











China

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
65.0	53.3	76.3

Women, Business and the Law 2024 (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For China, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Shanghai). The scores for China are shown in the table below.

Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0 Legal frameworks score	25.0	100.0	50.0	25.0	100.0	100.0	100.0	25.0	100.0	25.0
WBL 2.0 Supportive frameworks score	50.0	66.7	66.7	0.0	66.7	33.3	50.0	33.3	66.7	100.0
WBL 2.0 Expert opinions score	75.0	100.0	62.5	62.5	75.0	75.0	50.0	87.5	75.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for China (65.0 out of 100.0) is higher than the global average (64.2) and higher than the East Asia & Pacific regional average (57.8). When it comes to constraints on freedom of movement, constraints related to marriage, laws affecting women’s work after having children, laws affecting childcare and laws affecting women’s property and inheritance, China obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for China is on the indicator measuring laws affecting women’s safety. To improve on the Safety indicator, China may wish to consider putting in place legislation on domestic violence, introducing legislation on femicide and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for China (53.3 out of 100.0) is higher than the global average (39.5) and higher than the East Asia & Pacific regional average (33.9). When it comes to supportive frameworks affecting the size of a woman’s pension, China obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for China is on the indicator measuring supportive frameworks affecting women’s pay. To improve on the Pay indicator, China may

wish to consider putting in place pay transparency measures or enforcement mechanisms to address the gender pay gap and publishing sex-disaggregated data on employment in different industries or sectors at least on an annual basis.

The **WBL 2.0 expert opinions score** for China (76.3 out of 100.0) is higher than the global average (65.7) and higher than the East Asia & Pacific regional average (64.8). When it comes to expert opinions on freedom of movement and expert opinions on women's pensions, China obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for China is on the indicator measuring expert opinions on childcare.

WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
Safety		
Does the law address child marriage?	No	No applicable provisions could be located
Does the law address sexual harassment?	Yes	Civil Code, Art. 1010; Law on the Protection of Women's Rights and Interests, Arts. 25 and 85; Special Rules on the Labor Protection of Female Employees, Arts. 11 and 15; Criminal Law, Art. 237; Law on Administrative Penalties for Public Security, Art. 44
Does the law address domestic violence?	No	No applicable provisions could be located
Does the law address femicide?	No	No applicable provisions could be located
Mobility		
Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
Can a woman travel internationally in the same way as a man?	Yes	Passport Law, Arts. 6 and 7
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Nationality Law of the People's Republic of China 1980, Arts. 4-5 and 7
Workplace		
Can a woman get a job in the same way as a man?	Yes	Civil Code, Art. 1057; Law on the Protection of Women's Rights and Interests, Art. 43
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law prohibit discrimination in employment based on gender?	Yes	Labor Law, Art. 13; Employment Promotion Act, Art. 27; Law on the Protection of Rights and Interests of Women of People's Republic of China, Art. 43
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
Pay		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	No	Special Provisions on Labor Protection of Female Workers, Art. 4 and Annex
Can a woman work in an industrial job in the same way as a man?	No	Labor Law, Arts. 59 and 60; Special Provisions on Labor Protection for Female Employees, Art. 4 and Annex
Marriage		
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Civil Code, Art. 1055
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Civil Code, Art. 1055
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Civil Code, Arts. 1076 and 1082
Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
Parenthood		

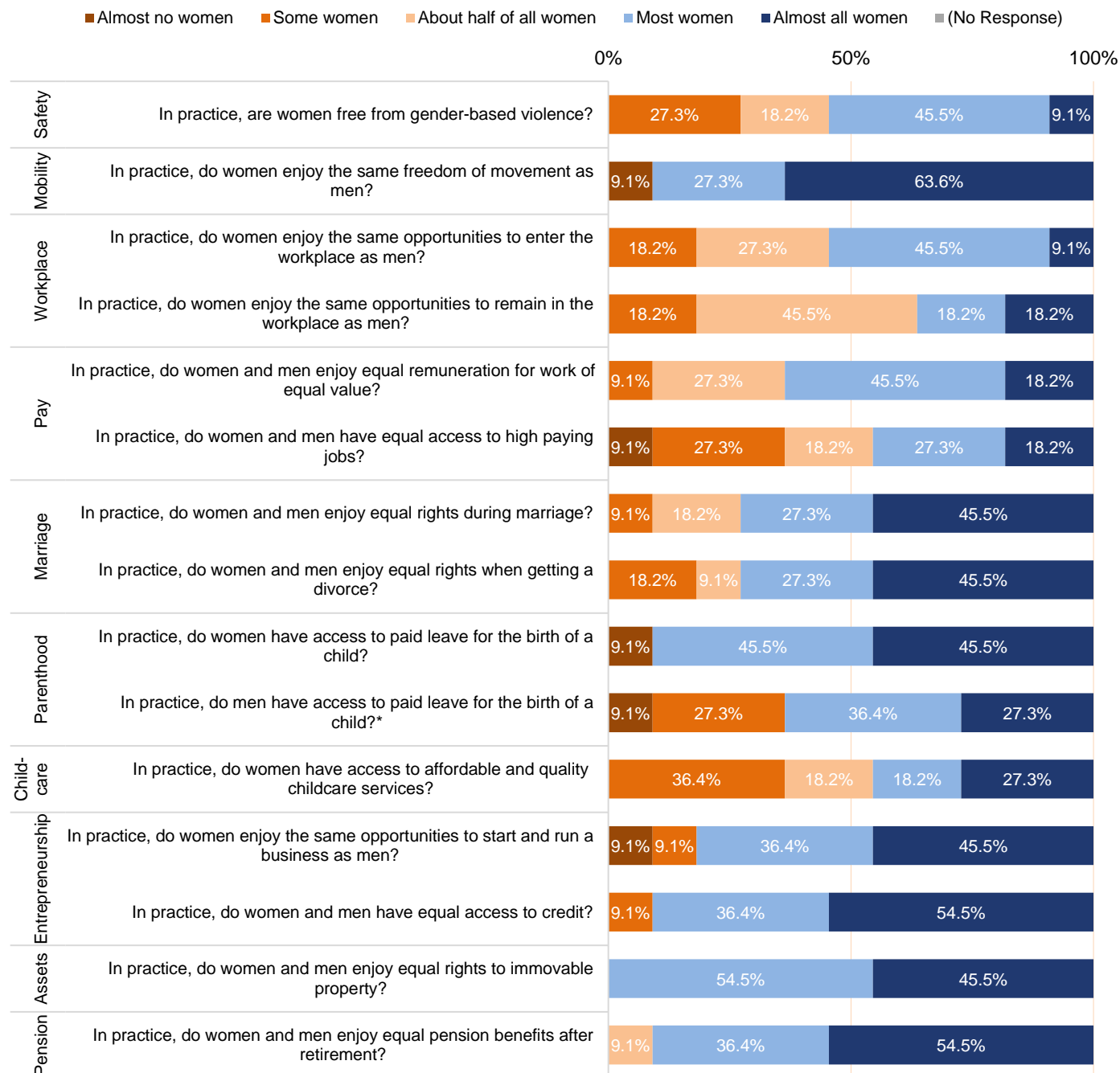
Is paid leave of at least 14 weeks available to mothers?	Yes	Special Provisions on Labor Protection of Female Workers, Art. 7; Regulations of Shanghai Municipality on Population and Family Planning as amended 2021, Art. 31
Are leave benefits for mothers paid solely by the government?	Yes	Social Insurance Law of the People's Republic of China (2018 Amendment), Arts. 53 and 54; Shanghai Urban Childbirth Insurance Measures, Arts. 10 and 15
Is paid leave available to fathers?	Yes	Regulations of Shanghai Municipality on Population and Family Planning as amended 2021, Art. 31
Is dismissal of pregnant workers prohibited?	Yes	Labor Contract Law of the People's Republic of China of 29 June 2007, Art. 42(4); Special Provisions on Labor Protection for Female Employees, Art. 5; Law on the Protection of Rights and Interests of Women of People's Republic of China, Art. 48
Childcare		
Does the law establish the provision of center-based childcare services?	Yes	Order of the President of the People's Republic of China No. 60 of 2006, Art. 45; Regulations of Shanghai Municipality on Preschool Education and Childcare Services No. 138 of 2022, Arts. 2, 4 and 5; Interim Measures for the Management of Childcare Institutions for Children Under 3 Years Old in Shanghai of 2018, Art. 5
Does the law establish any form of support for families for childcare services?	Yes	Operational Measures for Special Additional Deductions for Personal Income Tax (Trial) No. 7 of 2022, Art. 4; Circular of the State Council No. 8 of 19 March 2022
Does the law establish any form of support for nonstate childcare providers?	Yes	Regulations of Shanghai Municipality on Preschool Education and Childcare Services No. 138 of 2022, Arts. 49-50; Shanghai Regulations No. 12 of 2018, Sec. 4; Ministry of Finance Announcement No. 76 of 2019
Does the law establish quality standards for the provision of center-based childcare services?	Yes	Shanghai Regulations No. 19 of 2018, Secs. 4(5) and 6; Shanghai Office Regulations No. 12 of 2018, Art. 10; Regulations of Shanghai Municipality on Preschool Education and Childcare Services No. 138 of 2022, Art. 39; Shanghai Government Regulations No. 12 of 2018, Art. 19; Standards for Setting up Childcare Institutions (Trial implementation) No. 58 of 2019, Art. 38
Entrepreneurship		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Civil Code, Art. 14; Company Law, Art. 6
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota for corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
Assets		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	Yes	Civil Code, Arts. 1062 and 1055; Law on the Protection of Women's Rights and Interests, Arts. 53 and 55
Do sons and daughters have equal rights to inherit assets?	Yes	Civil Code, Arts. 1126 and 1127
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Arts. 1061 and 1126-1127
Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Code, Arts. 1062-1063, 1087 and 1088; Law on the Protection of Women's Rights and Interests, Art. 68
Pension		
Are the ages at which a woman and a man can retire with full pension benefits the same?	No	Interim Measures of the State Council on Workers' Retirement and Resignation of 24 May 1978, Arts. 1(1) and 2
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	No applicable provisions could be located
Is the mandatory retirement age for a woman and a man the same?	No	Labor Contract Law, Art. 44(2); Interim Measures of State Council on Retirement and Resignation of Workers, Art. 1(1)
Are periods of absence due to childcare accounted for in pension benefits?	No	No applicable provisions could be located

WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
Safety		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are special procedures in place for cases of sexual harassment?	No	Insufficient evidence located
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	Yes	National Working Committee on Children and Women under State Council
Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	Yes	All-China Women's Federation 2022 Financial Statement
Mobility		
Are passport application processes the same for a woman and a man?	Yes	Passport application procedures
Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	No	Insufficient evidence located
Workplace		
Does a specialized body receive complaints about gender discrimination in employment?	Yes	Law on the Protection of Rights and Interests of Women of People's Republic of China, Art. 49
Has the government published guidelines on nondiscrimination based on gender in recruitment?	Yes	Notice on Further Regulating Recruitment to Promote Equal Employment of Women
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Pay		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	No	Insufficient evidence located
Have sex-disaggregated data on employment in different industries or sectors been published?	No	Insufficient evidence located
Marriage		
Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	Yes	No. 129 [2016] of the Supreme People's Court; No. 12 [2018] of the Supreme People's Court
Is legal aid available for family law disputes?	Yes	Shanghai Legal Center
Parenthood		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Shanghai Urban Maternity Insurance Measures, Arts. 3, 17 and 18
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Have sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
Childcare		
Is there a publicly available registry or database of childcare providers?	Yes	Official Website of Shanghai Municipal Education Commission under Shanghai Education Department
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	Yes	Notice on Issuing the "Administrative Measures for the Use of Fiscal Fund Subsidies for Private Kindergartens in Jinshan District", Appendix
Has the government published any reports on the quality of childcare services?	No	Insufficient evidence located
Entrepreneurship		

Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	No	Insufficient evidence located
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	Yes	Shanghai Women's Employment and Entrepreneurship Guidance Station; Microfinance, Women's Federation; Notice on microfinance to promote women's entrepreneurship and employment
Does a current national government plan or strategy focus on women's access to financial services?	No	Insufficient evidence located
Assets		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Law on the Protection of Women's Rights and Interests, Arts. 55 and 66
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	Yes	Law on the Protection of Women's Rights and Interests, Art. 10; Women's Federation; Shanghai Chongming District Law Promotion Program
Have anonymized sex-disaggregated data on property ownership been published?	No	Insufficient evidence located
Pension		
Are incentives in place to increase women's retirement benefits?	Yes	Notice on Individual Income Tax Policies for Personal Pensions
Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Social Insurance Law of the People's Republic of China (2018 Amendment), Art. 83

WBL 2.0 distribution of expert opinion responses



*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.