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## Committee on Economic, Social and Cultural Rights

### **Third periodic report submitted by China under articles 16 and 17 of the Covenant, due in 2019\*\* , \*\*\* , \*\*\*\***

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\*\* The present document is being issued without formal editing.

\*\*\* The reports of Hong Kong, China (E/C.12/CHN-HKG/4), and Macao, China (E/C.12/CHN-MAC/3), form part of the present State party report.

\*\*\*\* The annex to the present report may be accessed from the web page of the Committee.



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## Foreword

1. The People's Republic of China ratified the International Covenant on Economic, Social and Cultural Rights in February 2001. On 27 June of the same year, the Covenant entered into force in China. China submitted its first and second reports on its implementation of the Covenant on 27 June 2003 and 30 June 2010, and the United Nations Committee on Economic, Social and Cultural Rights considered those reports from 27 to 29 April 2005 and on 8 May 2014 respectively, adopting its concluding observations on 13 May 2005 and 23 May 2014. In line with articles 16 and 17 of the Covenant and the related regulations of the Committee, China is to submit its third report on implementation of the Covenant in 2019.

2. In drafting its third report on the implementation of the Covenant, China has followed the United Nations guidelines on the drafting of reports by States parties to human rights conventions (HRI/GEN/2/Rev.6) and the guidelines of the Committee on the drafting of reports on implementation of the Covenant (E/C.12/2008/2). Laws, regulations, policies and mechanisms that were included in the previous two implementation reports and which have not since been revised or updated will not be further elaborated upon in the present report.

3. The present report introduces the current situation of and developments in the implementation by China of the Covenant since the last review round. It comprises three sections, treating the current situation of and developments in the implementation of the Covenant in the mainland of China, in the Hong Kong Special Administrative Region of China, and in the Macao Special Administrative Region of China, separately drafted by the central Government and the governments of the Hong Kong and Macao Special Administrative Regions, respectively.

4. The Chinese Government attaches importance to the concluding observations made by the Committee during its consideration, in 2014, of the second report of China on implementation of the Covenant. The Committee's main recommendations, such as the abolition of the re-education through labour system, the introduction of legislation to combat domestic violence, the revision of the family planning policy, and the implementation of free nine-year compulsory education, have been implemented. The present report not only introduces the status of implementation in respect of the articles concerned, but also provides responses to the related recommendations made in the Committee's concluding observations.

5. To compile the present report, the Ministry of Foreign Affairs took the lead in setting up an interdepartmental working group that included more than 30 legislative, judicial and administrative departments, and more than 20 social organizations and academic research institutions were consulted as the report was composed. As they drew up materials in their respective areas of competency, departments also consulted social organizations and academic research institutions in those areas. The views of the general public were also widely solicited for the report via the Ministry website.

## **I. Article 1 Self-determination**

6. Since the founding of the People's Republic of China, all State power has belonged to the people, and the people have become the masters of the country and fully enjoy the right of self-determination. Related provisions and institutional arrangements under the Constitution were included in the two previous reports and will not be further elaborated upon here. China has created a five-in-one development pattern comprising the construction of the economy, politics, culture, society and ecological civilization. The Nineteenth National Congress of the Communist Party of China launched a new march towards the construction of a modern socialist nation in an all-round way. The Chinese people fully enjoy the right of self-determination, and are making great efforts to build the country into a great modern socialist country that is prosperous, democratic, culturally advanced, harmonious and beautiful, and to realize the great rejuvenation of the Chinese nation.

## **II. Article 2 Measures taken by the State party to guarantee the full realization of economic, social and cultural rights**

### **A. Most recent legislation, programmes and measures**

7. In 2017, the Nineteenth National Congress of the Communist Party of China proposed to totally eliminate absolute poverty and to complete the building of a moderately prosperous society in an all-round way by 2020, to basically achieve socialist modernization by 2035, and to complete the construction of a great modern socialist country that is prosperous, democratic, culturally advanced, harmonious, and beautiful by 2050. In 2018, the phrase “[the Chinese people will] ... promote the coordinated development of the material, political, spiritual, social, and ecological civilizations, and turn China into a great modern socialist country that is prosperous, democratic, culturally advanced, harmonious and beautiful,” was written into the Constitution.

8. The Twelfth and Thirteenth Five-Year Plans for the economic and social development of the Chinese people were formulated in 2011 and 2016 respectively.

9. As of March 2019, there were 272 laws in force in China. From 2013 to the end of March 2019, 35 new laws were drawn up, including the General Provisions of the Civil Law, the Anti-Domestic Violence Law and the Charity Law; Amendment (IX) to the Criminal Law was adopted and 174 laws were amended, including the Law on Population and Family Planning, the Education Law and the Criminal Procedure Law, while the legislation on re-education through labour was repealed.

10. The second National Human Rights Action Plan (2012–2015) has been successfully implemented, and the third National Human Rights Action Plan (2016–2020) is in the process of implementation.

### **B. Aid received and foreign aid provided**

11. Since 2011, China and the United Nations system in China have jointly implemented the United Nations Development Assistance Framework for China, and have been cooperating with the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA) and the United Nations Industrial Development Organization (UNIDO) in the fields of environmental protection, maternal and child health, youth development and food safety, with a total of about US\$ 740 million in project funding.

12. Since 2011, the European Union, the United Kingdom, Germany, Australia, Japan and New Zealand have successively announced the end of their traditional development assistance to China. At present, only Norway still provides traditional bilateral development

assistance funds to China. China has carried out more than 80 cooperative projects in the fields of global health, disaster prevention and mitigation, agriculture and forestry, environmental protection and sustainable development from 2011 to the present, with a total funding level of about \$340 million.

13. From 1950 to 2016, China cumulatively provided foreign aid in excess of 400 billion yuan and implemented more than 5,000 foreign aid projects. In recent years, China has continued to use foreign aid to provide what assistance it can to other developing countries. Chinese President Xi Jinping and Party and State leaders have announced a series of assistance initiatives at such forums as the summit meeting marking the seventieth anniversary of the foundation of the United Nations, the United Nations Climate Change Conference in Paris, the Johannesburg and Beijing summits of the Forum on China-Africa Cooperation, the Group of 20 Leaders Summit in Hangzhou, and the BRICS leaders' meeting in Xiamen. They set up the "Eight 100s" project, established the China – United Nations Peace and Development Trust Fund, the United Nations South-South Cooperation Assistance Fund, and the Institute of South-South Cooperation and Development, and determined ten major plans and eight major actions for cooperation between China and Africa. At the first meeting of the Belt and Road Forum for International Cooperation, it was announced that over the following three years, China would provide 60 billion yuan in aid to developing countries and international organizations taking part in the joint construction of the Belt and Road Initiative.

### **C. The principle of non-discrimination**

14. China has ratified a series of international human rights conventions combating discrimination. The Chinese Constitution, the Law on Regional National Autonomy, the Law on the Protection of Women's Rights and Interests, the Law on the Protection of the Rights and Interests of the Elderly, the Law on the Protection of Minors, the Law on the Protection of Disabled Persons, the Mental Health Law, and the Employment Promotion Law all provide for the application of the principle of non-discrimination in their related fields, so as to protect the rights and interests of special groups. The 2017 formulation of the General Provisions of the Civil Law stipulates that "all civil subjects have equal legal status in civil activities".

### **D. Responses to concluding observations**

#### **1. Establishment of a national human rights institution (paragraph 8)**

15. Already clarified in the second implementation report.

#### **2. Ensuring the direct applicability of the Covenant in domestic law (paragraph 9)**

16. The applicability of international treaties in domestic law is determined by each country based on the principles of its domestic law. China attaches importance to the protection of citizens' economic, social and cultural rights. The specific provisions included in many laws and regulations form a complete domestic legal system aligned with the Covenant. The people's courts apply Chinese laws in trying related cases, effectively protecting the applicable rights of citizens and ensuring the implementation of the spirit and provisions of the Covenant.

#### **3. Independence of the judiciary (paragraph 10)**

17. The judicial organs of China exercise their functions and powers independently and impartially in accordance with the law. China is deepening its promotion of judicial reform, comprehensively implementing a responsibility system for the judiciary, improving the mechanism for protecting judicial personnel as they perform their duties in accordance with the law, and ensuring that judges and procurators handling cases in accordance with the law are not subject to interference from administrative organs, social organizations or individuals.

18. Since 2014, the Supreme People's Court has held 69 training courses on such topics as the exclusion of illegal evidence and human rights education, cumulatively training more

than 20,000 judges. The professional training of the Supreme People's Procuratorate, the national rotation training of lower-court judges, the nationwide training of superior- and intermediate-court presidents, the training of public security police supervisors, and the training of lawyers' associations all feature content involving the protection of human rights. Prison police are also required to take part in human rights training when first appointed and when being promoted to higher ranks.

#### **4. Corruption (paragraph 11)**

19. China attaches importance to the implementation of the relevant provisions of the United Nations Convention against Corruption, which drew the high appreciation of all parties during the first cycle of Covenant implementation review. We adhere to the principle of "no forbidden zones, full coverage and zero tolerance" in opposing corruption, as well as to the organic combination of deepened reform and institutional innovation, and have won an overwhelming victory in our fight against it.

20. We are continuously improving the supervision system at the national level. Following the adoption of the amended Constitution and the Supervision Law in 2018, it established a National Supervisory Commission, and the Criminal Procedure Law has been amended to define the conditions for the application of in-absentia trial procedures in corruption and bribery cases. Independent and impartial investigations are conducted into corruption cases, such cases are handled in strict accordance with the law, and supervisory committees at all levels exercise their supervisory power independently. We also work to combat corruption and promote the international pursuit of stolen goods through the Law on International Judicial Assistance in Criminal Matters.

21. From December 2012 to December 2018, the disciplinary inspection and supervision organs filed 2,327,000 cases and punished 2,347,000 people nationwide, including 77,000 persons suspected of occupational crimes whose cases were transferred to the judicial organs. We continue to carry out "Operation Skynet" and resolutely pursue those who flee. From 2014 to March 2019, a total of 1,215 people suspected of occupational crimes were repatriated from more than 120 countries and regions.

22. We vigorously promote openness in government affairs, and a newly revised edition of the Regulations on the Disclosure of Government Information was issued in 2019. We persist in treating both symptoms and root causes, publicizing the harm of corruption in various ways, and actively carrying out cautionary education activities.

#### **5. Protection of human rights when providing international assistance (paragraph 12)**

23. In providing external assistance, China pays close attention to the people's livelihood, emphasizing a "people-oriented" approach, bolstering the recipients' capacity for independent development, promoting their economic and social development, and fully respecting the local cultural environment and social customs. We are improving working and living benefits for foreign assistance workers and protecting the rights of foreign employees. The International Development Cooperation Agency, established at the national level in 2018, has formulated new Administrative Measures for Foreign Aid and is constantly improving its work in a variety of areas.

#### **6. Business and economic, social and cultural rights (paragraph 13)**

24. Enterprises of the central Government are establishing a general legal-adviser system to ensure that they conduct their operations in compliance with laws and regulations. The Government encourages enterprises to establish and improve compliance systems for overseas operations and processes, so as to ensure compliance with local laws and regulations. A new type of supervision mechanism, based on "double random and single open" supervision, supplemented by a focus on key factors and grounded on the supervision of data, has been set up at the national level and has come into broad use as an enterprise credit-information publication system.

## **7. Protecting the economic, social and cultural rights of ethnic minorities (paragraph 14)**

25. China protects the rights of ethnic minorities in accordance with the law. We are increasing economic and social development assistance to ethnic-minority areas. From 2013 to 2018, the central Government fiscal authorities allocated 28.2 billion yuan from a special poverty-alleviation fund towards ethnic-minority development. In 2018, the GDP of eight ethnic provinces and autonomous regions was 9.0576 trillion yuan, with a year-on-year growth of 7.2 per cent, 0.6 percentage points higher than that of the country as a whole. The number of people in poverty dropped to 6.03 million, and the poverty incidence rate dropped to 4.0 per cent. The GDP of the Tibet Autonomous Region was 147.8 billion yuan, a year-on-year increase of 9.1 per cent; the per capita disposable income of urban residents was 33,797 yuan, with a year-on-year growth of 10.2 per cent; the per capita disposable income of rural residents was 11,450 yuan, with a year-on-year increase of 10.8 per cent. The Xinjiang Uygur Autonomous Region has been holding “people’s livelihood construction years” since 2013, with people’s-livelihood expenditures accounting for more than 70 per cent of the annual public budget. In 2018, the per capita disposable income of urban and rural residents increased by 6.5 per cent and 8.4 per cent respectively.

26. We are safeguarding the cultural and spoken- and written-language rights of ethnic minorities in accordance with the law, and are vigorously pursuing the development of education. China has chosen 15 ethnic-minority projects for inclusion in the UNESCO Representative List of the Intangible Cultural Heritage of Humanity. Among the 55 ethnic minorities in China, 53 have their own languages, and 22 ethnic groups use 28 different native languages. Computer code for written Tibetan has passed national and international standards, becoming the first internationally-standardized ethnic minority language in China. The bilingual education system has been established in ethnic minority areas from preschool to the higher-education level. Bilingual teaching is carried out in more than 10,000 schools in China, with four million students in attendance. Tibet has promoted a 15-year programme of free education that covers meals, housing and study fees. A 15-year programme of free education, with free bilingual education for the first three years in rural areas, is also being implemented in southern Xinjiang.

## **8. The household registration system, discrimination against rural migrant workers, and left-behind children (paragraph 15)**

27. We are solidly promoting the reform of the household registration system, abolishing agricultural and non-agricultural household registration, and relaxing the conditions for rural migrants and other permanent residents to settle in cities and towns. The Guidance on the Cultivation and Development of Modern Metropolitan Areas was issued in 2019 to hasten the elimination of household registration barriers between urban and rural areas.

28. The level of migrant workers’ participation in national and social governance has been continuously rising. The number of migrant workers joining trade unions increased from 100 million in 2012 to 140 million in 2017. Ten provincial-, district-, or city-level Federations of Trade Unions have part-time vice presidents who are migrant workers. Migrant workers are being included in the urban public cultural services system to promote their integration into the urban milieu.

29. We are promoting the return of migrant workers to their hometowns for entrepreneurship and employment, poverty alleviation and on-site schooling for their accompanying children, so as to reduce the phenomenon of left-behind children at its source. We have set up an inter-departmental joint conference system to care for and protect rural left-behind children, investigate their particulars, implement account management, and strengthen precisely-focused care. By the end of 2017, some 780,000 rural left-behind children had received effective monitoring, 180,000 such children without household registration had been registered, and 17,000 rural left-behind children had returned to school.

## **9. Respect for labour and human rights activists and their lawyers (paragraph 38)**

30. The Chinese Government encourages and supports the efforts of social organizations and individuals to play an active role in the protection of human rights. On the other hand, everyone is equal before the law, and the Government does not permit individual

organizations or individuals to engage, under the banner of “safeguarding rights”, in activities that incite division of the country, challenge the basic Chinese political system, or undermine social stability.

31. There were more than 423,000 practising lawyers in China as of the end of 2018. Lawyers’ rights to practise their profession in China are protected in accordance with the law, and no lawyers are subjected to intimidation, threats or reprisals for handling cases of infringement of economic, social and cultural rights. A very few lawyers have been investigated and prosecuted for having violated professional ethics and professional discipline or on suspicion of involvement in criminality.

**10. Provision of reliable statistical data for assessing the implementation of the Covenant (paragraph 61)**

32. The statistical departments of the Chinese Government regularly collate and release statistical data, covering economic, social, cultural and ecological fields. Each department releases statistical data related to its respective field of competence. The statistical data thus released are broad-ranging and highly accurate, providing a guarantee of reliable basic data for assessing the implementation of the Covenant in China (see annex for related statistics).

**11. Signature and ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (paragraph 62)**

33. The primary responsibility for the implementation of international conventions rests with the Government of each country. If citizens’ economic, social and cultural rights are violated, they should obtain relief and resolution through their domestic complaint mechanisms. Chinese laws and regulations stipulate the economic, social and cultural rights that Chinese citizens should enjoy, forming a complete domestic legal system in line with the requirements of the Covenant. The people’s courts apply Chinese law in trying related cases to ensure that the spirit of the Covenant is realized.

**12. Ratification of the International Covenant on Civil and Political Rights, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, and the International Labour Organization Domestic Workers Convention, 2011 (No. 189) (paragraph 63)**

34. China attaches importance to the issue of ratification of the International Covenant on Civil and Political Rights and has been carrying forward the related legal preparations. When the Covenant is ratified mainly depends on when domestic conditions of various kinds in China have matured.

35. The Chinese Government attaches importance to international labour conventions and will carry out research and technical cooperation with the International Labour Organization on Convention No. 189, so as to better promote the protection of labour rights.

36. When the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is ratified depends on when domestic conditions of various kinds in China have matured.

37. Whether the International Convention for the Protection of All Persons from Enforced Disappearance is universal in nature requires further observation.

**13. Social dissemination of concluding observations of the Committee (paragraph 64)**

38. China views the Covenant, related implementation reports, and concluding observations as important components of human-rights education and training. The contents of the Covenant are included in the instructional materials used for the popularization of legal knowledge and awareness. Knowledge of the laws and regulations protecting human rights and of the protection of economic, social and cultural rights is disseminated through the promotion of and education on the law and the publication of white papers on human rights.

#### **14. Facilitation of non-governmental organizations' participation in the implementation of the concluding observations (paragraph 65)**

39. The Chinese Government attaches great importance to the role of social organizations in governmental policymaking and implementation, and facilitates the participation of social organizations in related work. We encourage and support social organizations' playing a role in discussing and implementing the concluding observations through government purchasing services, authorization of social organizations to undertake related functions, and cooperation with such organizations.

#### **E. Difficulties and challenges**

40. China is still the largest developing country in the world, and the problems of unbalanced and inadequate development have not yet been resolved. There are still many shortcomings in the sphere of the people's livelihood. It is very difficult to eliminate poverty in deeply impoverished areas, and the masses are still dissatisfied with many aspects of education, medical care, pensions, housing, food and drug safety, and income distribution. At the same time, the growth of the world economy is slowing, protectionism and unilateralism are intensifying, and international economic and trade cooperation are suffering, all of which increases the external input risk for economic and social development in China.

41. China will continue to take legislative, administrative and judicial measures to further raise the level at which the rights contained in the Covenant are protected.

### **III. Article 3 Gender equality**

#### **A. Perfecting the legal system and policy initiatives**

42. Since 2014, more than ten laws and regulations protecting women's rights and interests have been drafted or revised. Adopted in 2015, Amendment (IX) to the Criminal Law criminalized cohabitation with underage girls, subjecting such acts to severe punishment as the crime of forcible rape. The Anti-Domestic Violence Law was also adopted in 2015 and the General Provisions of the Civil Law were adopted in 2017, laying a solid foundation for protecting the civil rights of women and children.

43. The Outline for the Development of Women in China (2011–2020) was issued in 2011. The Thirteenth Five-Year Plan elaborates goals and tasks for promoting the comprehensive development of women and draws up a specific action plan. The third phase of the National Human Rights Action Plan includes content dealing expressly with the protection of women's rights, and the "Healthy China 2030" planning outline includes a special section on improving women's and children's health. Guidelines for poverty alleviation under the Thirteenth Five-Year Plan call for arrangements to lift women in poor families out of poverty. A total of 31 provinces, autonomous regions and municipalities across the country have established gender-equality evaluation mechanisms for laws and policies. The Supreme People's Court listed "employment-equality dispute" as a new cause of legal action in 2018.

#### **B. Current protections for the rights and interests of women**

44. There were 742 women representatives at the Thirteenth National People's Congress and 440 women members of the Thirteenth National Committee of the Chinese People's Political Consultative Conference, accounting for 24.9 per cent and 20.4 per cent of those bodies' memberships respectively. In 2017, the proportions of female cadres in the leading bodies of provincial and county governments were 9.7 per cent and 9 per cent respectively.

45. In 2015, the average life expectancy of Chinese women increased to 79.43 years; in 2017, the maternal mortality rate dropped to 19.6 per 100,000, the rate of women giving birth in hospitals was 99.9 per cent, and the rates at which medical-record files were established

for pregnant women and mothers, as well as of prenatal examinations and postpartum visits they received, were increasing continuously. In 2017, women's diseases were detected at a rate of 24.2 per cent, 4.6 percentage points lower than that in 2010.

46. In 2018, the proportion of girls in preschool education was 46.8 per cent, and that of female students in compulsory education was 46.5 per cent. The net enrolment rate of primary school-age girls was 99.95 per cent; the proportion of female students in senior secondary-school education was 47.3 per cent; that of female students in ordinary colleges and junior colleges was 52.6 per cent; and that of female students in adult colleges and universities was 59.4 per cent. Female graduate students numbered 1,356,000, accounting for 49.6 per cent of the total.

47. In 2017, female employees accounted for 43.5 per cent of overall employment in society as a whole, and women entrepreneurs accounted for more than 55 per cent in the Internet sector. In public enterprises and institutions, female professional and technical personnel accounted for 48.6 per cent of those employed, among whom 39.3 per cent were senior female professionals.

### **C. Response to concluding observation regarding equal treatment of men and women (paragraph 16)**

48. When formulating related laws and regulations, government rules and special policies and measures, the State strictly abides by the Law on the Protection of Women's Rights and Interests; 31 provinces, autonomous regions and cities throughout the country have introduced measures, regulations and detailed rules related to the implementation of that Law.

49. With regard to housing, under the General Provisions of the Civil Law, the Property Law and the Marriage Law, the right to acquire, use and dispose of house ownership is enjoyed by men and women equally.

50. With regard to education and health care for rural women, some 200,000 "women's schools" have been set up across the country to provide training in new agricultural technologies and products. Such public-health services as in-hospital delivery for rural women, folic acid supplements to prevent neural-tube defects, screening for cervical and breast cancers, prevention of mother-to-child disease transmission and others are being implemented. By the end of 2017, more than 70 million and 10 million rural women had been examined for cervical and breast cancers respectively, and relief funds had been provided to 102,200 poor women.

51. With regard to land-use rights, the Law on the Contracting of Rural Land has been revised, documents related to contracted land-management rights, homestead-use rights and collective-income distribution rights have been introduced, and a requirement that the names of all family members, including women, be recorded on certificates related to those rights has been instituted. The reform of the rural collective property-rights system ensures that rural women enjoy equal rights.

### **D. Difficulties and challenges**

52. Influenced by economic and social development levels, as well as historic, cultural and other factors, China still faces many problems and challenges in promoting gender equality and the development of women. The imbalance in women's development between urban and rural areas and regions, the global economic situation, and the adjustment and upgrading of the national industrial structure pose new challenges for women's employment and entrepreneurship. Old concepts and stereotypes of gender inequality still exist, and violations of women's rights and interests occur from time to time.

53. China will continue to fully carry out the basic State policy of gender equality, advance the comprehensive implementation of the objectives and measures of the Outline for the Development of Women, and promote gender equality and women's development in all respects.

## **IV. Article 6**

### **The right to work**

#### **A. Protection of the right to work**

54. China has adopted an active employment policy, with steady growth in aggregate employment, continuous structural improvement, and relatively low rates of registered urban unemployment. More than 13 million new urban jobs have been created nationwide over six consecutive years. In 2014, employment in urban areas exceeded that in rural areas for the first time. By the end of 2018, the number of employed throughout China had reached 775.86 million persons, of whom 434.19 million, or 56.0 per cent, were in urban areas. At the end of 2017, the number of employed people in primary, secondary and tertiary industries accounted for 27.0 per cent, 28.1 per cent and 44.9 per cent respectively. The registered urban unemployment rates for the years from 2014 to 2018 were 4.09 per cent, 4.05 per cent, 4.02 per cent, 3.9 per cent and 3.8 per cent respectively.

#### **B. Vocational training**

55. We are setting up a vocational-skills training system for all workers, both urban and rural, establishing a universal training-subsidy policy, carrying out new types of apprenticeship training for enterprises, instituting a national basic vocational-training package system, and strengthening the supervision of vocational-training and technical colleges. We are also raising migrant workers' education levels, technical skills and personal cultivation, launching a public-welfare and training system for rural residents, and implementing new types of improvement programmes for professional farmers. We are actively building public vocational skills training bases and improving the capabilities of vocational training.

56. Vocational training subsidies were provided by the Government in 114 million instances from 2012 to 2017. By the end of 2018, there were 2,397 technical colleges throughout China, with 3.41 million students in attendance; 1.28 million students enrolled in that year, and community-oriented training was provided in more than 4.2 million instances.

#### **C. Employment policy and planning**

57. We are carrying out the implementation of the Employment Promotion Law, revising the Provisions on Employment Services and Employment Management, drafting guidelines for employment promotion under the Thirteenth Five-Year Plan, and putting together a complete set of employment-support policy systems. Such policies as tax incentives, post subsidies, social-insurance subsidies and training subsidies encourage enterprises to take on employees and workers to actively seek employment, while also increasing employment support for key groups. We are implementing in-depth mass entrepreneurship and innovation, and introducing supportive policies for encouraging and guiding key groups to start businesses. A public employment service system covering both urban and rural areas has been basically completed.

58. In 2017, public employment-service institutions at all levels throughout the country registered job vacancies on behalf of hiring work units in 56 million instances. The numbers of college graduates employed or starting businesses have been doubling year after year. In 2018, the total number of migrant workers was 288 million, 5.51 million unemployed residents were re-employed, and 1.81 million people experiencing difficulty in employment found jobs. As of 2018, a cumulative total of more than 10 million poor workers in the labour force for whom employment records had been established had been helped to gain employment and increased income.

59. We are carrying out the implementation of the Regulations on the Supervision of Labour Security, promoting "grid-style" management and "network-style" construction of labour-security supervision, and strengthening the linkage mechanism between law

enforcement in labour-security supervision and criminal justice. At present, there are 26,000 labour-security inspectors in China. From 2014 to 2018, labour-security supervision institutions throughout the country proactively checked up on employers in 8,913,000 instances, investigating and dealing with 1,463,000 illegal acts.

#### **D. Employment of women**

60. A response has been provided in the related content under article 3.

#### **E. Employment of persons with disabilities**

61. We are implementing such measures as the Law on the Protection of Disabled Persons, the Regulations on the Employment of the Disabled, and the Opinions on Supporting Employment and Entrepreneurship of Persons with Disabilities. We are increasing support for work units employing persons with disabilities, and encouraging such persons to start their own businesses and obtain flexible employment. On average, more than 300,000 more persons with disabilities gain employment each year. Persons with disabilities who set up small businesses or microenterprises enjoy preferential taxation and reduced or waived fees. A national employment and entrepreneurship network service platform for persons with disabilities has been opened, and there are more than 3,000 agencies providing employment services for such persons. We are implementing a vocational skills improvement plan for persons with disabilities during the 2016–2020 period and increasing vocational training for such persons. Additional training was provided for persons with disabilities in more than 600,000 additional instances in 2016 and again in 2017. As of December 2018, there were 17.65 million certificate-holding working-age persons with disabilities in both urban and rural areas, of whom 9.48 million were in employment.

62. China has a minimum-wage guarantee system and special support measures for persons with disabilities. The actual wages paid by employers to such persons may not be lower than the local minimum-wage standard. The Labour Law, the Labour Contract Law, the Employment Promotion Law and the Regulations on the Employment of the Disabled all prohibit discrimination against workers with disabilities.

#### **F. Responses to concluding observations**

##### **1. Unemployment among ethnic minorities (paragraph 17)**

63. The rights of people of all ethnic groups to work are effectively guaranteed, and their employment levels are steadily rising. By the end of 2017, the registered urban unemployment rates in the five autonomous regions of Inner Mongolia, Guangxi, Tibet, Ningxia and Xinjiang, a relatively high proportion of whose populations are ethnic minorities, were 3.63 per cent, 2.21 per cent, 2.68 per cent, 3.87 per cent and 2.58 per cent respectively, lower than the national average of 3.90 per cent.

##### **2. Unemployment among persons with disabilities (paragraph 18)**

64. A response has been provided in the related content above.

##### **3. Abolishing the system of re-education through labour and ensuring that no alternative or parallel system of forced labour is put in place (paragraph 22)**

65. The Decision of the Standing Committee of the National People's Congress on Repealing Legislation on Re-education through Labour was adopted in 2013. As of 24:00 on 28 December 2013, all persons in re-education through labour installations throughout the country had been released.

## **V. Article 7**

### **The right to favourable working conditions**

#### **A. Minimum remuneration**

66. China implements a minimum wage system, and the average annual growth rate of the minimum wage standard during the Twelfth Five-Year Plan period was 13.1 per cent, or 9.8 per cent after deducting for commodity price factors. The minimum wage standard was adjusted in 9, 20 and 16 regions in China in 2016, 2017 and 2018 respectively, increasing by a respective average of 10.7 per cent, 11 per cent and 11.4 per cent.

67. In 2016, the General Office of the State Council issued its Opinions on the Comprehensive Regulation of Migrant Workers' Wage Arrears, proposing fundamental containment of migrant workers' wage arrears by 2020, along with efforts to bring about their essential eradication.

#### **B. Equal pay for equal work and the enjoyment of equal opportunity**

68. The Labour Law, the Labour Contract Law, the Interim Provisions on Labour Dispatch, the Law on the Protection of the Rights and Interests of Women, the Law on the Protection of Disabled Persons, and the Employment Promotion Law stipulate that no worker may be discriminated against in employment on the basis of ethnicity, race, gender, or religious belief, nor may persons with disabilities, carriers of infectious-disease pathogens or rural workers be discriminated against in employment.

#### **C. Enjoyment of the right to rest**

69. The Labour Law and Regulations on Paid Annual Leave for Employees stipulate the protection of the right to rest, as was clarified in our second implementation report.

#### **D. Safety in production and occupational health**

70. We have amended the Work Safety Law, and have put forward clear requirements for safety in production in the Thirteenth Five-Year Plan. In 2018, the central Government and local government authorities set up emergency-response management agencies to administer safety in production, and the Regulations on Emergency Responses to Work Safety Accidents were promulgated in 2019. The central Government fiscal authorities have set up special funds for the prevention of and emergency response to production accidents. The overall work-safety situation is stable and continues to improve, with a continued decline in the total number of accidents, including major accidents and especially severe accidents. Accidents and fatalities in 2018 decreased by 30.2 per cent and 27.5 per cent respectively in comparison with 2013, with major accidents and fatalities decreasing by 62.7 per cent and 73.9 per cent respectively, fatalities in production-safety accidents per 100 million yuan of GDP decreasing by 53.7 per cent, and the death rate per 100,000 industrial, mining and commercial employees decreasing by 37.4 per cent. Coal-mine accidents and fatalities in 2018 decreased by 71.2 per cent and 75.9 per cent respectively in comparison with 2012.

71. We have amended the Law on the Prevention and Control of Occupational Diseases, formulated medium- and long-term plans for their prevention and control, and are promoting the technological reform, transformation and upgrading, and even elimination and retirement, of enterprises presenting serious occupational hazards. We are strengthening the supervision of occupational health and the enforcement of related law: in 2017, a total of 398,000 enterprises were inspected, 916,000 problems and hidden dangers were uncovered, 2,843 enterprises were shut down to remedy problems, 1,009 requests for complete closure were submitted, and 257 million yuan in administrative penalties were levied. Occupational-health training is also being strengthened; in 2017, training was provided to enterprise leaders and occupational-health management personnel in 1.3 million instances, and workers in danger

of exposure to occupational hazards were provided training in 38.16 million instances. Moreover, we are strengthening basic research on occupational hazards, as well as their prevention and control, diagnosis and identification, and comprehensive treatment.

## **E. Responses to concluding observations**

### **1. Minimum wage (paragraph 19)**

72. A response has been provided in the related content above.

### **2. Working conditions (paragraph 20)**

73. A response has been provided in the related content above.

### **3. Sexual harassment in the workplace (paragraph 21)**

74. Although there are no enunciations of or specific provisions regarding “sexual harassment in the workplace” in the Criminal Law, an act of sexual harassment will be investigated in accordance with the law if it constitutes a crime, no matter where it occurs. The criminal acts to which “sexual harassment in the workplace” may apply under the Criminal Law are mainly coercive indecency and the violation of a woman’s personal dignity. For acts of “sexual harassment in the workplace” in which the circumstances are minor and do not constitute a crime, public-security penalties will be imposed in accordance with the Public Security Administration Punishments Law. In 2018, the Supreme People’s Court listed “sexual harassment liability dispute” as a new cause of action in order to better facilitate civil relief for victims of sexual harassment in the workplace.

## **VI. Article 8 Trade union rights**

### **A. The right of employees in China to join and organize trade unions**

75. The Trade Union Law stipulates the establishment of a unified All-China Federation of Trade Unions (ACFTU) at the national level. As of the end of September 2017, there were 300 million trade union members in 2,809,000 grass-roots trade union organizations covering 6,551,000 work units. The All-China Federation of Trade Unions and its trade union organizations at all levels represent the staff and workers in democratic participation and social supervision, reflect their views and requirements, and negotiate with the Government to resolve the difficulties and problems of the masses of workers and staff.

### **B. The right to engage in collective bargaining**

76. The rights of Chinese employees to collective negotiation are guaranteed by the Labour Law, the Trade Union Law, the Labour Contract Law, the Company Law and the Provisions on Collective Contracts; the ACFTU participated fully in the formulation of the foregoing laws and regulations. In accordance with the law, the ACFTU drafted a work plan for deepening collective negotiation during the 2014–2018 period, along with opinions on improving the quality of collective negotiation and enhancing the effectiveness of collective contracts, and has implemented a system for equal consultation and collective contracts. By the end of September 2017, 1.4 million comprehensive collective contracts had been signed, covering 3.7 million enterprises and 175 million employees; 1.3 million special wage contracts had been signed, covering 3.58 million enterprises and 162 million employees.

### **C. The right to strike**

77. China has clarified the issue of strikes in its two previous implementation reports. In cases of work stoppages or slowdowns, the union organization must carry out its duties in

accordance with the law, reflecting the views and requirements of employees to the local party and government, enterprises and institutions, and promote the conciliation of conflicts. Neither the Constitution nor other laws prohibit strikes. In order to safeguard national security and maintain public order, Chinese laws clearly stipulate that police and State functionaries may not strike. Apart from this, the laws currently in effect in China do not deal with problems of this type.

#### **D. Response to paragraph 23 of the concluding observations**

78. When ratifying an international convention, it is in line with international practice for each country to make declarations or reservations on the provisions of that convention according to its own situation. The Constitution, Labour Law, Trade Union Law and other Chinese laws effectively guarantee the rights of Chinese workers to fully participate in political, economic, social and cultural life, including the right to join and organize trade unions. The statement made by China when it signed the Covenant made clear that China would continue to guarantee the right of workers to join and organize trade unions consistent with the provisions of Chinese laws and regulations.

### **VII. Article 9 The right to social security**

#### **A. Social insurance**

79. China has actively developed a multi-level pension insurance system that includes basic pension insurance, corporate (or occupational) annuities, personal-savings pension insurance and commercial pension insurance. The basic employee pension-insurance system covers all types of employers and their staffs, individual industrial and commercial businesses without employees, and persons on flexible employment. At the end of 2018, 419 million people were insured under this programme. By 2017, 80,000 work units across the country had set up enterprise annuities, with 23.31 million employees taking part.

80. We have established a multi-level medical insurance system with universal coverage for both urban and rural areas; the coverage for basic medical insurance under this programme exceeds 95 per cent, and 1.345 billion persons had been insured by the end of 2018. We are fully implementing serious-illness insurance for both urban and rural residents, and are improving the system for both urban and rural medical aid. In 2018, 66.92 million people were provided financial assistance for basic medical insurance, and outpatient and inpatient assistance were provided in 53.61 million instances.

81. We vigorously promote work-related injury insurance to achieve higher levels of full coverage. Coal mines and other high-risk industries, as well as engineering construction industries, are being included in the scope of industrial-injury insurance on a project-by-project basis. By the end of 2018, the number of persons thus insured had reached 238.68 million, an increase of 32.29 million over 2014, for an average annual growth of 3.7 per cent. The annual work-related injury insurance expenditure is 63.38 billion yuan, and has cumulatively provided 9.86 million injured workers and their immediate relatives with timely treatment, compensation and subsistence allowances since 2014.

82. Under State regulations, enterprise employees participating in the unemployment insurance programme who have made cumulative payments for three years or more and obtained the initial, middle and senior vocational qualification certificates or vocational skill-level certificates since 1 January 2017 can apply for subsidies according to the upper-limit standard of 1,000 yuan for junior workers, 1,500 yuan for intermediate workers and 2,000 yuan for senior workers, and the required funds being disbursed from the unemployment insurance fund as specified by the regulations. When the consumer price index (CPI) rises by 3.5 per cent year-on-year in a single month, or the grain price component of the CPI rises by 6 per cent year-on-year, temporary price subsidies will be granted to those receiving unemployment insurance benefits. Starting in 2014, the unemployment insurance

fund has also been used to provide job stabilization subsidies to enterprises that lay off no or few staff.

83. By the end of 2018, 204 million people had participated in maternity insurance nationwide. In 2017, we carried out a pilot implementation of a combined maternity insurance and basic medical insurance for employees in 12 cities, and comprehensively promoted the implementation of that combination of maternity insurance and basic medical insurance for employees in 2019. Moreover, in-hospital delivery medical expenses for both urban and rural residents have been included in the scope of payments from the basic medical insurance fund for urban residents. With the urban-rural integration of urban residents' medical insurance and the New Rural Cooperative Medical System (NRCMS) insurance, better guarantees have been put in place for rural women delivering in hospitals.

84. In 2014, we established a unified basic pension insurance system for both urban and rural residents, effecting full coverage of the appropriate age-group population. From 2014 to the end of 2018, the number of insured people increased from 501 million to nearly 524 million, the number of people actually receiving treatment increased from 143 million to nearly 159 million, and the monthly pension level increased from 90 yuan to 150 yuan per capita. Since 2017, we have implemented a social-insurance poverty alleviation policy to support the participation of poor people in basic pension insurance for both urban and rural residents and to pay part or all of the minimum standard pension insurance premium for them. By the end of 2018, more than 27 million poor people had enjoyed access to this payment policy, with overall payments amounting to around 2.83 billion yuan. About 22 million elderly people in poverty received pensions, with more than 49 million people sharing in those benefits.

## **B. The minimum subsistence guarantee system**

85. In 2014, the rural and urban minimum living allowances were unified as the minimum subsistence guarantee system. At the end of 2018, urban minimum subsistence recipients totalled 6,056,000 urban households and 10.08 million people throughout the country, with a cumulative annual expenditure of 56.17 billion yuan and a monthly average subsistence standard of 580 yuan per person. Likewise, some 19,025,000 rural households and 35,197,000 people throughout the country were receiving rural minimum subsistence payments with a cumulative expenditure of 103.16 billion yuan per year, and an average annual subsistence standard of 4,833 yuan per person. We are bringing severely impoverished persons with disabilities into the minimum subsistence guarantee system, improving the linkage mechanism between social-assistance and guarantee standards and price increases, strengthening the connection between the rural minimum subsistence guarantee system and poverty-alleviation and development policies, and effectively resolving problems arising in such areas as basic medical care, housing security and compulsory education for the minimum subsistence target population.

86. We are combining the rural Five Guarantees support system and the urban and rural guarantee systems providing relief for those in the "Three Withouts" population into a relief and support system for the extremely poor. By the end of 2018, there were 4,823,000 people living in extreme poverty in both urban and rural areas throughout the country, of which 959,000 were provided such combined assistance.

87. In 2014, an official circular on the comprehensive establishment of a temporary assistance system was issued which broke through the previous regulations that had restricted applications for social assistance to the applicant's registered place of permanent residence, and achieved "full coverage" for temporary assistance. An opinion document on further strengthening and improving temporary relief work was issued in 2018, improving the accessibility and timeliness of assistance. That same year, a total of 10,747,000 people were provided with temporary assistance, with a cumulative expenditure of 12.16 billion yuan.

### **C. Mutual assistance within society**

88. The Charity Law was formally implemented in 2016; supporting policies on charitable organizations, fund-raising, trusts and voluntary services were introduced; and tax incentives were given to related charitable donations. A total of 28,000 regular social donation workstations and work locations had been established by the end of 2017, and by the end of 2018, Project Hope had received a cumulative total of 15.023 billion yuan in donations, subsidized 5,949,000 students with difficulties, and helped build 20,329 Hope Primary Schools. As of March 2019, there were 7,183 charitable foundations in China, and by May 2019, 187 charitable trusts had been set up throughout the country, with the scale of trust contracts exceeding 2.16 billion yuan.

### **D. Response to concluding observation on expanding social protection coverage (paragraph 24)**

89. Social protection coverage has been expanding continuously in China, weaving the largest social protection safety net in the world and pulling worldwide social protection coverage up by 11 percentage points. By the end of 2018, the number of people participating in pension insurance had surpassed 900 million, more than 1.3 billion people were covered under basic medical insurance, and the numbers of people covered under work-related injury insurance, unemployment insurance and maternity insurance had reached 239 million, 196 million and 204 million respectively. China will continue to improve its social security system in accordance with the goal of achieving “a basic system of social security covering both urban and rural residents so that everyone is assured of basic living standards”.

## **VIII. Article 10 Protection of the family**

### **A. Protection of the rights and interests of married families**

90. The previous two implementation reports from China made clear that the freedom of marriage of Chinese citizens is protected by law. The General Provisions of the Civil Law adopted in 2017 stipulate that the personal rights of natural persons arising from marriage, family relations and so on are protected by law. A unified civil code will take shape in China by 2020, and a draft treatise on “marriage and the family” is under discussion.

### **B. Increasing maternity protection**

91. China is actively exploring the construction of a social environment friendly to childbearing and promoting the convergence of family planning policies with economic and social policies. With the gradual adjustment and improvement of family planning policies since 2013, the selective two-child policy has been followed by a universal two-child policy, and the Law on Population and Family Planning has been revised. We are also strengthening the supervision of non-medically necessary fetal sex identification and sex-selective artificial termination of pregnancies. Basic family-planning technical services are provided free of charge to couples of childbearing age who implement family planning. To prevent and reduce the occurrence of unwanted pregnancies, we are implementing a comprehensive adolescent reproductive health care pilot project, and we are actively implementing reproductive technology services and providing consultation, fertility evaluation, pregnancy health care and other services for the elderly and people with high-risk pregnancies, thereby improving the reproductive health level of people of childbearing age.

## **C. Protection of the rights and interests of children**

### **1. Prohibition of child labour**

92. The related provisions prohibiting child labour under the Law on the Protection of Minors, the Criminal Law and the Labour Law have been clarified in the previous two implementation reports. China is actively carrying out special campaigns to rectify the labour market and punish illegal employment. For such illegal and criminal acts as coerced labour and the abduction and sale of children under the guise of job placement, public-security punishments or criminal-liability prosecutions are carried out in accordance with the law. We see to it that youths and children of compulsory-education age are enrolled in schools, while controlling dropouts and ensuring education, thereby cutting off child labour at the source.

### **2. National plan of action for the protection of children**

93. The protection of children's legitimate rights and interests and the promotion of children's development are included in the Twelfth and Thirteenth Five-Year Plans for national economic and social development. We are formulating and implementing a third round of programmes for the development of women and children. The mid-term evaluation of the Outline for the Development of Children in China (2011–2020) shows the smooth implementation of that programme. Each province, autonomous region and municipality incorporates children's development goals and tasks into its local economic and social development guidelines. Eleven Government departments have incorporated the indicators of the children's development programme into the implementation of the Thirteenth Five-Year Plan by their own units.

## **D. Protecting children from all forms of violence and exploitation**

94. We have drawn up and implemented the Anti-Domestic Violence Law, introduced guiding opinions on effectively protecting and rescuing victims of domestic violence, and established a compulsory reporting system for children who have suffered or are suspected of having suffered domestic violence. Official opinions on effectively preventing sexual abuse of children and on punishing crimes of sexual assault on minors in accordance with the law have been promulgated and implemented to provide a basis for punishing such crimes, and a special chapter on juvenile criminal-case procedure has been added to the Criminal Procedure Law. In Amendment (IX) to the Criminal Law, the crime of cohabitation with underage girls has been abolished and such acts deemed instead to be severely punishable as forcible rape; the provision allowing the avoidance of criminal liability investigation for the purchase of children has been deleted; abuse by guardians and caregivers has been made a crime, and punishments for the crimes of maltreating, abducting and trafficking, and sexually assaulting children have been increased. The Law on the Protection of Minors and the Law on Prevention of Juvenile Delinquency have also been revised.

95. We are strengthening the child guardianship system. According to the General Provisions of the Civil Law, if there is no person lawfully qualified to act as a guardian, a guardian will be appointed by the Civil Affairs Department, or by the residents' committee or villagers' committee in the place where the person qualified to perform guardianship duties resides. Official opinions on handling issues concerning infringement of minors' rights and interests by guardians in accordance with the law have also been introduced. We are improving the functionality of children's welfare institutions to provide comprehensive care for children who cannot return to their families.

96. We are giving prominence to the special protection of children in law enforcement and the administration of justice, and have drafted an action plan to combat human trafficking during the 2013–2020 period. We are cracking down on the manipulation of minors into vagrancy and begging, as well as the manipulation and coerced involvement of deaf-mute youth in theft. We are promoting the construction of juvenile courts and improving trial mechanisms for juveniles. A four-level system for juvenile procuratorial work has been initially set up to educate and rescue juveniles involved in crimes, to the maximum extent under the law. We are also ensuring the quality of legal aid services for minors, protecting

their basic human rights and personal privacy in accordance with the law, and creating conditions for educating incarcerated neighbourhood juveniles who have not yet completed compulsory education.

## **E. Responses to recommendations in the concluding observations**

### **1. Family planning (paragraph 25)**

97. A response has been provided in related content under “Increasing Maternity Protection” above.

### **2. Forced abortion and sterilization (paragraph 26)**

98. The Chinese Government has earnestly carried out its commitments under the Cairo Declaration on Population and Development, stressing that the application of induced labour and surgical abortion must adhere to the principles of safety and voluntariness, and abide by the common practices of family-planning surgery. Doctors provide medical guidance to persons for whom contraceptive failure has resulted in involuntary pregnancy, and respect the choices of husbands and wives or of single individuals. For those requesting termination of pregnancy, medical-services institutions provide patients with safety services to ensure the physical and mental health of women undergoing the procedure. Induction of labour in the late months of pregnancy is strictly prohibited. The Chinese Government opposes any form of coercion in family planning work, including the compulsory implementation of contraceptive measures and the forced artificial termination of pregnancies. Personnel of administrative organs and technical service work units in maternal and child health care and family planning who violate the law are seriously investigated and dealt with in accordance with the law.

### **3. Domestic violence (paragraph 27)**

99. Amendment (IX) to the Criminal Law was adopted to broaden the scope of protection for the abused. The Anti-Domestic Violence Law, as implemented, clearly stipulates that a perpetrator’s commission of domestic violence or a respondent’s violation of a personal-protection order constitute crimes, for which criminal liability will be investigated and prosecuted in accordance with the law. We are promoting the construction of shelter and rescue institutions, strengthening the implementation of the compulsory reporting system for suspected cases of domestic violence, and implementing the rapid disposal by the police of domestic violence cases. The people’s courts accept domestic violence cases in accordance with the law, and issued 2,154 personal-protection orders in 2018. We are also vigorously carrying out anti-domestic violence publicity and training, to improve awareness of and capacity to respond to domestic violence.

## **IX. Article 11 The right to an adequate standard of living**

### **A. The right to an adequate standard of living**

100. The Chinese Government adheres to the ideology of people-centred development, continuously benefiting the people with the fruits of economic growth, broadening the security of the people’s livelihood, comprehensively ensuring access to childhood education, advanced learning, paid employment, medical care, support for the elderly, housing, and assistance for those in need, so as to constantly realize the people’s aspirations for a better life.

101. Taking the supply-side structural reform as the main line, we are promoting the maintenance of medium to high-speed economic growth and a transition towards medium to high-end industrial levels. In 2018, the GDP exceeded 90 trillion yuan, consumer prices remained relatively low, and the final-consumption expenditure contribution rate reached 76.2 per cent. From 2014 to 2018, residents’ real annual per-capita disposable income grew

at rates of 8.0 per cent, 7.4 per cent, 6.3 per cent, 7.3 per cent and 6.5 per cent respectively, creating a middle-income group with the largest population in the world.

102. We are vigorously promoting targeted poverty alleviation. From 2014 to 2018, the central Government fiscal authorities cumulatively invested more than 340 billion yuan in special poverty-alleviation funds. Under the current standard, the population of rural poor decreased from 70.17 million at the end of 2014 to 16.6 million at the end of 2018, and the poverty incidence rate dropped from 7.2 per cent to 1.7 per cent. Under the current standard, China will achieve the goal of poverty eradication under the United Nations 2030 Agenda for Sustainable Development by 2020, ten years ahead of schedule.

103. We are promoting the equalized development of basic public services, and have put forward eight indicators in the fields of basic public education, basic labour, employment and entrepreneurship, basic social insurance, basic medical and health care, basic social services, basic social security, basic public culture and education, and basic public services for persons with disabilities.

104. We are implementing the strategy of Rural Revitalization and promoting the modernization of agriculture and rural areas, along with the integrated development of urban and rural areas. While developing the rural economy, we are building beautiful rural homes, protecting and passing on the excellent traditional culture in rural areas, strengthening the construction of rural public culture, and raising the level of rural social civilization.

105. We are taking an active part in international exchanges on poverty reduction, and holding such events as the Global Poverty Relief and Development Forum, the ASEAN–China forums on social development and poverty reduction, and the Forum on China-Africa Cooperation – Poverty Reduction and Development. We have signed memorandums of understanding on poverty-reduction cooperation with relevant countries in Asia, Africa and Latin America, and actively participated in poverty reduction with the Lancang-Mekong Cooperation. Moreover, we held 76 foreign-aid training courses in poverty reduction from 2014 to 2018, attended by 2,295 people from 109 countries.

## **B. The right to adequate housing**

106. We attach importance to resolving the housing difficulties of low- and middle-income families. From 2014 to 2018, the central Government fiscal authorities arranged grants for more than one trillion yuan in subsidies for affordable housing projects, giving priority to the supply of land for affordable housing, and started construction on more than 33 million affordable housing projects across the country. We are increasing the physical supply of public rental housing and promoting subsidized public rental housing. As of the end of 2018, more than 37 million poor people had moved into public rental housing, and a cumulative total of nearly 22 million people in difficulty had received rental subsidies.

## **C. The right to adequate food**

107. The Chinese Government has taken a series of measures to ensure national food security, and grain production has remained above 600 million tons since 2012. Less than 10 per cent of the world's arable land is used to produce a quarter of the world's food and feed one fifth of the world's population. From 2014 to 2018, grain production increased from 640 million tons to 658 million tons. In 2018, the output of oil, sugar, fruit, meat, eggs, milk and aquatic products reached 34.39, 120, 85.17, 31.28, 30.75 and 64.69 million tons respectively, with per capita grain and oil production reaching 471 kg and 24.6 kg respectively. The output of fruit in 2017 was 252 million tons.

## **D. Responses to recommendations in the concluding observations**

### **1. Poverty alleviation (paragraph 28)**

108. A response has been provided in the foregoing content.

## **2. Right to food and food security (paragraph 29)**

109. We have formulated and revised such legislation as the Food Safety Law, the Soil Pollution Prevention and Control Law, and the Regulations on Pesticide Administration, to promote agricultural standardization, the dedicated rectification of agricultural product quality and safety, monitoring and early warning, and risk assessment. The rate at which primary agricultural products meet standards under routine monitoring has been maintained above 96 per cent for five consecutive years, with the rate of such qualified products under monitoring reaching 97.8 per cent in 2018, while no major quality and safety incidents involving agricultural products have occurred.

110. Food safety supervision is constantly being strengthened. We have revised the Food Safety Law, established the State Administration for Market Regulation, and carried out special rectification targeting such conspicuous problems as the prohibited excess use of agricultural and veterinary drugs and additives in foodstuffs and the making and selling of counterfeit goods. In 2017, the overall rate at which all categories of foodstuffs met qualification standards under random sampling inspection reached 97.6 per cent, a three per cent increase over the 2014 rate.

## **3. Forced relocation (paragraph 30)**

111. China attaches great importance to building the rule of law in housing expropriation to protect the legitimate rights and interests of those whose housing is expropriated. Under the Regulations on the Expropriation of Buildings on State-owned Land and Compensation, a compensation agreement is concluded between the governmental authority carrying out the housing expropriation and the person whose housing is being expropriated. When the person whose housing is being expropriated is unable to reach an agreement on compensation prior to the deadline for signature designated under the expropriation compensation plan, the municipal or county-level people's government, with which the local governmental authority carrying out the housing expropriation has filed the request for an order to expropriate, will decide compensation on the basis of the compensation plan. Persons whose housing is being expropriated who are not satisfied with the compensation decision may apply for administrative reconsideration or file an administrative lawsuit in accordance with the law. If such persons do not apply for administrative reconsideration or bring an administrative lawsuit within the statutory time limit, and do not move out within the time limit specified in the compensation decision, the municipal or county people's government that has made the decision to expropriate will apply to the people's court for compulsory execution of the expropriation in accordance with the law.

## **4. Involuntary resettlement of farmers and nomads (paragraph 31)**

112. There are two main circumstances in which farmers and nomadic herders are resettled: one is to meet infrastructure or urban construction needs, and the other is poverty alleviation resettlement or ecomigration.

113. The Property Law and the Land Administration Law contain detailed provisions regarding the first circumstance. Before land is expropriated, full and respectful account is taken, via hearings and other means, of the opinions of the farmers whose land is to be expropriated. After expropriation takes place, we ensure, via public notices and other means, that all farmers whose land was expropriated are made aware of related compensation and resettlement options, and also inform them concerning channels for legal relief. The law provides that reasonable compensation must be given to farmers whose land was expropriated, and that municipal and county governments are responsible for formulating and implementing resettlement-related measures in such categories as social security, employment training, land retention and property retention, so as to ensure that the living standards of the farmers whose land has been requisitioned will not be reduced and that their long-term livelihood will be guaranteed.

114. With regard to the second circumstance, China implements special management when undertaking the resettlement or migration of farmers and nomadic herders for poverty alleviation and ecological reasons, with clearly defined departmental responsibilities for organizing the implementation, detailed and standardized legal procedures, and sufficient

resettlement funds, so as to ensure that the relocated farmers and nomads are “willing to move and happy to go on with their lives”.

## **X. Article 12**

### **The right to health**

#### **A. Medical and health system reforms**

115. We have formulated and are implementing the guideline document for deepening reform of the medical and health-care system under the Thirteenth Five-Year Plan, with the goal of establishing a universal basic medical and health-care system, so as to ensure that every citizen has fair access to basic medical and health services. In 2017, the medical and health-care expenditure of the central Government fiscal authorities was 1.4451 trillion yuan. In 2018, the per capita financial subsidy standard of basic medical insurance for residents was raised to 490 yuan, and the proportion of personal expenditures in overall health expenditures dropped to 28.8 per cent. The burden on residents seeking medical care has been reduced and better health outcomes have been achieved with less investment, garnering the high praise of the World Health Organization and the World Bank.

116. A disease emergency rescue system has been established, under which 775,000 people have been treated since 2014. We are formulating such targeted poverty alleviation measures as centralized treatment of serious diseases (such as children’s congenital heart disease, and some cancers), contracted service management of chronic diseases (such as hypertension and diabetes mellitus), and full guarantees for serious illness, so as to avoid illness resulting in poverty or causing people to fall back into poverty.

#### **B. Promoting the enjoyment of basic medical and healthcare services for all**

117. We have formulated the “Healthy China 2030” Planning Outline, the National Fitness Programme (2016–2020), a guideline document for sanitation and health planning under the Thirteenth Five-Year Plan, and a national nutrition plan for the 2017–2030 period. We have also put forward a “three steps” goal of establishing, by 2020, a basic medical and health-care system with Chinese characteristics covering both urban and rural residents, the main health indicators of which will be in the forefront of middle and high-income countries; and by 2050, we will have built the kind of healthy country that is in line with one that has undergone socialist modernization.

118. We are increasing investment in the construction of the medical and health services system. From 2014 to 2018, central-Government investment increased from 23 billion to 24 billion yuan, with the central and western regions of China accounting for more than 91 per cent of the investment, and 82 per cent of that investment being used for the construction of county-level medical and health-care institutions. A cumulative total of 116.47 billion yuan has been allocated from the central budget to support the infrastructure construction of 88,000 primary medical and health institutions across the country.

119. We are basically establishing a medical and health service system that primarily provides basic medical care and covers both urban and rural areas. There are clinics in villages, health centres in villages and towns, and one community health service centre in each street. More than 84 per cent of residents can reach the nearest medical centre within 15 minutes. The overall health level of residents is better than the average levels of middle and high-income countries, and the gap between urban and rural areas is narrowing. In 2017, the average life expectancy increased to 76.7 years.

120. We are promoting universal public health services, under which the rate of pregnant women and children under 3 years old receiving systematized management has reached 91.6 per cent and 91.1 per cent respectively, and the rate of patients with severe mental disorders receiving standardized management reaching 82.7 per cent. We have also established the largest direct network reporting system for infectious diseases and public health emergencies, with an average reporting time of four hours.

121. A standardized hospital-resident training system was launched in 2014, whose scale of enrolment has gradually increased from 50,000 to 70,000 persons, and began work on a pilot system of standardized training for medical specialists in 2016. We are also promoting the reform of incentive mechanisms for training and using general practitioners, and accelerating the expansion of the ranks of general practitioners and paediatricians through such measures as standardized training, assistant general practitioners training, job transfer training, and targeted free training.

122. Since 2015, the central Government fiscal authorities have invested 1.4 billion yuan a year to provide free HIV/AIDS, syphilis and hepatitis B screening for all pregnant women and women giving birth, as well as free comprehensive intervention services to prevent mother-to-child disease transmission for all pregnant women discovered to be infected and their children. In 2018, the detection rate of HIV/AIDS, syphilis and hepatitis B among pregnant women and women giving birth surpassed 99 per cent, and the rate of mother-to-child transmission of HIV/AIDS dropped to 4.5 per cent.

123. We are improving the national basic drug system, increasing to 685 the number of national basic drugs, prioritizing the basic drugs needed for common and chronic diseases, especially burdensome and harmful diseases, and public health, and pay attention to the use of such drugs by special groups such as children.

### **C. Health services for special groups**

124. We actively promote the integration of medical and elder care, and provide diversified and multi-level health care services for the elderly. We are accelerating the reform and development of nursing services, increasing the supply of elder care nursing services, and boosting healthy ageing.

125. We are strengthening disability prevention and rehabilitation services for persons with disabilities. A rehabilitation assistance system for children with disabilities was established in 2018, and people with disabilities in China received basic rehabilitation services in more than 31 million instances from 2014 to 2018.

126. We are implementing a poverty-alleviation health project for the poor. From 2016 to 2018, the central Government allocated a cumulative total of 61.82 billion yuan in special investments to support the construction of medical and health infrastructure in impoverished areas. Some 963 third-tier hospitals across the country assume Counterpart Assistance duties, providing full assistance coverage to 1,180 county-level hospitals in poor counties.

### **D. Safeguarding women's and children's right to health**

127. We are continuing to improve the maternal and child health service system, providing free basic health-care services to pregnant women and women giving birth, as well as child health care and other basic public health services. We are implementing major public health service projects for rural women, including cervical and breast cancer examinations, preventing mother-to-child disease transmission, and providing folic acid supplements to prevent neural-tube defects, and are strengthening maternal health care services for rural women overall. In 2018, the maternal mortality rate dropped to 18.3 per 100,000, and in 2017, the in-hospital delivery rate for pregnant rural women rose to 99.7 per cent. We are implementing other major public health service programmes as well, such as free pre-pregnancy wellness check-ups, neonatal disease screening in impoverished areas, and pilot projects for the prevention and control of thalassemia. In 2018, the infant mortality rate dropped to 6.1 per thousand and the mortality rate of children under 5 years old was reduced to 8.4 per thousand, thus achieving the United Nations Sustainable Development Goal ahead of schedule.

## **E. Environmental sanitation**

128. For China, resolutely fighting to prevent and control pollution is a major duty as we build a moderately prosperous society in all respects. The Chinese Constitution was amended to include “ecological civilization” in 2018; the Environmental Protection Law and the Atmospheric Pollution Prevention and Control Law have also been amended, and the Soil Pollution Prevention and Control Law has been introduced. Three action plans for the prevention and control of air, water and soil pollution have been formulated and implemented; laws on the ecological environment are strictly enforced; the protection of the ecological environment is vigorously supervised; and we are cracking down on illegal emissions and improving the civil and administrative public-interest litigation system in the ecological environment field. We are also implementing multilateral environmental agreements and actively responding to climate change.

129. Compared with 2013, in 2017, the average concentration of inhalable particles (PM<sub>10</sub>) in 338 cities at the prefecture level and above nationwide decreased by 22.7 per cent, the average concentration of fine particulate matter (PM<sub>2.5</sub>) in the Beijing / Tianjin / Hebei region, the Yangtze River Delta and the Pearl River Delta decreased by 39.6 per cent, 34.3 per cent and 27.7 per cent respectively. The average concentration of PM<sub>2.5</sub> in Beijing Municipality decreased by 34.8 per cent, and the average concentration of PM<sub>2.5</sub> in the Pearl River Delta region met the standard for three consecutive years.

## **F. Responses to recommendations in the concluding observations**

### **1. Pollution and ecological deterioration (paragraph 32)**

130. A response has been provided in the foregoing content.

### **2. Right to health (paragraph 33)**

131. A response has been provided in the foregoing content.

### **3. Discrimination against persons living with HIV/AIDS (paragraph 34)**

132. China attaches importance to protecting the rights of people living with HIV/AIDS and firmly opposes any acts of discrimination. According to the Law on Prevention and Treatment of Infectious Diseases and the Regulations on the Prevention and Treatment of HIV/AIDS, no work unit or individual may discriminate against HIV-infected persons, HIV/AIDS patients or their families. The legitimate marriage, employment, medical treatment and school enrolment rights and interests of people living with HIV/AIDS, HIV/AIDS patients, and their families, are protected by law. China protects the right of foreign infected persons to enter, live in, or take up formal residence in China in accordance with the law.

133. The State requires all medical institutions to strictly implement the initial-visit responsibility system, and prohibits them from evading or refusing to provide diagnosis and treatment for any reason. Those who do not meet the conditions for diagnosis and treatment must be promptly transferred to a designated hospital or be otherwise arranged for by the health administration authority. Medical institutions and personnel who evade responsibility or refuse to provide treatment are dealt with severely in accordance with the laws and regulations.

## **G. Difficulties and challenges**

134. Owing to industrialization, urbanization, population ageing, the disease spectrum, and changes in the ecological environment and lifestyles, China continues to face a complex situation involving multiple simultaneous disease threats and multiple interconnected factors affecting health. At the same time, with the improvement of living standards and the enhancement of health concepts, the people’s need for health products and services continues

to grow, displaying multi-level, diversified and personalized characteristics. China thus faces health problems confronting both developed and developing countries.

135. China will continue to work hard to ensure the health of the people in all aspects and at all times, and promote the development of its health undertakings in all respects.

## **XI. Articles 13 and 14 The right to education**

### **A. Guaranteeing the right to education for all**

136. The legal protection by the State of the right to education has been described in the two previous implementation reports.

137. China ranks first in the world in the scale of its education, and it has fully universalized free nine-year compulsory education. We have established a unified urban and rural mechanism to guarantee compulsory education funding that focuses on rural areas. The proportion of national fiscal education funding has remained above 4 per cent of GDP since 2014. In 2018, the net enrolment rate of primary school-age children was 99.95 per cent, the gross enrolment rate at the junior secondary-school level was 100.9 per cent, and the nine-year compulsory-education consolidation rate was 94.2 per cent.

138. From 2014 to 2017, the central Government fiscal authorities invested more than 162 billion yuan to improve the operating conditions for schools with weaknesses in compulsory education in rural areas, benefiting more than 60 million students. In 2018, 80 per cent of the education transfer payments from the central Government fiscal authorities were used in rural and impoverished areas in central and western China.

139. More than 14 million migrant children will be included in a “two exemptions and one subsidy” programme (exemptions from incidental expenses and charges for textbooks, and living subsidies for boarding students from families in financial difficulty). In 2017, 80 per cent of migrant workers’ children at the compulsory education stage were studying in public schools.

140. We are resolving the problem of providing compulsory education for children with disabilities by means of study in special-education schools, study in regular classes in ordinary schools, or sending teachers to their homes. Beginning in 2014, we have continuously implemented promotion planning for a two-phase model of special education, and the enrolment rate of children with visual, hearing and intellectual disabilities in compulsory education exceeds 90 per cent.

141. We fully guarantee the right of ethnic minorities to receive education. We are accelerating the universalization of pre-school education, fully universalizing nine-year compulsory education, and implementing 15-year free education in some ethnic-minority areas. Through such measures as offering minority language courses, translating textbooks, bilingual teaching, and unifying entrance-examination content, we can ensure that minority students receive the same standard of education within the scope of mainstream education. We are implementing a preferential bonus-points policy for ethnic minorities in the college entrance examination and an individually targeted high-level professional training programme for ethnic minority personnel. Students from Tibet and Xinjiang attend classes in inland areas, and preparatory and regular classes are held for ethnic minority students. The aim is to ensure that ethnic minority students enjoy opportunities for quality education.

### **B. Controlling dropout rates and protecting schools**

142. We are improving the work mechanism for controlling dropout rates and the mechanism for administrative supervision of and pressing for the return of dropouts to schools, and are implementing targeted assistance. We have set up a system of financial assistance policies from the preschool, primary and secondary levels through higher education through such measures as a “three exemptions and one subsidy” programme

(exemptions from charges for textbooks, incidental fees and writing materials, along with living subsidies for part-time boarding students in primary schools and junior middle-school students with financial difficulties), a “three inclusions” programme (inclusive of meals, housing and tuition expenses), student loans for college students, and national scholarships. We have also established a mechanism for comparing and verifying the student-status information management system for primary and secondary school students and the national database of basic population information to effectively ensure that school-age children receive compulsory education.

### **C. Unifying standards for urban and rural compulsory education**

143. We are accelerating the construction of schools for both urban and rural compulsory education, as well as the rostering of teachers, the allotment of per-student public funding benchmark quotas, the unification of basic equipment allocation standards, and the full coverage of the “two exemptions and one subsidy” policy. We are eliminating the dual-structure barriers between urban and rural areas, focusing on resolving the problems of “rural weakness” and “urban crowding” in compulsory education, and promoting the balanced development of urban and rural compulsory education and the equalization of basic public services in both urban and rural areas. By the end of 2018, 2,717 counties in China, or 92.7 per cent, had passed the supervision and assessment criteria for the basic balanced development of compulsory education.

### **D. Universalizing education at the senior secondary-school level**

144. The State has proposed the universalization of senior secondary-school education by 2020, with the goal of exceeding a 90 per cent gross enrolment rate in all provinces, autonomous regions and cities. We are carrying out projects to build ordinary senior secondary schools in counties with weak educational fundamentals, along with plans for the reform of ordinary senior secondary schools, and implementing national policies for aiding needy students. By the end of 2018, the gross enrolment rate of senior secondary-school education in China was 88.8 per cent, and the gross rate of enrolment in senior secondary-school education in 26 of its provinces exceeded 90 per cent. The gross rate of enrolment in senior secondary-school education has continued to increase in impoverished areas in central and western China, especially in the concentrated and contiguous areas of poverty. Subsidies were provided to senior secondary-school students in 68,700,700 instances; financial-assistance coverage for ordinary secondary-school students from poor families reached 20 per cent of the students enrolled, and 30 per cent in the western regions.

145. We are vigorously developing vocational education, promoting improvement in the development level of vocational education in the western region, and accelerating the provision of basic services and infrastructure for rural vocational education. Full play is also being given to the special benefits of vocational education for targeted poverty alleviation. We have also implemented a national subsidy policy for secondary and higher vocational education, providing tuition-free coverage for nearly 90 per cent of secondary vocational education, with more than 30 per cent covered by educational grants; nearly 30 per cent of higher vocational education is covered by scholarships and more than 25 per cent by educational grants.

### **E. Reform of secondary-school and college entrance examinations**

146. Since 2014, the reform of the secondary-school entrance examination has focused special attention on such special groups as rural students and the children of migrant workers.

147. In the reform of the secondary-school entrance examination, we are effecting the reasonable allocation of enrolment quotas for high-quality ordinary secondary schools and high-quality secondary vocational schools to junior secondary schools within the region, with such quotas appropriately inclined towards rural junior secondary schools so as to promote the balanced development of compulsory education. We are further implementing and

improving policies and measures for the children of migrant workers to participate in local secondary-school entrance examinations and enrolment, and migrant children as a group are given full consideration as an important constituent when provinces draw up opinions on policies and measures for the local implementation of secondary-school entrance examination reform.

148. In the reform of the college entrance examination, we continue to implement a cooperative plan to support the enrolment of students in the central and western regions of China, and set aside special enrolment openings in colleges and universities in the eastern region, to which a cumulative total of one million students from the central and western regions have been recruited. We also continue to implement a special plan for key universities to recruit students from rural and impoverished areas, setting aside a specific proportion of openings to which a cumulative total of 470,000 outstanding rural students from remote, impoverished and ethnic areas have been recruited. Policies and measures for the children of migrant workers to enrol in school and take entrance examinations are also being further implemented and improved.

## **F. Popularization of higher education**

149. The level of popularization of higher education has continued to rise. Compared with 2014, the scope of participation in the college entrance examination increased from 7.21 million to 7.91 million persons in 2018, the gross rate of enrolment in higher education increased from 37.5 per cent to 48.1 per cent, and the total number of students attending such schools increased from 35.59 million to 38.33 million persons. There were 2,940 colleges and universities in China as of 2018, including 1,245 ordinary undergraduate colleges and universities attended by 16.97 million students. Higher education has fully entered the post-popularization stage, and is at the point of moving on to the stage of universalization. The structures of regional distribution and of disciplines and specialties, as well as of the levels of talent training categories, are being continuously optimized.

## **G. Response to recommendation on the right to education in paragraph 35 of the concluding observations**

150. A response has been provided in the foregoing content.

## **H. Difficulties and challenges**

151. At present, there is room for improvement in such issues still faced by education in China as the unbalanced and inadequate allocation of educational resources between urban and rural areas, weak educational fundamentals in poor areas, conspicuous dropout phenomena among junior secondary-school students in some poor areas, inadequate resources for inclusive preschool education and for secondary-school education in some central and western provinces, insufficient coordination between secondary vocational education and general secondary-school education, and the level of special education.

152. China will continue to implement the outline document on national educational development under the Thirteenth Five-Year Plan, continuously develop education, and strive to provide education that is fair and of good quality.

## **XII. Article 15**

### **The right to cultural life and the benefits of scientific and technological progress**

#### **A. The right to cultural life**

##### **1. Improving accessibility of cultural life**

153. The Public Cultural Service Guarantee Law and the Law on Public Libraries were implemented in 2017 and 2018. We are integrating the development of the cultural industry into the overall national development strategy, with constantly rising levels of investment. From 2014 to 2017, national cultural services outlays grew from 58.344 billion yuan to 85.580 billion yuan, growing at an average rate of 13.6 per cent per annum. A network of public cultural facilities covering urban and rural areas has begun to take shape, basically bringing “libraries and cultural centres in every county, cultural stations in every township” to reality. In 2017, the cultural and entertainment consumption expenditure of residents was 850 yuan per capita nationwide, an increase of 47.3 per cent over 2013.

154. In 2015, we began implementing comprehensive county and village cultural service-centre demonstration projects in impoverished areas, and comprehensive cultural service-centre coverage projects in ethnic autonomous counties and border counties in impoverished areas. During the Thirteenth Five-Year Plan period, village cultural activity facilities in impoverished areas are being provided with cultural paraphernalia according to the standard of 20,000 yuan per facility.

155. By 2017, 122 children’s libraries had been built in China and had received a total of 31.68 million visits. Since 2015, three series of pilot projects for the standardized construction of universities for the elderly have been launched under the national cultural system, and there were a total of 865 universities for the elderly by the end of 2017.

##### **2. Protecting intangible cultural heritage and cultural diversity**

156. Since 2014, the central Government fiscal authorities have invested 4.392 billion yuan in the protection of intangible cultural heritage. The State Council has authorized and announced a total of 1,372 representative national intangible cultural-heritage projects in four groups, while administrative departments for culture and tourism have designated 3,068 persons as representative national intangible cultural-heritage successors and 16,432 persons as representative provincial intangible cultural-heritage successors. Since 2016, the State has subsidized the activities of national intangible cultural-heritage successors at a standard level of 20,000 yuan per person per year. We are also promoting the integration of intangible cultural-heritage protection with targeted poverty alleviation.

##### **3. Protecting the interests of creators**

157. Fiscal subsidies for State-owned national arts groups from 2013 to 2017 were 10.1 billion yuan, 11.1 billion, 12.5 billion, 13.4 billion and 14.4 billion yuan respectively, growing at an average of 9.9 per cent per annum. By the end of 2017, the National Arts Foundation had cumulatively invested 2.622 billion yuan and cumulatively funded 3,089 projects. We are strengthening the supervision of and law enforcement for the cultural market, severely cracking down on intellectual property-rights violations, continuing to carry out centralized law-enforcement inspection of the online cultural market, and investigating and punishing illegal business operations in accordance with the law.

##### **4. Strengthening cultural construction for ethnic minorities**

158. Regarding article 2 of the Covenant, which states that the State Party must take steps to achieve the full realization of economic, social and cultural rights, information relevant to the protection of the cultural rights of ethnic minorities under the law has been described in our response to paragraph 14 of the concluding observations, to which the following is to be added.

159. A variety of activities, such as ethnic-minority literature and art performances, traditional athletics meetings, drama performances, vocal music, dance and folk-art exhibitions, and “Golden Horse” prize awards for literary creations are regularly organized, and a Chinese ethnic-minority film project has been launched. As of 2016, there were 766 libraries, 520 museums, 1,523 cultural relics protection and management institutions and 2,043 cultural relics institutions in ethnic autonomous areas.

160. In 2017, production and translation time for ethnic-minority language radio and television programme broadcasts reached 122,000 hours and 42,000 hours respectively, and the translation of 1,104 films was carried out by 11 ethnic-minority language programme translation centres. The *Xinwen Lianbo* national news simulcast in five ethnic-minority languages of China Central Radio was also broadcast online.

## **5. Strengthening international exchange in the cultural sphere**

161. China has signed cultural exchange agreements with 157 countries, held large-scale cultural-exchange activities such as China Years and Chinese culture festivals on every continent, launched strategic cooperation with UNESCO, and is also deepening cultural exchanges and cooperation with the countries with which it is building the Belt and Road Initiative. A total of 37 Chinese cultural centres have been established overseas, and cultural centres representing Singapore, Belgium, Tanzania, New Zealand, Fiji, Latvia and Morocco have been built since 2014.

## **B. Rights related to science and technology**

162. We safeguard the freedom of scientific and technological research and development in accordance with the law, and protect the legitimate rights and interests of scientific and technical personnel. We have revised the Law on Promoting the Transformation of Scientific and Technological Achievements, formulated an action plan for promoting the transfer and transformation of scientific and technological achievements, and implemented a guideline document for national scientific and technological innovation under the Thirteenth Five-Year Plan.

163. Since the Twelfth Five Year Plan, the total amount of research and experimental development spending and investment intensity have increased from year to year. The total amount of such expenditure in 2017 was 176.61 billion yuan, and the investment intensity had exceeded 2 per cent for five consecutive years. We actively develop international cooperation and exchanges in science and technology, and have signed intergovernmental scientific and technological cooperation agreements with 114 countries.

164. We vigorously carry out mass activities to popularize science. In 2017, there were a total of 1,439 science-popularization venues in China, with 227,000 full-time science-popularization specialists; 880,100 science and technology popularization lectures were given, 48,900 science and technology popularization competitions were held, and people had participated in various kinds of science popularization activities a total of 771 million times.

## **C. Protection of intellectual property rights**

165. We have established the State Administration for Market Regulation, reorganized the National Intellectual Property Administration, integrated the responsibilities for managing trademarks, patents and indications of geographical origin, and promoted the integrated administration of market supervision law enforcement, so as to resolve the problems of disconnected management and reduplicated enforcement of trademark and patent law and improve the intellectual-property management system.

166. The Beijing Treaty on Audiovisual Performances has been ratified, and the Rules for Trademark Review and Adjudication, the Standards for Trademark Examination and Adjudication, the Guidelines for Patent Examination, the Measures for the Administration of Prioritized Examination of Patents, the Interim Provisions on Online Trademark Applications,

and the Regulation on Patent Agency have been revised and reformulated. We have initiated the preparatory work for the fourth revision of the Trademark Law, and launched the drafting and revision of the rules and regulations for supporting departments.

167. In 2018, some 1,542,000 invention patents, 2,072,000 utility model patents and 709 million design patents were granted, increasing year-on-year by 11.6 per cent, 22.8 per cent and 12.7 per cent respectively. Some 7,371,000 trademark registration applications were accepted, marking a year-on-year increase of 28.2 per cent; and 8,043,000 trademark registration hearings were held, marking a year-on-year increase of 89.2 per cent.

168. In 2017, some 30,130 trademark supervision and law enforcement cases were adjudicated, 172 suspected criminal cases were transferred to judicial organs, and 5,839 cases of unfair competition infringement of intellectual property rights were investigated and punished, with fines totalling 68.03 million yuan. In 2018, the number of administrative-law patent enforcement cases totalled 77,276, marking a year-on-year increase of 15.9 per cent.

169. The Intellectual Property Tribunal of the Supreme People's Court was formally established on January 1, 2019. Intellectual Property Courts had been established in Beijing, Shanghai and Guangzhou at the end of 2014.

## **D. Responses to recommendations in the concluding observations**

### **1. Cultural rights of ethnic minorities (paragraph 36)**

170. A response has been provided in the foregoing content.

### **2. Freedom of speech and of the press (paragraph 37)**

171. China guarantees citizens' freedoms of speech and publication in accordance with the law, attaches importance to the role of supervision by public opinion, and deals with acts that hinder or obstruct journalists' normal coverage and reporting in accordance with the law. At the same time, the news media are obliged to work within the scope of the Constitution and the law.

172. There are currently nearly 2,600 radio and television stations, 2,000 newspapers and more than 10,000 periodicals in China. No news censorship system exists in China; what and how the news media report is up to the persons responsible for the media to decide.

173. China administers the Internet in accordance with the law, and Internet users fully enjoy the freedom and convenience brought about by the Internet. As of December 2018, there were 829 million Internet users in China.

174. China punishes, in accordance with the law, such illegal and criminal acts as fabricating and disseminating false information; disturbing the social order; inciting subversion of State power and the socialist system, inciting the splitting of the country and undermining national unity, advocating terrorism and extremism, advocating ethnic hatred, ethnic discrimination and undermining ethnic unity. Some overseas websites publish content that violates the Constitution and laws of China, and China takes commensurate measures in accordance with the law.

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