissible, [such person] should implement a long-term and effective birth control or

contraceptive measure in a timely manner. (Jiangjing Twon, Fuqing City replied on October 27, 2008 09:45)

Inquirer: Chen
Deadline: November 5, 2008 15:32
Date of Inquiry: October 22, 2008 08:13
Event Location: Jiangjing Town

Authentication Number: _____ (Only the inquirer may use the authentication number to publish comment)

Satisfaction Level: · Very Satisfactory · Satisfactory · Average · Unsatisfactory · Poor

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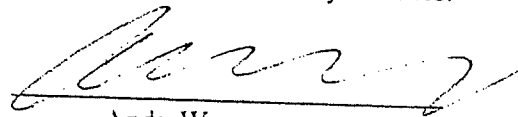
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CERTIFICATE OF TRANSLATION

I, Andy Wong, am competent to translate from Chinese into English, and certify that the translation of the above document is true and accurate to the best of my abilities.

12/8/08

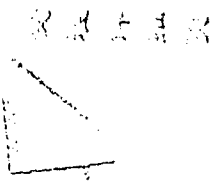
Date



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计生的上环和结扎，法律有规定是强制的吗

诉求编号 08102200018

诉求标题 计生的上环和结扎，法律有规定是强制的吗

诉求内容

我觉得上环和结扎应该是自愿的，因为上环和结扎可以解开既然如此强制也是没用的所以为何避孕的方式不能自己解决，要说是有病不适合要打证明，不能直接跟计生工作人员说一下就行，这样要打证明什么的不是给了受糊的人机会养成习惯，希望江德的计生简化或者办护照派出所等一样简化窗口，简化手续，让在外有人情，有的人是不愿意上环结扎的

转办意见

福州市信访局 1、请 福清市信访局 在 2008-10-22 15:13 前批转。(2008-10-22 15:13)

福清市信访局 1、请 福清市江镜镇 在 2008-10-22 15:32 前回复。(2008-10-22 15:32)

福州市

领导批示

区(市)县

领导批示

反馈如下:

- 1、省计生条例第18条规定：有生育能力的夫妻应当按计划生育要求落实一项节育措施，接受避孕节育情况检查，省计生条例第19条规定：不按计划生育要求落实有效节育措施，由乡镇人民政府给予批评教育，经批评教育仍不改正，由县级以上计划生育行政部门处以500元以下的罚款。
- 2、上环和结扎是长效节育、避孕的最有效的方法，农村孕妇生育一胎3个月内首选上环，生育第二胎2个月首选结扎，可有效防止政策外怀孕、生育，若节育、避孕措施不当或不落实，很容易造成政策外怀孕就生育，给计生家庭带来不必要的麻烦和负担。
- 3、免费为计生对象上环或结扎，提供咨询和优质服务，是计生部门应尽的职责，在当前没有一种节育避孕办法比上环结扎来利更有效、方便的话况全国农村地区普遍推行上环和结扎，希望广大育龄群众给予理解和支持。
- 4、个别育龄妇女患有疾病不适合上环或结扎，经有资质的医生出具证明（如市医院、市计生指导站、市妇幼保健院、江镜卫生院或江镜计生服务站所助理以上的医师签字），可以暂缓上环或结扎，待身体条件许可，应该及时予以落实长效节育避孕措施。（福清市江镜镇于2008-11-5 15:32 回复）

回复意见

诉求人 陈

截止日期 2008-11-5 15:32

诉求时间 2008-10-22 08:13

事件地点 江镜镇

验证码: [] 只有诉求人可凭验证码发表评论

满意度: 很满意 满意 一般 不满意 很差

发表评论

