

National Laws

Legislation of Interpol member states on sexual offences against children

China – Chine – China

Beijing

The information on this page is up to date as of spring 2006

I. Ages for legal purposes

Age of simple majority

According to the 'Law for Protection of Minors in China', citizens under eighteen (18) are minors and enjoy special protection by law. A child is a person aged between six (6) and fourteen (14).

Age of consent for sexual activity

No information has been received in connection with this offence.

Age of consent for marriage

China's Marriage Law sets the ages at twenty-two (22) for male persons and at twenty (20) for female persons.

II. Rape

The Criminal Law of China promulgated on 14th March and enacted on 1st of October, 1997, ruled

I. Rape

Forcible coitus with women or by other means against their will.

Punishment: 3 to 10 years' imprisonment

Carnal knowledge with girls aged under fourteen (14) years is considered rape and deserves a heavier penalty.

II. Rapists will be punished with imprisonment from 10 years to life imprisonment, until death penalty under following circumstances

a) Raping women or minors viciously;

- b) Raping more women and minors;
- c) Raping women in public;
- d) Raping in rotation by more than 2 offenders;
- e) Causing death or serious consequences.

III. Other forms of child sex abuse

'Indecent assault against the will of women or by force'

Punishment: imprisonment for up to 5 years or forced labour.

If the offender assaults or insults women in public, he will be punished with imprisonment for over 5 years.

'Fingering or sodomy against minors under fourteen (14)'

Punishment: imprisonment for up to 5 years or forced labour.

If the offence is committed in public, the punishment will be imprisonment for at least 5 years.

'Minor' includes boys and girls aged under fourteen (14).

IV. Child prostitution

'Promiscuity'

Punishment: imprisonment for up to 5 years or forced labour.

Those who instigate minors to promiscuity will be punished by a heavier penalty.

'Organizing, compelling, inducing or harbouring girls under fourteen (14) to prostitution'

Punishment: 5 to 10 years' imprisonment with fine or confiscation of property.

'Serious' offenders will be punished by life imprisonment or death penalty with confiscation of property.

'Inducing girls aged under fourteen (14) to prostitution'

Punishment: imprisonment for up to 5 years and fine.

'Whoring girls aged under twenty-four (24)'

Punishment: imprisonment for 5 years and fine.

V. Child pornography

'Production, sale and spreading of pornography'

Those who commit such crimes for profit, are punishable by 3 years' imprisonment, forced labour or surveillance with fine.

'Serious' offenders are subject to three to 10 years' imprisonment with fine.

'Gravest' offenders are subject to 10 years to life imprisonment with fine or confiscation of property.

'Propagation of pornography'

Those spreading pornographic literature, film, video or images are punishable by 2 years' imprisonment, detention or surveillance.

Those who spread pornography to minors aged under eighteen (18) are punishable by a heavier penalty.