



RESEARCH BRIEF

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Gender Equality through the Belt and Road Initiative: Addressing Women's Rights in Development

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Key Points:

- The Belt and Road Initiative (BRI) has a vision to build a global community of shared future.
- Although far from wholly successful, China has made significant strides in promoting gender equality, particularly in the cultivation of human resources.
- While challenges remain, the BRI has the potential to offer a new stream of thinking to promote gender equality within the context of development and human rights.

Introduction

In 2013, China launched the Silk Road Economic Belt and the 21st Century Maritime Silk Road, now

known as the Belt and Road Initiative (BRI), with a vision to “build a global community of shared future.”¹ The BRI spans over 138 countries² across the Eurasian heartland and Africa, which represent over 60% of the world's population and one-third of the global trade and GDP.³ More than 30 international organizations have signed cooperation agreements with the Chinese government.⁴ The conceptualization of the BRI provides a very loose framework that entails policy coordination, connectivity of infrastructure, unimpeded trade, financial integration, and closer people-to-people ties.⁵ Understanding what falls within the umbrella of the BRI is unclear. Some projects started well before 2013 when President Xi Jinping announced the initiative during his visits to Kazakhstan and Indonesia, but which are

¹ LEADING GROUP FOR PROMOTING THE BELT AND ROAD INITIATIVE, *THE BELT AND ROAD INITIATIVE: PROGRESS, CONTRIBUTIONS AND PROSPECTS* (1st ed., 2019) at 45, <http://files.chinagoabroad.com/Public/uploads/content/files/201904/201904220254037.pdf>.

² China One Belt One Road Network, Yitong zhongguo qianding gongjian yidaiyilu hezuo wenjian de guojia yilan (《已同中国签订共建“一带一路”合作文件的国家一览》, 载中国一带一路网)[List of countries that have

signed cooperation documents with China for the Belt and Road Initiative], <https://www.yidaiyilu.gov.cn/xwzx/roll/77298.htm> (last accessed Feb. 10, 2020).

³ World Bank, *Belt and Road Initiative* (Mar. 29, 2018), <https://www.worldbank.org/en/topic/regional-integration/brief/belt-and-road-initiative>.

⁴ LEADING GROUP FOR PROMOTING THE BRI, *supra* note 1, at 6.

⁵ LEADING GROUP FOR PROMOTING THE BRI, *supra* note 1, at 3.

now included in the initiative, while others are not. However, the BRI is believed to be one way for China to achieve its geopolitical aspirations.

Against the background that China is offering its own approach to reforming the current global governance system⁶ through constructing “a global community of shared future,”⁷ this Research Brief focuses on the role of gender equality in the BRI. China has made significant progress in promoting gender equality over the last several decades. While China still has a way to go in terms of domestic gender equality, it may be a model for other countries that are promoting gender parity. This Research Brief argues that, notwithstanding a number of important obstacles and limitations, the BRI has the potential to offer a new paradigm on gender justice. In its ideal form, it could guarantee human rights as an intrinsic part of development, and thus promote a human rights-centered approach to development, which could be translated into practice.

Gendered Law and Development in China

The gender imaginary has been intrinsic to China’s identity and national narrative of modernity since the beginning of the 20th century. As women’s subordination was explicitly linked to the weakness of China in the “Century of Shame” (roughly, from the mid-19th to the mid-20th centuries), the collective subject named “Chinese Woman” was entangled with the

dominant narrative of revolution, and thus “a feminist discourse that had long been an integral part of the modernity project in China.”⁸ Women as consumers of modern consumer products and as child-bearers were key to eugenic improvements, scientific modernity, and the strengthening of the nation.⁹ Many women’s studies point out that, in Chinese popular thought, ideas of womanhood have changed from a notion of gender shaped by kinship, in which “daughter,” “wife,” and other “kinswomen” were primary identifications, to one characterized by gender binaries, in which “woman” (女性, *nüxing*) and man were paired in social thinking, and later, to “woman” (妇女, *fùnǚ*) as a state-endorsed revolutionary subject.¹⁰ Nonetheless, through this process, Chinese thought conceived of women as objects to be liberated rather than as initiators of gender revolution.

There is an emerging notion of development in the Chinese legal framework that is based on gender. Firstly, China has made commitments to gender equality by being linked to many human rights treaties, including the International Covenant on Economic, Social and Cultural Rights (CESCR),¹¹ the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD),¹² to name a few. Also,

⁶ LEADING GROUP FOR PROMOTING THE BRI, *supra* note 1, at 46.

⁷ The concept of “a global community of shared future” was first delivered by former President Hu Jintao to emphasize that “mankind has only one earth to live on, and countries have only one world to share” and to call for the building of a harmonious world of enduring peace and common prosperity. This idea was later repeated many times by President Xi Jinping and in 2018 was enshrined in the Constitution of China.

⁸ Wang Zheng, “State feminism”? Gender and socialist state formation in Maoist China, *FEMINIST STUDIES*, 31(3) 519-551 (2005).

⁹ GAIL HERSHATTER, *WOMEN IN CHINA’S LONG TWENTIETH CENTURY* 86 (2007).

¹⁰ *Id.* Chapter 3.

¹¹ China has signed and ratified the CESCR, which includes provisions regarding gender equality, such as Art. 2(2), Art. 3, Art. 13(7) and Art. 29(1).

¹² China has signed and ratified the CERD. Although the CERD is basically about racial discrimination, it protects

China supports the 2001 Millennium Development Goals (MDGs) and the 2015 Sustainable Development Goals (SDGs) both of which contain the principle of gender equality. China is a founding member of the International Labor Organization (ILO); promoting gender equality is enshrined in the ILO Constitution and reflected in its Equal Remuneration Convention (No.100), Discrimination (Employment and Occupation) Convention (No.111), Workers with Family Responsibilities Convention (No.156), and Maternity Protection Convention (No. 183).

Promoting gender equality is a basic state policy and overarching principle enshrined in the Constitution of China.¹³ China has also implemented gender-sensitive laws, regulations and policies to take the corresponding domestic measures to promote gender equality and women's rights protection in its overall plans for economic and social development. Legislation and policy such as the Law on the Protection of Women's Rights and Interests and its 2005 amendments, the new Anti-domestic Violence Law, the adoption of the Beijing Declaration and the Platform for Action, all show China's strong

determination to make women "visible" in development. However, law-making does not necessarily guarantee law in action. Some scholars have criticized the operation of these laws and regulations.¹⁴

In terms of actual achievements for gender justice, China has achieved remarkable progress, even if challenges remain. China is home to 679 million women,¹⁵ and 60% of them are in the labor force. This rate is among the highest female labor force participation rates in the world.¹⁶ Furthermore, women are employed in skilled jobs to a greater extent than men (women account for 51.7% of the skilled labor workforce), putting China first on the Global Gender Gap Index 2020 regarding the Professional and Technical Workers Indicator.¹⁷ Meanwhile, China has virtually closed the educational gender gap, with both sexes achieving universal literacy.¹⁸ China also takes the top spot when referring the female enrollment rates in tertiary education.¹⁹ But women lag far behind in senior roles, such as legislators, senior officials, and managers. For example, women hold barely 9.7% of the board roles in listed companies, and

women since women are more easily to suffer from the intersectional discrimination.

¹³ Art. 48.

¹⁴ For instance, Xiaonan Liu examines recent gender-based employment discrimination decisions and finds that Law on the Protection of Women's Rights and Interests is applied in none of them. The Law on the Protection of Rights and Interests of Women is a comprehensive law for protection of women's rights in all aspects of society, which primarily functions merely as a guideline. See XIAONAN LIU, *Law Reform on Gender-based Employment Discrimination in China*, in MAKING LAWS, BREAKING SILENCE: CASE STUDIES FROM THE FIELD 86-96 (2018). Also, through an analysis of a large share of the adjudicated divorce decisions in China, Ethan Michelson finds that despite an abundance of formal legal mechanisms designed to provide relief to victims of marital abuse, a plaintiff's claim of domestic violence does

not increase the probability the court will grant the divorce request. See Ethan Michelson, *Decoupling: Marital Violence and the Struggle to Divorce in China*, AM. J. OF SOCIOLOGY, 125 2 (2019) at 325-381.

¹⁵ The World Bank, Female Population - China, World Bank Open Data (2019 Revision), <https://data.worldbank.org/indicator/SP.POP.TOTL.FE.ZS?locations=CN>.

¹⁶ The World Bank, Female Labor Force Participation Rate - China, World Bank Open Data (Data retrieved in September 2019), <https://data.worldbank.org/indicator/SL.TLF.CACT.FE.ZS?locations=CN&view=map>.

¹⁷ WORLD ECONOMIC FORUM (WEF), GLOBAL GENDER GAP REPORT 2020 135 (2020), http://www3.weforum.org/docs/WEF_GGGR_2020.pdf.

¹⁸ *Id.* at 30.

¹⁹ WEF, *supra* note 14, at 9.

only 17.5% of the firms have top managers who are women.²⁰

The BRI: A New International Cooperation Platform to Advance Gender Equality

China has a complex status in international affairs as it is, at the same time, both a developing country but also one of the main exporters of capital overseas. In recent years, China has become more assertive as an active player in international law, but has struggled to define its own version of human rights. This interpretation of gender rights is informed by China's view of itself as a developing country, with values that differ from those of Western states. At the same time, in terms of its foreign policy, China has identified common causes with other developing countries.²¹ Hence, the BRI aims to link up China's version of gender rights with those of other developing countries.

Evidence suggests that improving gender parity may result in significant economic dividends. Some recent estimates suggest that China could see a \$2.5 trillion GDP increase from narrowing the gender gap, and that the world as a whole could increase global GDP by \$5.3 trillion by 2025 if it closes the gender gap in economic participation by 25% over the same period.²² Unfortunately, some countries within the BRI do not support women's rights protection and gender equality.

Chinese outward investment and foreign aid are indices of China's promotion of its developmental model, as well as a major means by which China exerts its position on a global scale.²³ In the context of the BRI, many of the countries along the Road in Asia and Africa are the beneficiaries of China's foreign aid. Since the mission of BRI is to construct a global community of shared future, the BRI is comprised of a number of bilateral relations linked by China's foreign aid and outward investment. These linkages may provide a new way of thinking about gender equality in the context of development assistance.²⁴

China has established and sponsored multilateral forums and conferences, with such themes as addressing gender-biased sex selection,²⁵ to promote gender equality along the BRI. It has promised to donate \$10 million to the UN Women for the implementation of the Beijing Declaration and Platform for Action, and to support the work necessary to achieve the Sustainable Development Goals. In the next five years, China will help other developing countries build 100 "health projects" for women and children and implement 100 "happy campus" projects to finance the schooling of poor girls. It will also host 30,000 women from developing countries to receive training in China, and provide 100,000 skills training opportunities in local communities of other developing countries.²⁶

²⁰ WEF, *supra* note 14, at 136.

²¹ DAVID SHAMBAUGH, CHINA GOES GLOBAL: THE PARTIAL POWER, 43 (2012).

²² International Labor Organization (ILO), *Economic Impacts of Reducing the Gender Gap*, ILO What Works Research Brief No. 10 (Sept. 29, 2017), https://www.ilo.org/global/research/publications/what-works/WCMS_577685/lang--en/index.htm.

²³ British Council, *Improving Gender Equality through China's Belt and Road Initiative*, (2019) at 3,

<https://www.britishcouncil.cn/en/programmes/society/BRI>.

²⁴ *Id.* at 15.

²⁵ United Nations Population Fund, *China, Belt and Road countries share experiences on gender-biased sex selection*, UNFPA China (Oct. 25, 2018), <https://china.unfpa.org/en/news/20181025001>.

²⁶ Xieshou tuijin yidaiyilu jianshe, (携手推进“一带一路”建设——在“一带一路”国际合作高峰论坛开幕式上的主

Conclusion

Although China has begun to address the gender issues in its BRI endeavor, there remains room for improvement. For one thing, the existing approach to promote gender justice emphasizes and heavily relies on state-led actions. On this score, civil society has, as of yet, had a limited role in advancing an alternative agenda. In addition, there is no gender-specific policy for the BRI. China should adopt a “gender lens” in its overseas investment and foreign aid programs to ensure that both men and women in BRI countries can

enjoy equal opportunities to develop their careers within the evolving framework. If women could be fully empowered in this “inclusive, sustainable and durable development,”²⁷ the mission “to build a global community of shared future” may be completed in the foreseeable future.

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旨演讲) [Join hands to advance the Belt and Road Initiative - Speech at the opening ceremony of the Belt and Road Forum for International Cooperation], XINHUA, (May 14, 2017), http://www.xinhuanet.com/politics/2017-05/14/c_1120969677.htm.

²⁷At China’s Belt and Road Forum, UN Secretary-General António Gutierrez calls for ‘inclusive, sustainable and durable’ development, UN News, (April 26, 2019), <https://news.un.org/en/news/region/africa>.