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Replies of China to the list of issues in relation to its third periodic report*

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* The present document is being issued without formal editing.



Replies of China to the list of issues in relation to its third periodic report

I. General information

1. **Please provide information on any legislative or policy measures taken by the State party to guarantee the direct applicability of all rights under the Covenant in its domestic legal order. Please also specify any efforts made to provide specialized training on the provisions of the Covenant and their justiciability, including through the National Judges College and the Five-Year Court Training Plan Outline for 2019–2023. Furthermore, please provide information on cases in which provisions of the Covenant were applied by or invoked before domestic courts, including examples of such cases.**

Subject to existing reservations, all rights provided for under the Covenant have been incorporated into domestic law.

The Constitution, the Electoral Law, and the organic laws for local government bodies stipulate that citizens manage State affairs in accordance with the law, and protect the right of individuals to lawfully own property. The Civil Code implements the principle of “self-determination of personal information”.

Citizens enjoy equal rights in accordance with the law. The Constitution as well as the Law on Regional Ethnic Autonomy, the Labour Law, the Law on the Protection of the Rights and Interests of Women, 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 Persons with Disabilities, the Employment Promotion Law, the Law on Family Education Promotion, and the Law on the Prevention of Juvenile Delinquency all stipulate that discrimination is prohibited.

China implements gender equality as a basic State policy, and women’s equal rights are protected in accordance with the law. A third revision of the Law on the Protection of the Rights and Interests of Women has come into effect.

The Constitution provides the principles for the protection of workers’ rights and interests. The Labour Law, the Labour Contract Law, the Work Safety Law, the Trade Union Law, the Employment Promotion Law and the Law on the Protection of the Rights and Interests of Women clarify and specify relevant rights.

When China ratified the Covenant, it declared that paragraph 1 (a) of article 8 would be applied in a manner consistent with the Chinese Constitution, the Labour Law and the Trade Union Law. In 2021, the Trade Union Law was revised to expand the scope of membership, guarantee the rights of workers in new forms of business and social organizations to join and organize trade unions in accordance with the law, and increase protections for industrial workers.

The Social Insurance Law, the Law on the Protection of Persons with Disabilities, the Regulations on Relief from Natural Disasters, and the Interim Measures for Social Assistance have been formulated to implement citizens’ right to receive material assistance from the State and society as stipulated in the Constitution.

China upholds the freedom of marriage, and implements a monogamous marriage system with equality between men and women. The Anti-Domestic Violence Law has been put into effect, and the Law on Family Education Promotion has been drawn up.

The Constitution and the Law on the Prevention and Control of Occupational Diseases are aimed at improving the physical and mental health of the people. The Law on the Prevention and Treatment of Infectious Diseases and the Law on the Promotion of Basic Medical and Health Care protect the people’s health, public health and basic medical and health services.

The Constitution, the Education Law, the Compulsory Education Law, the Vocational Education Law, the Higher Education Law, the Non-State Education Promotion Law, the Regulations on Academic Degrees, the Teachers Law and a series of regulations constitute a

relatively complete legal system for education. The Law on the Protection of Minors has been revised, and improvements have been made to systems related to school protection.

The Constitution, the Civil Code and the Law on Scientific and Technological Progress stipulate citizens' rights to participate in cultural life and enjoy scientific and technological progress. The Patent Law, the Copyright Law and the Trademark Law have been revised to strengthen the protection of copyright and trademark rights.

In 2021, the Supreme People's Court conducted a total of 45 training courses concerning judges in ethnic minority areas, crimes against women and children, and judicial assistance. A total of 15,000 judges received training.

Chinese courts cannot directly invoke international human rights treaties when hearing cases, but apply domestic laws that have transformed the contents of such instruments through legislative procedures to ensure the realization of the spirit of those instruments.

2. Please provide information on:

(a) The legislative and administrative measures taken to guarantee the full independence and impartiality of the judiciary;

(b) Any steps taken to consider establishing a national human rights institution, which would have a mandate to deal with complaints about violations of the rights guaranteed under the Covenant;

(c) The measures taken to enhance the provision of free legal aid to persons in need who allege a violation of their Covenant rights.

The Constitution stipulates that people's courts and people's procuratorates exercise judicial power independently in accordance with the law. The Organic Law of the People's Courts, the Organic Law of the People's Procuratorates, and the Law on People's Assessors promote judicial fairness and enhance judicial credibility. Steps are being taken to promote reform of the judicial system, fully implement the judicial accountability system, deepen the reform of the criminal procedure system, improve the system for enumerating the powers of judges and procurators, and improve the mechanisms for protecting judicial personnel in the performance of their duties in accordance with the law, thereby ensuring that judges and procurators handle cases according to law without interference.

China has not yet established a national human rights institution. The National People's Congress and its Standing Committee assume the responsibilities of assessing conformity with the Constitution, reviewing cases filed for the record, and supervising the implementation of the Constitution, thereby ensuring the implementation of legal provisions on citizens' basic rights.

Following the formulation and implementation of the Measures for the Work of Legal Aid Duty Lawyers, by 2020 there were more than 70,000 legal aid workstations in judicial offices in rural villages and small towns as well as urban neighbourhoods, and in arbitrators' offices, law courts, and public petition departments across the country, handling more than 2.12 million cases of legal aid for more than 2.16 million people, and providing legal advice in more than 14.66 million instances. The Legal Aid Law took effect as of the beginning of 2022.

3. With reference to the Committee's previous recommendations (E/C.12/CHN/CO/2, paras. 17–18, 28 and 61), please specify the progress made in improving the data-collection system and processes with a view to effectively monitoring and evaluating realization of the Covenant rights. Please indicate whether official statistical data is accessible to the public and what measures are taken to enhance public access to information held by public authorities in order to allow enjoyment of Covenant rights. Please also provide statistical data, disaggregated by age, sex, ethnic origin, urban/rural population and disability, on the employment, unemployment and underemployment rates, incomes and the ratios of persons living in poverty.

Official statistical data are regularly released on the "National Data" page of the National Bureau of Statistics official website, and in the China Statistical Yearbook. All State

Council departments release policy information in accordance with the Regulations on the Disclosure of Government Information. Third-party agencies are authorized to assess and report on the implementation of the National Human Rights Action Plans.

In 2020, 11.86 million new urban jobs were created, and the registered unemployment rate was 4.2 per cent at the end of that year. In 2021, 12.69 million new urban jobs were created, and the registered unemployment rate at the end of that year was 3.96 per cent.

Under current Chinese standards, the entire population of the rural poor have been lifted out of poverty. In 2021, the national per-capita disposable income was 35,128 yuan.

See annex tables 1 and 2 for relevant data.

4. Please comment on the allegations that some legislation relating to the administration of law firms and the practice of law by lawyers has been used to intimidate lawyers and law firms who have taken up cases of violations of economic, social and cultural rights. In this context, please provide information on cases in which lawyers have been disqualified or had their legal practising certificates suspended, including the number of such cases and the reasons for the decisions, and on any procedures put in place to appeal against such decisions, the number of appeals made and the outcomes thereof. Please also provide information on the measures taken to provide an enabling environment for human rights defenders to advocate and promote economic, social and cultural rights, particularly for ethnic minority groups, migrants and workers. Furthermore, please indicate any guidelines developed to interpret the Government's prohibition against individual organizations or individuals engaging under the banner of 'safeguarding rights', in activities that incite division of the country, challenge the basic Chinese political system, or undermine social stability (E/C.12/CHN/3, para. 30) and clarify how that prohibition has been applied in practice.

The Provisions on Legally Protecting Lawyers' Practising Rights have been drafted, and a rapid interaction and response mechanism has been set up to safeguard those rights. Lawyers' associations at all levels have established centres for safeguarding lawyers' rights to practise, and the Supreme People's Procuratorate oversees the protection of those rights.

There are more than 570,000 lawyers in China, most of whom practise within the laws and regulations. Some lawyers violate professional ethics and practice discipline, or even commit crimes. Administrative departments of the Chinese judiciary lawfully impose administrative penalties on those who violate laws and regulations, and bar associations penalize professional self-discipline infractions. There is no so-called "intimidation". Those refusing to accept administrative penalties may apply for administrative reconsideration or file an administrative lawsuit; those rejecting professional sanctions may apply for review. In 2020, 84 law firms and 463 lawyers received administrative penalties, and professional sanctions were imposed on 129 law firms and 594 lawyers.

The Constitution stipulates that "the State maintains public order and suppresses treasonable and other criminal activities that endanger national security", and that citizens "shall have the duty to safeguard national unity and the obligation to safeguard the security, honour and interests of the motherland". The Criminal Law provides for the crimes of inciting secession, subversion of State power, and inciting subversion of State power. If a violation of the provisions of the criminal law constitutes a crime, the judicial organs investigate the criminal liability of the violator in accordance with the law.

5. Please indicate any efforts made to incorporate human rights due diligence into the systems mentioned in the State party report (E/C.12/CHN/3, para. 24) and the various regulations and guidelines established by business and financial institutions for foreign investments and business entities domiciled in China and operating overseas. Please specify the mechanisms put in place to monitor and report compliance with those regulations and guidelines by business entities, including State-owned enterprises, and indicate any reports published by such mechanisms. Please also specify the measures taken to provide victims of human rights abuses committed by business entities with effective remedies and give examples of such cases.

The Guidelines for the Compliance Management of Enterprises' Overseas Operations have been issued and implemented, clarifying the basic norms and specific requirements for

the operations of enterprises overseas, and giving full consideration to requirements in such areas as protection of labour rights as well as data and privacy. Compliance management training for enterprises operating overseas is organized to encourage enterprises to strengthen their compliance efforts.

The Provisions of the Supreme People's Court on Several Issues concerning the Application of Law in the Trial of Civil Cases Relating to Processing of Personal Information Using Facial Recognition Technology have been put into effect. In a property-services dispute case involving a requirement for facial recognition scans to enter a housing estate in Suzhou City, Jiangsu Province, the Wuzhong District People's Court applied that judicial interpretation to protect individuals' personal biometric information.

6. In implementing projects under the Belt and Road Initiative, please indicate any measures taken to address concerns about the debt sustainability of participating countries and to address any negative impact of the projects on the environment and the enjoyment of Covenant rights by people in China and other participating countries. Please also indicate any efforts made by the State party, as a State member of international financial institutions such as the Asian Infrastructure Investment Bank and the New Development Bank, to exercise its leverage to ensure that the conditionalities that these institutions attach to a loan do not result in unjustified retrogression in the enjoyment of the rights guaranteed under the Covenant in borrowing States. Furthermore, please provide information on the procedures in place to assess the human rights impact in the context of development assistance by the State party and of its negotiation of trade agreements.

The Debt Sustainability Framework for Participating Countries of the Belt and Road Initiative has been released to help the parties involved make more scientific investment and financing decisions and improve their debt management capabilities. Since 2020, China has worked with other members of the Group of 20 to reach consensus on, and conscientiously implement, the Debt Service Suspension Initiative for the poorest countries and the extension of that Initiative. In terms of the impact of debt relief, China has contributed the most to the debt relief initiative and its extension, making important contributions to low-income countries coping with the challenges of the epidemic and debt vulnerability.

As a member of the Asian Infrastructure Investment Bank (AIIB) and the New Development Bank (NDB), China supports banks' conducting business in accordance with their own strategies and policies, adhering to high environmental and social standards, and promoting the realization of development benefits. By the end of 2021, AIIB had approved 159 projects with loans totalling nearly US\$ 32 billion, and NDB had approved 83 projects with loans totalling roughly US\$ 31.2 billion, providing strong support for the infrastructure construction and sustainable development of member countries. NDB has set up a US\$ 10 billion emergency aid fund to support member countries' fight against the coronavirus disease (COVID-19) epidemic and carry out post-epidemic economic recovery in a timely and effective manner.

In providing foreign aid, China adheres to the principle of equality and mutual benefit, respects the wishes of recipient countries, and protects their basic human rights. It has joined the African Development Bank, the Inter-American Development Bank and the Caribbean Development Bank to provide development assistance, and complies with human rights assessment rules. From 2013 to 2018, it provided 270.2 billion yuan in assistance to 122 countries and 20 international and regional organizations, and completed 423 projects.

7. Please provide information on:

(a) The progress made towards achieving the national emission reduction targets adopted by the State party under the Paris Agreement and the 2060 carbon neutrality target;

(b) The measures taken within its national adaptation framework to address the adverse effects of climate change on the enjoyment of economic, social and cultural rights, particularly by disadvantaged and marginalized individuals and groups;

(c) The measures taken to ensure that the overseas extractive activities operated by business entities domiciled in China, including State-owned enterprises,

and the transnational investment projects financed by investment banks of the State party do not hinder the efforts of host countries to mitigate the adverse impact of climate change.

In 2020, carbon intensity will drop by 48.4 per cent compared with 2005, forest stock will increase by 5.2 billion cubic metres, and non-fossil energy will account for 15.9 per cent of primary energy, exceeding climate change targets. China has accepted the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, and has submitted documentation on Chinese achievements, new goals and new measures in implementing its nationally determined contribution for combating climate change, as well as on its long-term strategy for lowering greenhouse gas emissions by mid-century, to the secretariat of the United Nations Framework Convention on Climate Change.

China has issued opinions on optimizing the work of carbon dioxide peaking and carbon neutrality in complete, correct and comprehensive application of the new development philosophy, an action plan for carbon dioxide peaking before 2030, and a national strategy for climate change adaptation by 2035. It has also launched online trading on the China Carbon Emission Trade Exchange, enhancing its ability to adapt to climate change and reduce the impact of climate change on human rights.

It has also issued the Guidelines for Green Development of Outbound Investment and International Cooperation, jointly launched a green development partnership initiative with member countries of the Belt and Road Initiative, and implemented a South-South cooperation plan to address climate change in the context of the Belt and Road Initiative. At the seventy-sixth session of the United Nations General Assembly, President Xi Jinping announced that China would vigorously support the green and low-carbon development of energy in developing countries and would no longer build new coal power projects overseas.

8. Please specify the efforts made to control and prevent the spread of the coronavirus disease (COVID-19), both nationally and beyond the State party's borders when the initial outbreak occurred, including through cooperation with the World Health Organization and the international community. Please also indicate the efforts made to provide accurate and accessible information about the virus to the World Health Organization and the public and the steps taken to address the repeated reports of reprisals against medical professionals and scientists, as well as journalists, who share information on the COVID-19 pandemic or its genesis or criticize the Government's response to the pandemic. Furthermore, please provide information on the measures taken to address the disproportionately harsh socioeconomic impact of the pandemic on disadvantaged and marginalized individuals and groups, including persons belonging to ethnic minority groups, rural populations and those low-income families that are not eligible for social assistance transfers, and the increased socioeconomic inequalities.

After a case of pneumonia of unknown cause was discovered in the city of Wuhan in Hubei Province, China immediately reported the outbreak and promptly carried out etiological and epidemiological investigations to stop the spread of the disease. China insists on putting people first, putting life first, and not abandoning a single patient. The State Council has established a joint prevention and control mechanism, local governments have launched urgent responses to the major public health emergency, and specific, highly effective information release mechanisms have been set up. China is taking care of front-line anti-epidemic personnel, attaching importance to the contributions of scientists and journalists, and commending individuals and groups in the forefront of the struggle.

China actively promotes international cooperation against the epidemic, promptly and proactively providing information about the epidemic to the World Health Organization and the countries and regional organizations concerned, and sharing information on the genome sequence of the virus. It scientifically enforces health and quarantine measures at frontier exit points to strictly prevent cross-border transmission. It has joined the COVAX initiative to provide global access to COVID-19 vaccines and the ACT-A global initiative to accelerate development, production, and equitable access to new tools for COVID-19 prevention and control. As of February 2022, it had provided one billion doses of vaccines to 108 countries

and four international organizations, dispatched 37 teams comprising 299 medical experts to 34 countries, and donated US\$ 100 million to COVAX.

The Opinions on Issues concerning Properly Handling Labour Relations Involving the COVID-19 Outbreak have been issued to help pandemic-affected personnel return to work, find employment or start businesses, and to protect the lawful rights and interests of workers. The Notice on Periodic Reduction or Exemption of Social Insurance Contributions for Enterprises and the Notice on Expanding the Coverage of Unemployment Insurance were issued to reduce the payment burden on enterprises and low-income insured persons, and to implement the unemployment subsidy policy in stages. China is strengthening the basic living allowance for people in need, increasing temporary assistance to COVID-19 patients and their families, and taking good care of the children who have lost guardians to the epidemic.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Right to freely dispose of natural wealth and resources (art. 1 (2))

9. **Please provide information on the steps taken to ensure that the free, prior and informed consent of Tibetan herders is obtained when expropriating their lands and on the procedures through which they challenge the decisions on the expropriation of their lands. Please also specify the measures taken to ensure that they can continue their traditional way of life and livelihood. In addition, please indicate the measures taken to protect against environmental degradation on the Tibetan plateau as a result of heavy infrastructure construction and extractive activities.**

The Tibet Autonomous Region strictly implements the Land Administration Law and the regulations governing its implementation, and has formulated measures for the administration of land in the Tibet Autonomous Region and detailed rules for the implementation of the Land Administration Law in Tibet, strictly observing such legal procedures as announcements, hearings, and signings of compensation and resettlement agreements so as to fully protect the rights of farmers whose land has been expropriated to be informed and to lodge objections and appeals. Interim measures for the participation of land-expropriated farmers in basic pension insurance in the Tibet Autonomous Region provide fair and reasonable compensation to land-expropriated farmers and herdsmen, and ensure that the original living standards of those farmers and herdsmen will not be reduced and that their long-term livelihoods are secured.

The Strategic Plan for Rural Revitalization of the Tibet Autonomous Region (2018–2022) has been drawn up to improve protection and restoration of the ecosystem and the living environment, develop ecological industries, and foster ecological progress in rural areas. Construction of secure housing for farmers and herdsmen and affordable housing in urban and rural areas is being implemented. In 2020, farmers and herdsmen owned 41.46 square metres of housing per capita. A further 35 villages have been added to the roster of protected Chinese traditional villages, preserving the legacy of farming civilization and its cultural heritage.

Tibet has established 47 nature reserves of various types, accounting for 38.75 per cent of the area of the autonomous region. In 2020, the forest coverage rate was 12.31 per cent, the aggregate vegetation coverage of natural grasslands was 47 per cent, and the wetland area was 6.529 million hectares. The Region performs strict environmental impact assessment and supervision of projects and cracks down on illegal and criminal activities. The Plan for the Protection and Construction of the Ecological Security Barrier in Tibet (2008–2030) anticipates that the Tibet ecological security barrier will be essentially completed by 2030.

Maximum available resources (art. 2 (1))

10. **In order for the Committee to assess whether the State party is using the maximum available resources to realize the rights recognized in the Covenant, please provide information on the evolution over the past 10 years of:**

- (a) **The proportion of the population living below the poverty line as defined at the national level, before and after taxes and transfers;**
- (b) **The levels of income inequality, defined as the ratio between the total income accruing to the richest decile of the population and the total income of the poorest 40 per cent of the population, before and after taxes and transfers;**
- (c) **The levels of wealth inequality, defined as the ratio between the assets owned by the richest decile of the population and the assets owned by the poorest 50 per cent of the population;**
- (d) **The proportion of public revenue that is financed through taxes;**
- (e) **Tax rates levied on corporate profits and on personal income, value-added tax (exclusive of value-added tax on luxury items, tobacco, alcohol, sugary drinks and snacks, and petrol and diesel) and the percentage of total revenue from personal income tax that is collected from the richest 10 per cent of the population;**
- (f) **Public expenses as a percentage of gross domestic product and, within total public expenses, the proportion of the public budget that is dedicated to social priorities, including employment, education, food, health, water and sanitation, social security, housing and culture;**
- (g) **Inflation-adjusted absolute levels of social spending.**

See annex tables 3 and 4 for relevant data.

In 2020, the national general public-budget revenue was 18,291.388 billion yuan, of which tax revenue accounted for 15,431.229 billion yuan, or 84.4 per cent.

The Individual Income Tax Law has been revised to make the individual tax burden fairer and more reasonable. Income from wages and salaries, labour remuneration, authors' royalties, and franchises are combined as comprehensive income and taxed at an excess progressive rate of 3 per cent to 45 per cent with the basic expense deduction increased to 5,000 yuan per month. Six additional special deductions have been added for such items as children's education and continuing education. The progressive surtax rate structure has been optimized to 5 per cent to 35 per cent of operating income, while the tax rate on property transfers, stock dividends, interest and incentive bonuses remains at 20 per cent.

The value-added tax system has been optimized, with its triple-tier rate structure successively reduced from 17 per cent, 11 per cent, and 6 per cent to 13 per cent, 9 per cent, and 6 per cent in 2018 and 2019.

In 2020, the national general public budget was 24,567.903 billion yuan, or 24.2 per cent of GDP. Of this amount, 3,635.994 billion yuan or 14.8 per cent went to education; 424.558 billion yuan or 1.7 per cent went to culture, tourism, sports and media; 3,256.851 billion yuan or 13.3 per cent went to social security and employment; 1,921.619 billion yuan or 7.8 per cent went to health care; 2,394.846 billion yuan or 9.7 per cent went to agriculture, forestry and water conservancy; 710.608 billion yuan or 2.9 per cent went to housing security; and 211.73 billion yuan or 0.9 per cent went to grain and edible-oil reserves.

11. Please specify the progress made in incorporating the United Nations Convention against Corruption into domestic legislation and in enhancing the effectiveness and independence of anti-corruption bodies of the State party. Please provide information on the specific steps taken to combat corruption in the public and private sectors and to enhance transparency and accountability in the conduct of public affairs, particularly in the judiciary and with regard to procurement, public services and tax administration. Please indicate what legislative or other measures have been put in place to protect whistle-blowers and to ensure the protection of and remedies for victims of corruption.

The alignment of domestic legislation with the United Nations Convention against Corruption is being enhanced. The Oversight Law, the Law on Administrative Discipline for Public Officials, and the Opinions on Further Promoting the Investigation of Bribery and Acceptance of Bribes have been drafted, and the Criminal Law and the Criminal Procedure Law have been revised. The National Supervisory Commission has been lawfully founded,

with discipline inspection commissions and supervisory commissions at all levels working in one office, exercising their supervisory power independently in accordance with the law, and ensuring that all public officials are subject to oversight.

The Civil Servant Law, the Law on Administrative Penalties, the Government Procurement Law, the Regulations on the Disclosure of Government Information, the Implementation Measures for Comprehensively Promoting Open Government Work, the Provisions on the Publication of Judgments on the Internet by the People's Courts, and the Opinions on Further Deepening the Disclosure of Procuratorial Information clearly provide for the transparency, supervision and accountability of administrative departments and judicial organs.

The Oversight Law stipulates that if a supervisory organ or its staff disclose information about a report, how it was received or from whom, the responsible person shall be dealt with in accordance with the law. The Criminal Law, the Criminal Procedure Law, the Rules of Criminal Procedure for People's Procuratorates, and the Provisions on the Procedures for Handling Criminal Cases by Public Security Authorities stipulate that supervisory and judicial organs shall protect witnesses and victims in accordance with the law, and shall compensate victims for their losses.

Non-discrimination (art. 2 (2))

12. Please indicate any concrete steps taken to adopt comprehensive anti-discrimination legislation or to review the existing anti-discrimination laws. Please also provide information on the measures taken, and their effectiveness, to combat the widespread social stigma and discrimination against disadvantaged and marginalized individuals and groups, including ethnic and religious minority groups, rural migrants, persons affected by leprosy, and lesbian, gay, bisexual, transgender and intersex persons. Furthermore, please provide updated statistical data on the representation in public administration, including the police force and the military, of ethnic minority groups compared to that of Han Chinese in Tibet, Xinjiang and Inner Mongolia, and clarify the decline in the share of officials who belong to ethnic minority groups in Xinjiang Uighur Autonomous Region from over 50 per cent in 2003 to 40 per cent in 2016.

A description of the relevant anti-discrimination legislation was provided in the response to question 1.

Popularization of and education on science are being carried out to promote a correct understanding of sex and gender and appropriate treatment of sexual minorities and to eliminate discrimination among the public. The National Plan for the Elimination of Leprosy Hazards (2011–2020), which was drafted to implement free leprosy treatment, calls for the elimination of discrimination against leprosy sufferers. The Regulations on Religious Affairs have been revised to strengthen the protection of citizens' freedom of religious belief and the lawful rights and interests of those in religious circles. China also ensures that migrant workers fully participate in social life with equal status and equal opportunities, and that they share in the achievements of material and cultural progress.

The Civil Servant Law stipulates that due consideration should be given to applicants from ethnic minorities when hiring civil servants in ethnic autonomous areas. The Law on Regional Ethnic Autonomy stipulates that the chairman of an autonomous region, the governor of an autonomous prefecture, and the head of an autonomous county shall be a citizen of the ethnic group exercising autonomy in that region. At present, 71 per cent of the cadres in the Tibet Autonomous Region are members of the Tibetan and other ethnic minorities, and most of the Party and government positions at prefectural/city and county/district levels are members of ethnic minorities. There were 91,076 ethnic minority civil servants in the Xinjiang Autonomous Region in 2016, and 428,000 ethnic minority cadres in enterprises and institutions in 2018, accounting for 50.3 per cent of the total number of cadres. The proportion of ethnic minority cadres in the Inner Mongolia Autonomous Region exceeds that of the overall local minority population. Currently, Mongolian cadres account for about 30 per cent, with those in leadership positions accounting for about 50 per cent.

13. **Please provide updated information on the progress made in reforming the household registration system (Hukou) and on the implementation of the Guidance on the Cultivation and Development of Modern Metropolitan Areas (E/C.12/CHN/3, para. 27) in this regard. Please also provide information on the steps taken to address the reportedly persistent discrimination faced by persons with rural household registration in accessing employment, social security, housing, health care, education and other social services. In particular, please indicate any specific steps taken to ensure that the children of rural migrant workers have access to education and social services in the cities where their parents are working and to facilitate the transfer of the pensions of migrant workers to the place where they are registered.**

A unified household registration system has been established for urban and rural areas. The residence permit system is being updated to cover all permanent urban dwellers not yet formally registered in urban areas, allowing 100 million unregistered people to become urban residents by 2020. Rural poor people settling in urban areas are given priority for basic public services and are granted urban residency in an orderly manner. Unified basic pension and medical insurance is being established for urban and rural dwellers. In 2021, hospital and outpatient expenses for persons seeking treatment outside their home provinces or localities were billed directly in more than 13 million instances. Full coverage of basic public health services is being achieved for all permanent urban and rural dwellers.

Under the coordination of provincial governments, led by the core cities concerned, and with the participation of surrounding cities, construction of metropolitan areas in Nanjing, Fuzhou and Chengdu is proceeding apace. The level of integration of infrastructure, public services, industries and innovation is undergoing continuous improvement.

Legal opinions on optimizing current work on providing employment and entrepreneurship opportunities for migrant workers have been issued to ensure equal employment for urban and rural workers, strengthen public employment services and protection of workers' rights and interests, and provide vocational skills training for migrant workers along with subsidies for them to start their own businesses, and provide timely assistance to migrant workers in difficulty. All 32 provinces nationwide have access to the ministerial-level system for transferring social insurance relationships and basic pension insurance relationships for enterprise employees, including migrant workers.

The housing security system, primarily comprising public rental housing, subsidized rental housing and co-ownership housing, is being enhanced to ease housing difficulties faced by the public, including those with rural household registration. By the end of 2021, a total of 1.36 million migrant workers nationwide enjoyed public rental housing. Construction of 2.4 million affordable rental housing units is planned for 2022.

Equal access to compulsory education is being provided for children accompanying migrant workers. There were 13.724 million children accompanying migrant workers in cities across the country in 2021, 90.9 per cent of whom were enrolled in public schools while enjoying Government-subsidized degree services purchased from non-State schools. A unified national registration system for primary and secondary schools has been established, providing online processing of inter-provincial school transfers of children accompanying migrant workers. Students can carry the benchmark quota of public funds per student and the "two exemptions and one subsidy" eligibility with them as they move.

Equal rights of men and women (art. 3)

14. **With reference to the information provided in the State party report (E/C.12/CHN/3, para. 51), please specify the progress made, through the measures taken, in enhancing the equal right of women to access land. Please include relevant statistical data in this regard. Please also provide information on the concrete measures taken to narrow the widened gaps between men and women in terms of labour market participation and employment rates and indicate whether the State party has carried out any reviews of labour legislation that restricts the range of work that women can undertake. While noting the list of issues adopted by the Committee on the Elimination of Discrimination against Women (CEDAW/C/CHN/Q/9, para. 16), the Committee requests the State party to indicate any specific steps taken to address gender disparities**

in income, especially wages and pensions, and specify any plans to make the retirement age the same for women and men.

The Law on the Contracting of Rural Land clearly specifies that women enjoy land contracting rights equally. The revised draft of the Law on the Protection of the Rights and Interests of Women adds measures to protect rural women's land rights and interests. The system for managing rural collective funds, assets and resources is being improved, ensuring that women in rural areas enjoy equal rights to contracted land use, use of land for homesteading, and distributed collective earnings. Mediation and arbitration in rural land contracting are being strengthened, and channels for protecting women's land rights and interests are being opened up.

A notice on further regulating recruitment and promoting women's employment has been issued, along with separate guidebooks on promoting gender equality and preventing sexual harassment in the workplace. The Special Rules on Labour Protection for Female Employees have been implemented to promote gender equality in the workplace and strengthen protections for female employees. Female employment accounted for 43.2 per cent of the total labour force in 2021.

Pension calculation and payment levels in China are mainly determined by the contribution base, contribution period, and the average local monthly employee salary; there is no differentiation by gender.

The current statutory retirement age in China is 60 for male workers, 55 for female cadres, and 50 for female workers. Female senior specialists and senior civil servants may voluntarily work up to the same retirement age as men. The statutory retirement age will be gradually raised during the Fourteenth Five-Year Plan period (2021–2025).

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

15. Please provide information on the proportion of workers employed in the informal sector or in non-standard forms of employment, and indicate any specific measures taken to regularize their situation and to improve the quality of employment. Please also specify the progress made through the active employment policy and other measures taken by the State party in upgrading vocational skills and improving job opportunities of rural migrant workers, college graduates and workers in the heavy industries who have been made redundant. In addition, please provide information on the concrete measures taken to prevent and prohibit discrimination by public and private employers against persons belonging to ethnic minorities and on the implementation of articles 23 and 67 of the Law on Regional Ethnic Autonomy of 1984. Furthermore, please specify the effect of the social credit system on the free choice of jobs and access to employment.

There are about 200 million people in flexible employment in China. The Opinions on Supporting Flexible Employment through Multiple Channels and the Guiding Opinions on Protecting the Labour Rights and Interests of Workers in New Forms of Employment have been issued, providing support for flexible employment, clarifying the labour protection responsibilities of platform enterprises, and strengthening the protection of labour rights and interests of delivery staff, online car-hailing drivers and others.

A reform plan for building the industrial labour force in the new era and an action plan to upgrade vocational skills for the period 2019–2021 have been drawn up to implement lifelong vocational skills training for workers. Free vocational training is available for children from poor families, migrant workers, the unemployed and workers who have been transferred to new jobs. From 2016 to 2020, people received nearly 100 million instances of subsidized vocational skills training of all kinds, including migrant workers in more than 40 million instances and poor labourers in about 10 million instances.

The Labour Law, the Employment Promotion Law, and the Law on Regional Ethnic Autonomy ensure that workers are not discriminated against on the basis of ethnicity and that

citizens enjoy equal access to education and training opportunities regardless of ethnicity. More than a dozen provinces and cities have formulated local regulations on implementing the Law on Regional Ethnic Autonomy and strengthening the protection of the rights and interests of ethnic minorities, and the self-government regulations of 25 autonomous prefectures and 114 autonomous counties (banners) all include provisions for the training and selection of ethnic minority cadres. In 2021, 22 provinces gave priority to ethnic minority candidates for civil service posts by allotting them extra points in written tests, making positions available to ethnic minority candidates exclusively, adding test materials in ethnic minority languages, lowering admission requirements or setting separate criteria entirely.

16. With reference to the Committee's previous recommendations (E/C.12/CHN/CO/2, para. 22), please indicate any specific steps taken to ensure that no alternative or parallel system of forced labour is put in place, particularly at the local level. In this context, please provide information on the steps taken to address reports about forced labour and physical and mental abuse allegedly involved in vocational training programmes provided by the State party, including through vocational training centres, for surplus rural workforce, particularly Uighurs, Tibetans and other ethnic minority groups; and statistical data, disaggregated by region, ethnicity and sex, on the number and proportion of persons sent to the vocational training centres and the duration of training. In addition, please indicate what support is provided to families whose primary breadwinner is sent to such centres.

Vocational education schools formulate training plans and coordinate with enterprises, and organize professional-skills practice for students prior to graduation. There is no so-called "forced labour".

Vocational skills training is being conducted in ethnic minority areas to cultivate talented personnel to foster the economic and social development of those areas, and help ethnic minorities overcome poverty and become better off. The Xinjiang Autonomous Region regards the promotion of labour and employment as the largest project for improving the people's livelihood. Workers find jobs on their own initiative, the market regulates employment, and the Government promotes employment and encourages entrepreneurship, helping people of all ethnic groups to achieve higher-quality and fuller employment.

Workers of all ethnic groups in Xinjiang choose occupations completely according to their own wishes, and their personal freedom has never been restricted in any way. Their lawful rights and interests, such as equal employment, access to remuneration, participation in social insurance, rest and vacation, as well as occupational safety, are protected in accordance with the law. Workers of all ethnic groups are not subject to any discrimination.

17. Please specify the measures taken to tackle cases of coerced labour involved in work-study programmes, particularly in the textile and garment sectors, and to protect the rights of the students participating in those programmes. Please also provide information on steps taken by the State party to ratify and implement the Forced Labour Convention, 1930 (No. 29) (and its 2014 Protocol) and the Abolition of Forced Labour Convention, 1957 (No. 105) of the International Labour Organization, as agreed in the China-European Union Comprehensive Agreement on Investment, signed on 30 December 2020.

The Vocational Education Law stipulates that enterprises and institutions shall give appropriate labour remuneration to students engaged in internships. Administrative regulations on internship management for vocational school students and the standards for vocational-school internships for professional posts have been revised. Vocational schools, units offering internships, and students are guided to sign tripartite agreements for internships that ensure internship students' rights to rest, reasonable remuneration, and personal safety.

The Chinese Government has been conducting continuous research and debate on the ratification of the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105) of the International Labour Organization, and has strengthened and streamlined domestic laws and regulations along with exchanges and cooperation with the Organization, basically completing the preparatory work for the ratification of those Conventions.

Right to just and favourable conditions of work (art. 7)

18. **Please indicate the specific steps taken to strengthen the enforcement of labour legislation, particularly the Labour Contract Law. In particular, please provide information on:**

(a) **The measures taken to strengthen the mandate and functions of the Labour Dispute Arbitration Committees and the steps taken to enhance compliance by employers with the decisions of the Committee;**

(b) **The implementation of the 2004 Work-related Injury Insurance Regulations and the 2011 Social Insurance Law and the advance payment system provided thereunder, including the main achievements and remaining challenges, and the measures taken to expand the coverage of such measures to all workers;**

(c) **The measures taken to improve the reporting and data-collection system for occupational accidents and diseases, including non-fatal incidents.**

Human resources and social security departments are strengthening guidance, supervision and inspection of the implementation of the Labour Contract Law, and promptly investigate and deal with illegal acts. The Labour Dispute Mediation and Arbitration Law has been implemented, giving full play to the role of arbitration as the main channel for the settlement of labour disputes. From 2016 to 2021, arbitration institutions at all levels nationwide handled 8.214 million disputes involving 8.616 million workers. The arbitration resolution rate in 2021 was 71.1 per cent.

By the end of 2021, 283 million workers were covered by work-related injury insurance nationwide, basically achieving full coverage of all statutory groups. About two million injured workers enjoy work-related injury insurance every year. China attaches great importance to resolving insurance coverage difficulties for workers in engineering and construction, especially migrant workers, and work-related injury insurance coverage has continued to expand. Work-related injury insurance claim payments are made in advance, thereby protecting the basic labour rights and interests of workers with work-related injuries while reducing the cost of doing so.

Measures for occupational injury protection for persons in new forms of employment have been drafted for trial implementation, and pilot occupational-injury protection programmes are being carried out in an effort to address problems of imbalance and insufficiency in current protections.

A legal and regulatory system for reporting data and statistics on production safety accidents is being set up. A nationwide online accident reporting system is under construction, along with strengthened monitoring and analysis of factors contributing to accidents and the consolidation of responsibility for reporting accident information.

19. **Please specify the effectiveness of the measures taken to tackle the widespread problem of wage arrears, including the 2020 deadline for the eradication of wage arrears and the State Council's Opinions on the Comprehensive Regulation of Migrant Workers' Wage Arrears, particularly in the context of the COVID-19 pandemic. Please provide information on minimum wages – their amounts and their ratio compared to the average and the median wage, their coverage and the groups of workers not covered by minimum wages. Please also specify the measures, and their impact, taken to ensure that local governments fully implement the regulations on minimum wages and to enhance compliance by employers with minimum wages. Furthermore, please provide information on any legislative measures taken to fully incorporate into labour legislation the principle of equal pay for work of equal value.**

A number of policy documents have been issued on the issues of migrant workers' wages, improving prevention and early warning of wage arrears, removing impediments from the rights-protection channels of the national platform for responding to and eradicating signs of wage arrears as well as the green (fast-track) channel for settlement of migrant workers' wage disputes, and strictly investigating and cracking down on illegal and criminal acts related to unpaid wages. From 2016 to 2020, 53.251 billion yuan of unpaid wages were recovered for 5.0986 million migrant workers.

The minimum wage system has been fully implemented, and the average monthly minimum wage in all regions of the country was 1,755.3 yuan in 2021. The Provisions on Minimum Wages and the Regulations on Labour Security Supervision clearly define the legal liability for violations of the minimum wage regulations, and stipulate that the departments administering labour security shall exercise labour security supervision of wage payments by employers and implementation of the minimum wage standard.

The Constitution provides that men and women shall be paid equally for equal work. The Labour Law, the Labour Contract Law, the Law on the Protection of the Rights and Interests of Women, and the Special Rules on the Labour Protection of Female Employees ensure that all workers enjoy the right to equal labour remuneration.

Trade union rights (art. 8)

20. Please provide information on the measures taken to prohibit employers from retaliating against or intimidating workers seeking to form a trade union or claiming their rights guaranteed under articles 7 and 8 of the Covenant. Please also indicate the measures taken to enhance the effectiveness of the All China Federation of Trade Unions in fully representing the voices of its members and promoting their rights. With reference to the Committee's previous recommendations (E/C.12/CHN/CO/2, para. 23), please indicate any trade unions established outside the structure of the Federation, any legislative review carried out to provide legal recognition of the right to strike and any steps taken by the State party to consider the withdrawal of its declaration under article 8 (1) of the Covenant.

The Trade Union Law and the Labour Law specify penalties and legal liabilities for acts that obstruct workers from participating in and organizing trade unions in accordance with the law or that obstruct a higher-level trade union from providing assistance and guidance for workers preparing to establish a trade union, as well as employers' violations of regulations in such areas as working hours, rest and vacation, wages, labour safety and health, and special protections for female workers and for minors. The All-China Federation of Trade Unions and trade unions at all levels supervise and participate in the handling of violations of labour laws by employers, and protect such workers' rights as forming trade unions in accordance with the law.

The All-China Federation of Trade Unions reflects the opinions and wishes of workers through various channels, and promotes and participates in the formulation of labour security laws, regulations and policies. It attracts more working people to join trade unions, enhances the representation and organizational power of grass-roots trade unions, and protects workers' rights to be informed, to participate, to express their views, and to exercise oversight.

The issue of the right to strike has been addressed in the report on implementation of the Covenant.

Right to social security (art. 9)

21. Please provide information on the trends in coverage of each social security scheme during the reporting period and the efforts made to expand the coverage of social security schemes, particularly among rural migrant workers and workers in the informal economy or with non-standard forms of employment. Please also specify the efforts made to enhance the financial sustainability of the social security system. In this context, please indicate any measures taken to ensure the payment by employers of their contributions to the social security system and to tackle reported attempts by employers to lower their contributions, with local authorities reportedly complicit in those attempts. With reference to the information provided by the State party (E/C.12/CHN/3, para. 84), please clarify the low take-up rates of the unified basic pension insurance system and indicate any measures taken to ensure that all eligible persons receive their pension and that the pension is sufficient to provide the recipient with a decent living.

A national insurance-participation database covering the basic data of 1.39 billion people has been established, and great efforts have been made to implement universal insurance; full coverage of statutory population groups has basically been achieved. By the end of 2021, there were 1.352 billion social security card holders nationwide, covering 95.7

per cent of the population; the numbers of people participating in basic pension insurance for urban workers, basic pension insurance for urban and rural dwellers, unemployment insurance, and work-related injury insurance had reached 481 million, 548 million, 230 million, and 283 million respectively. Under the Fourteenth Five-Year Plan, the basic pension insurance participation rate will rise to 95 per cent in 2025.

Social insurance premium rates have been reduced or incrementally lowered seven times since 2015, for a cumulative reduction of nearly one trillion yuan in social insurance premiums. The basic proportional work-unit pension insurance contribution for urban workers has been reduced to 16 per cent, and the social security contributions base for some insured persons and enterprises has been rationalized to reduce their payment burden and increase their motivation to contribute.

Beginning in 2022, an overall planning system for enterprise employees' basic pension insurance will be implemented nationally on the basis of the central allocation system used for the enterprise employees' basic pension insurance fund. Government budgetary authorities continue to increase subsidies for basic pension insurance, allocating a total of 894.9 billion yuan in 2021 and increasing retirees' basic pension level by about 4.5 per cent. The national social security strategic reserve is being solidified and expanded, improving corporate and occupational annuity policies and supporting individual pension development.

Protection of the family and children (art. 10)

22. Please indicate any action taken to prevent and criminalize the use of coercive measures, particularly targeted at ethnic minority groups, in the implementation of the birth control policy, as recommended by the Committee in its previous concluding observations (E/C.12/CHN/CO/2, para. 26), and provide statistical data, disaggregated by ethnicity and region, on the number of abortions and sterilizations carried out. Please also clarify the reasons for the reportedly marked decline in birth rates among religious minority groups and provide information on the trend in the demographic composition in the Xinjiang Uighur and Tibet Autonomous Regions over the past five years. Please indicate any progress made in revising the family planning policies in accordance with the Committee's previous recommendations (E/C.12/CHN/CO/2, para. 25) and in enhancing sexual and reproductive education and services. Furthermore, please provide statistical data on children of ethnic or religious minorities who have been separated from their families in order to be placed in State-run boarding schools.

The implementation of family planning policy in China is relatively relaxed for ethnic minorities, and no coercive measures are directed against them. Investment in medical and health care in ethnic areas is being increased, maternal mortality among ethnic minorities is being reduced, and rates of live births and infant survival are rising. According to the 2020 national census, the ethnic minority population had increased by 10.26 per cent compared with 2010, exceeding the 4.93 per cent increase for the Han majority ethnic group.

People in the Xinjiang Autonomous Region choose their own birth control measures, and there is no "forced contraception". The maternal mortality rate decreased from 39.68 per 100,000 in 2015 to 17.93 per 100,000 in 2019, and the infant mortality rate decreased from 21.44 per thousand to 7.78 per thousand. In 2020, the population of the Region was 25.852 million, of which 10.92 million were of Han ethnicity, accounting for 42.24 per cent; 14.932 million were ethnic minorities, accounting for 57.76 per cent; of those, 11.624 million were Uighur, accounting for 44.96 per cent of the total population and 77.85 per cent of the ethnic minority population. The population of ethnic minorities increased by 1.865 million or 14.27 per cent compared with 2010, a growth rate that was 4.01 percentage points higher than that of the overall ethnic minority population nationwide.

The Tibet Autonomous Region has never limited the number of children that farmers and herdsman can have. In 2020, the resident population of the Region was 3.6481 million, an increase of 645,900 or 21.52 per cent over 2010, with an average annual growth of 1.97 per cent. It comprised 3.1379 million persons of Tibetan ethnicity, 66,800 members of other ethnic minorities, and 443,400 persons of Han ethnicity. Compared with 2010, the Tibetan population increased by 421,500, or 15.52 per cent; the population of other ethnic minorities increased by 26,300, or 64.95 per cent.

The Population and Family Planning Law has been revised to implement the three-child birth policy and supporting measures. Sexual and reproductive health, growth and development and adolescent health care have been integrated into health education in colleges as well as secondary and primary schools. The China National Programme for Child Development (2021–2030) notes that “school-age children commonly receive sex education, and the accessibility of children’s sexual health services has been significantly improved”.

Boarding schools are a measure for ensuring that students with schooling difficulties receive compulsory education, not a special policy for minority students. The Law on Regional Ethnic Autonomy stipulates that public primary and secondary schools, primarily boarding schools, should be established for the pastoral or mountainous areas of ethnic minority regions with economic difficulties and scattered populations, so as to ensure that students can complete their compulsory education. The public boarding schools set up to ensure such students’ enrolment in Xinjiang, Tibet and other ethnic minority areas are social and educational institutions. Parents can pick up their children every weekend or every month, and students reunite with their families during winter and summer vacations. There is no so-called “separation” of children from their families.

Right to an adequate standard of living (art. 11)

23. Please provide information on the nationally defined poverty line and the measures taken to address the disproportionate incidence of poverty among certain population groups such as older persons, young persons and persons belonging to ethnic minority groups. Please indicate the effectiveness of the measures taken to address the increasing inequalities in income and wealth. Please also indicate the effectiveness of the measures taken to narrow the large disparities between rural and urban areas and between regions in enjoying an adequate standard of living, including adequate food, housing, water and sanitation, and in accessing social security, health care and education. In this context, please provide relevant statistical data, including the ratio of the public budget increase for rural and urban areas over the reporting period.

The issue of poverty is addressed in a multidimensional manner. Identification and relief of the poor population are predicated on the household as the base unit, and on ensuring that a “Single Income” for that household is sufficient to meet the needs of the occupants for adequate food, adequate clothing and guaranteed access to education, health care and housing under the “Two Assurances and Three Guarantees” policy. The term “Single Income” refers to annual per capita net income; that figure has steadily exceeded the current national poverty alleviation standard, which stood at 2,300 yuan in 2011.

Poverty alleviation policies, funds and measures give preference to groups with special difficulties. Increases in pension benefits in rural areas and basic medical care for elderly people living in poverty are being increased, and a subsidy system for elderly people with financial difficulties and disabilities has been set up, along with care for elderly people left behind in rural areas and those living in poverty with disabilities. Living allowances for persons with disabilities in financial difficulties and nursing allowances for persons with severe disabilities are provided to low-income families to meet the basic living needs of persons with severe disabilities.

Basic pension insurance applies a unified standard to urban and rural dwellers. The reform of the medical and health system follows the concept of “treating the basic medical and health system as a public good for the whole people”, thereby promoting health coverage for the whole people and narrowing the gap between urban and rural areas.

By the end of 2021, there were 7.377 million people living on subsistence allowances in urban areas and 34.742 million in rural areas, with standard payments averaging 711 yuan and 530 yuan per person per month respectively. In 2021, temporary assistance was provided in 10.893 million instances, averaging 1,147 yuan per person.

The unemployment insurance system has been improved, with 226 million people currently insured and an insurance participation rate of the statutory population exceeding 90 per cent. The development of work-related injury insurance has been accelerated, with significant increases in the number of people participating in such insurance and the number of people enjoying benefits.

In 2019, the area of floor space in urban housing was 39.8 square metres per capita. Affordable housing projects and rural dilapidated-housing renovation have been implemented on a large scale since 2008. Construction has begun on about 78 million Government-subsidized housing units in urban areas, with nearly 25 million poor people receiving rental subsidies and more than 200 million poor people experiencing improved housing conditions. Renovating dilapidated houses in rural areas has ensured housing security for nearly 20 million households and 60 million poor people.

Drinking-water security for 270 million rural people saw improvement during the Thirteenth Five-Year Plan period (2016–2020). By current standards, the problem of unsafe drinking water for the poor has been fully resolved. By 2021, more than 42 million more rural residents had access to a guaranteed water supply, and 83 per cent of rural residents have access to tap water.

24. Please specify the efforts made by the State party to involve the affected individuals and communities in designing and implementing various poverty alleviation projects, especially those entailing relocation and resettlement of residents, and to carry out those projects in accordance with its obligations under the Covenant. In the case of expropriation of land in the public interest, please clarify the legal definition of the public interest and indicate any guidance provided for the implementing authorities to interpret the term. Please provide statistical data, disaggregated by region, on the number of land expropriations carried out in the public interest and the number of persons relocated accordingly. With reference to the report of the Special Rapporteur on extreme poverty and human rights (A/HRC/35/26/Add.2 and Corr.1, para. 52), please indicate any progress made with the reforms related to collective property rights and expropriation of rural land, as well as compensation and social security provided for dispossessed farmers.

Governments at all levels pay attention to the appeals and views of the poor through intensive discussions, home visits, suggestion boxes and online consultation, and listen to and adopt the suggestions and proposals of deputies to the National People's Congress and members of the Chinese People's Political Consultative Congress, so as to ensure poor people's rights to be informed, to make choices and decisions, and to supervise and manage the selection, implementation and administration of projects. The principle of voluntarism is upheld in relocating people in the poverty alleviation process.

During the Thirteenth Five-Year Plan period, a cumulative total of more than 600 billion yuan was invested in relocating more than 9.6 million registered poor people for poverty alleviation. About 35,000 centralized resettlement areas were built, comprising more than 2.66 million housing units, with an average floor area of 80.6 square metres per household. The ability to find employment and the income level of the relocated population were significantly ameliorated, while school enrolments and access to medical care for their children improved by 99 per cent and 99.87 per cent respectively, marking the full realization of the "Two Assurances and Three Guarantees".

The land-expropriation system has undergone a new round of reform, the Land Administration Law has been revised, and guiding legal opinions on optimizing the provision of vocational training and social security for land-expropriated farmers have been issued, narrowing the scope of land expropriation, standardizing land expropriation procedures, strengthening information disclosure, and raising compensation standards. The principle of "compensation prior to relocation and ensuring improved living conditions" has been clarified, diversified resettlement has been expanded, and the lawful land, residence, housing and property rights and interests of land-expropriated farmers are being protected, along with their rights to be informed, to participate, to express opinions and to supervise.

See annex table 5 for area of land expropriated and numbers of rural population resettled in China during the 2015–2021 period, by province, autonomous region or municipality directly administered by the central Government.

Right to physical and mental health (art. 12)

25. Please indicate the measures taken to improve access to health-care services, particularly among migrant workers, persons living in rural areas and prisoners. Please

also indicate the measures taken, and the outcomes thereof, to expand the scope of medical services covered by health insurance and to address the excessive proportion of out-of-pocket payments, particularly for the rural population and low-income households. Furthermore, please indicate any challenges faced within the current health insurance system and any efforts to reform the system.

Medical and health work in prisons, as well as disease prevention, control and treatment for inmates, are integrated into local public health systems, forming a three-tier medical and health network comprising the central hospital of the provincial Bureau of Prisons, prison hospitals or health centres, and prison infirmaries. Newly admitted inmates receive physical examinations, regular medical check-ups, and timely diagnosis and treatment of illness. Inmates suffering from critical illnesses ask to be seen by community doctors or sent to community hospitals for diagnosis and treatment. Parole for external medical treatment is handled in accordance with the law.

As of November 2021, there were 35,000 township hospitals and 608,000 village clinics throughout China, basically realizing the ideal of “one hospital per township, one clinic per village”. High-quality services are provided at the grass-roots level, urban and rural hospitals provide coordinated support, and specialized treatment for critical illnesses is provided for the rural poor, improving the level of rural medical services and reducing the medical burden for rural poor patients.

A special chapter containing provisions on basic medical insurance has been incorporated in the Social Insurance Law. China has established the world’s largest basic medical insurance network, with more than 1.36 billion people insured as of the end of 2020, and basically achieving universal medical insurance. In 2021, government medical insurance subsidies set by fiscal authorities at all levels for urban and rural dwellers reached 580 yuan per capita, for which the Government provided 359.4 billion yuan. Reimbursement rates for hospitalization expenses covered by employee and resident medical insurance policies were about 80 per cent and 70 per cent respectively. Critical illness insurance coverage for residents has been increased by about 13 percentage points over basic medical insurance, with preferential coverage for disadvantaged groups, recipients of subsistence allowances, and those who have fallen back into poverty. In 2021, the actual reimbursement rate for hospitalization expenses of the rural low-income population was about 78 per cent.

China will continue to deepen medical security system reform and accelerate the establishment of a sustainable multi-tiered medical security system that covers the entire population, integrates urban and rural areas, clearly delineates rights and responsibilities, and provides an adequate level of medical security.

26. Please indicate the measures taken to combat social stigma attached to persons with mental health conditions. Please specify the measures taken to tackle the use of confinement and restraints such as shackles on such persons. Please also specify the measures taken to increase community-based health-care services for persons with mental health conditions and social support for their families. In this context, please provide information on the outcome of the initial phase of the 686 Programme and indicate any steps taken to scale up the programme.

The Mental Health Law stipulates that no discrimination, humiliation, or abuse of persons with mental disorders shall be allowed, and that the personal freedom of persons with mental disorders shall not be unlawfully restricted. Specialized psychiatric medical services are being standardized and strengthened, and management services for patients with severe mental disorders are being incorporated into national basic public health services. Related Government fiscal investment exceeded 700 million yuan in 2021.

27. Please provide information on:

(a) **The legislative and policy framework on abuse of illicit drugs and provision of harm reduction services for drug users;**

(b) **Any progress made in combating HIV and in revising laws and policies that perpetuate the stigmatization and rejection of persons living with HIV/AIDS;**

(c) **Measures taken to guarantee access to opioid analgesics for patients living with chronic or severe pain;**

(d) **The enforcement of the legislation adopted to regulate air, water and soil pollution, as indicated in the State party's report (E/C.12/CHN/3, para. 128) and the cases of public interest litigation in relation to environmental issues.**

China strictly implements the Narcotics Control Law, has revised the Medicinal Product Administration Law, has drafted the Law on Doctors, the Regulations on the Administration of Narcotic Drugs and Psychotropic Drugs, the Regulations on the Administration of Precursor Chemicals, and the Regulations on Drug Rehabilitation, and promulgated the Measures for the Administration of Drug Rehabilitation Treatment along with basic standards for drug rehabilitation hospitals.

The Government has implemented the "Four Frees and One Care" policy for HIV/AIDS, under which HIV/AIDS patients are provided with antiretroviral drugs free of charge. The success rate of antiretroviral treatment is over 90 per cent. Uninterrupted treatment for people living with HIV/AIDS is guaranteed during the COVID-19 pandemic.

The Regulations on the Prevention and Treatment of HIV/AIDS stipulates that no discrimination shall be made in respect of the legitimate rights and interests of persons infected with or being treated for HIV/AIDS and their families in such areas as marriage, employment, medical treatment and schooling. A multi-phase five-year action plan for HIV/AIDS prevention and treatment is being implemented in accordance with the law to reduce social discrimination against, and protect the legitimate rights and interests of, persons infected with or being treated for the illness.

In China, opioids are categorized as either narcotic drugs or psychotropic drugs and are managed in accordance with the Medicinal Product Administration Law, the Narcotics Control Law, the Regulations on the Administration of Narcotic Drugs and Psychotropic Drugs, and the guiding principles for the clinical administration of narcotic drugs. The long-term medication needs of patients with chronic diseases are met in accordance with the standards for the management of long-term prescriptions (currently under trial implementation).

In 2020, 87 per cent of cities at the prefecture level and above nationwide had good air quality, with average concentrations of fine particulate matter (PM_{2.5}) in those cities being 28.8 per cent lower than they had been in 2015. Total emissions of sulfur dioxide and nitrogen oxides had also decreased from 2015 levels by 22.5 per cent and 19.7 per cent respectively. In 2021, 84.9 per cent of the 3,641 surface-water assessment section samples nationwide qualified as excellent (Class I–III), and 1.2 per cent were found to be Class V or below. More than 200 pilot projects for the application of soil pollution control and remediation technologies have been completed. Notable progress has been made in the construction of six pilot zones for comprehensive soil-pollution prevention and control. The safe utilization rate for contaminated farmland is about 90 per cent, and exceeds 90 per cent for polluted land.

Chinese courts hear environmental public-interest litigation cases in accordance with the law. For the first time, a preventive environmental public-interest civil litigation case involving the protection of endangered wildlife and their habitat has effectively averted major threats to the biological habitats of "green peafowl" in the region involved in the case.

Right to education (arts. 13–14)

28. **Please provide information on:**

(a) **The effectiveness of the measures taken to eliminate all tuition and additional fees during compulsory education;**

(b) **The steps taken to curb the disproportionately low completion rates of compulsory education in rural areas;**

(c) **The extent to which the measures taken have improved the availability, accessibility and quality of education in rural areas, including relevant statistical data;**

(d) The measures taken to ensure academic freedom and its impact.

Students with financial difficulties are exempted from tuition and miscellaneous fees, and are provided with textbooks free of charge, as well as living allowances. About 157 million students enjoyed free tuition and free textbooks in 2021, and more than 25.3 million students enjoyed cost-of-living subsidies.

A number of policy documents have been issued on controlling the dropout rate to ensure the implementation of compulsory education, improve accounting management, accurately track household registration, and increase incentives to return to school. By the end of 2021, the number of students from registered poverty-alleviated households dropping out of school had been drastically reduced, constituting a historic resolution of the problem of students dropping out of the compulsory stage of their education.

The integration of urban and rural compulsory education is being pushed forward, with 99.8 per cent of compulsory-education schools nationwide meeting the basic operational requirements. During the Thirteenth Five-Year Plan period, government budgetary authorities allocated a cumulative total of 163.85 billion yuan to renovate and improve weaker schools in rural compulsory education. Some 38.08 billion yuan from the central budget were invested to support the construction of compulsory-education schools, focusing on supporting disadvantaged counties in contiguous areas, counties in key national poverty-alleviation and development areas, old revolutionary base areas, ethnic autonomous counties, and border counties. In 2021, there were 197,000 rural kindergartens nationwide, with 28.213 million children enrolled. Government budgetary authorities invest about 2.2 billion yuan yearly to provide more than 1 million instances of training for teachers in rural kindergartens and primary and secondary schools in the central and western regions of China.

Under the Higher Education Law, the freedom of scientific research as well as of literary and artistic creation and other cultural activities in colleges and universities is guaranteed; colleges and universities “operate independently in accordance with the law and exercise democratic management”. College and university academic committees respect academic freedom and equality, and encourage academic innovation. China is broadening the autonomy of college and university scientific research, encouraging free exploration, improving the way work and study are carried out, and improving the stable support mechanism for scientific and technological innovation in colleges and universities.

Cultural rights (art. 15)

29. Please provide information on the implementation of the bilingual language education policy, including the number of schools that provide education in both Mandarin and a minority language and the number of teachers who teach their subjects in a minority language. Please clarify how the replacement of ethnic minority languages, including Uighur, Tibetan and Mongolian, by Chinese (Putonghua) as the medium of instruction in compulsory education is justified under the policy. In this context, please indicate the measures taken to address situations in which parents refuse to send their children to school because of the newly implemented language policy.

The Constitution and the Law on Regional Ethnic Autonomy stipulate that all ethnic groups have the freedom to use and develop their own spoken and written languages. China is strengthening research on bilingual teaching, building a corps of bilingual teachers, compiling and publishing materials in ethnic-group languages, and basically building a bilingual education system from preschool to high-school levels. More than 6,000 primary and secondary schools across the country offer bilingual education for ethnic minorities, with nearly 3 million students receiving bilingual education from about 200,000 full-time teachers.

Popularizing a common national standard spoken and written language in accordance with the Constitution and the Law on the Standard Spoken and Written Chinese Language is conducive to safeguarding the right of the people, especially ethnic minorities, to receive education. In primary and middle schools in ethnic autonomous areas, classes in the three subjects of (Chinese) language skills, history, and ethics and legal-political ideology are taught in the common national spoken and written language, using unified national teaching materials. To ensure that students from all ethnic groups receive a quality education in their own spoken and written languages, ethnic-group language curricula are being set up, the

compilation of teaching materials in ethnic-group languages is being improved, and teaching resources in spoken and written ethnic-group languages are being developed. Parents generally agree with and support this approach, and are firmly resolute in their willingness to send their children to receive education at school.

30. Please provide information on the efforts undertaken to promote and protect the culture, religion and language of ethnic minority groups, particularly Uighurs and Tibetans, and indicate the measures taken to ensure that the cultural, religious and linguistic identity of ethnic minority groups is not undermined by the assimilation policy of the State party, known as sinicization. Please also comment on reports that the State party has: (a) attempted to eradicate the culture, religion and language of Uighurs and Tibetans through massive destruction of sacred cultural and religious sites and bans on the practice of religious rituals and on the use of the Uighur and Tibetan languages in schools; and (b) suppressed individuals and institutions promoting education in minority languages in school.

There are 1,787 venues for the practice of Tibetan Buddhism in the Tibet Autonomous Region, with more than 46,000 resident monks and nuns and 358 living Buddhas. There are four mosques with more than 12,000 native Muslims, and one Catholic church with more than 700 believers. Administrative measures regarding the reincarnation of living Buddhas in Tibetan Buddhism and measures on the granting of Tibetan Buddhist titles (under trial implementation) have been promulgated to transmit and develop the living Buddha reincarnation system and improve the scriptural studies system of Buddhist monks.

The Xinjiang Uighur Autonomous Region has 24,800 mosques, churches, monasteries, Taoist temples and other places for religious activities, including more than 24,400 mosques and 29,300 clerical teaching staff. Students can receive undergraduate instruction at the Islamic Institute. More than 1.76 million copies of the Qur'an and the *Selections from the Sahīh al-Bukhārī* have been published and distributed. The State implements an organized and planned Hajj policy, strengthening service guarantees and ensuring safety and order.

China vigorously promotes the transmission and development of ethnic minority languages and cultures. Except for Hui and Manchu ethnic groups, which use the common Chinese language, the other 53 ethnic minorities in China have their own languages, and 22 of those ethnic minorities use a total of 28 written languages between them. There are 729 broadcasting organizations in ethnic autonomous areas, including radio stations, television stations, and combined radio and television stations. The Potala Palace complex of historical buildings in Lhasa and the "Silk Roads: the Routes Network of Chang'an-Tianshan Corridor" have been included in the UNESCO list of World Cultural Heritage sites. More than one third of the intangible Chinese cultural heritage items listed in the UNESCO Intangible Cultural Heritage roster are projects involving ethnic minorities. There are 11 national-level cultural and ecological protection or experimental zones in ethnic minority areas. Twenty-five provinces, autonomous regions and municipalities across the country have established institutions for collating and researching ancient ethnic books; these institutions have salvaged and collated about one million such works. A project to compile abstracts from a general catalogue of ancient books of Chinese ethnic minorities includes some 300,000 titles. The diet, festival, marriage, funerary and other habits and customs of ethnic minorities are respected, as is their freedom to reform their own customs.

There is no so-called ban on the use of the Uighur and Tibetan languages in schools, nor any elimination of the Uighur and Tibetan languages in general. The lawful use of ethnic minority languages in education is guaranteed in accordance with the law, and special funds are invested in organizing the development of educational and teaching resources in the spoken and written languages of ethnic minorities, strengthening the development of ethnic minority language textbooks and the training of a corps of bilingual teachers, and offering classes in ethnic minority languages in primary and secondary schools in ethnic minority areas. Special funds are also invested in organizing the investigation and protection of ethnic minority languages, building language resource databases, and scientifically protecting the spoken and written languages of all ethnic groups.

31. Please indicate the measures taken to improve access to information and communication technology, including the Internet, especially for disadvantaged and marginalized individuals and groups, and to ensure the free exchange of ideas and information online without interference to further their enjoyment of Covenant rights. Please also provide information on the legislative and policy measures taken to respect the freedom indispensable for scientific research and creative activity and any restrictions on the exercise of this freedom.

As of the end of the Thirteenth Five-Year Plan, the penetration rates of fixed household and mobile broadband users had increased to 96 per cent and 108 per cent respectively, the average charges for fixed broadband and mobile phone traffic had dropped by more than 95 per cent, and over 98 per cent of the administrative villages and poor villages across the country had access to optical-fibre and fourth-generation broadband cellular networks.

According to the Law on Scientific and Technological Progress, the freedom to conduct scientific and technological research and development is guaranteed, and such lawful rights and interests of scientific and technical personnel as free exploration are protected.

An outline of actions to enhance digital literacy and skills of the whole people has been issued, increasing digital education and training for the elderly and the disabled, accelerating the elderly-oriented reform and barrier-free construction of digital products and services, and promoting joint efforts to build and share in the fruits of digital development.

Annex

Table 1
Personal income in 2021

<i>Per-capita disposable income for residents</i>	<i>(RMB yuan per capita)</i>		
	<i>All residents</i>	<i>Urban residents</i>	<i>Rural residents</i>
21	35 128	47 412	18 931

Table 2
2021 National survey of monthly urban unemployment

<i>Period</i>	<i>National urban survey</i>		
	<i>Unemployment rate (per cent)</i>	<i>Persons aged 16–24</i>	<i>Persons aged 25–59</i>
January 2021	5.4	12.7	4.9
February 2021	5.5	13.1	5.0
March 2021	5.3	13.6	4.8
April 2021	5.1	13.6	4.6
May 2021	5.0	13.8	4.4
June 2021	5.0	15.4	4.2
July 2021	5.1	16.2	4.2
August 2021	5.1	15.3	4.3
September 2021	4.9	14.6	4.2
October 2021	4.9	14.2	4.2
November 2021	5.0	14.3	4.3
December 2021	5.1	14.3	4.4

Table 3
Changes in the extent and incidence of poverty in rural areas over the past twenty years

<i>Indicator</i>	<i>2010 year-end</i>	<i>2015 year-end</i>	<i>2019 year-end</i>	<i>2020 year-end</i>
Extent of population in poverty (10,000 persons)	16 567	5 575	551	Completely eliminated
Incidence of poverty (per cent)	17.2	5.7	0.6	Completely eliminated

Table 4
Per capita disposable income of households with the highest 10 per cent income and households with the lowest 40 per cent income since 2013

<i>Indicator</i>	<i>2013</i>	<i>2015</i>	<i>2019</i>	<i>2020</i>
Highest 10 per cent (yuan per capita)	60 607	68 295	96 075	101 275
Lowest 40 per cent (yuan per capita)	6 924	8 437	11 485	12 064
Ratio	8.8	8.1	8.4	8.4

Table 5
Area of land expropriated and numbers of rural population resettled during the 2015–2021 period, by province, autonomous region or municipality directly administered by the central Government

<i>Administrative division</i>	<i>Land expropriated (in km²)</i>	<i>Rural population resettled (10 000 persons)</i>
Beijing municipality	107.71	4.42
Tianjin municipality	141.72	13.84
Hebei province	1 247.52	158.47
Shanxi province	527.82	64.84
Inner Mongolia autonomous region	1 073.18	9.78
Liaoning province	369.09	19.23
Jilin province	525.37	23.77
Heilongjiang province	346.27	12.1
Shanghai municipality	152.66	2.75
Jiangsu province	1 357.41	44.64
Zhejiang province	1 148.04	182.9
Anhui province	1 204.51	143.1
Fujian province	701.43	134.5
Jiangxi province	1 271.41	78.06
Shandong province	1 988.2	267.92
Henan province	1 635.14	224.04
Hubei province	1 050.14	82.31
Hunan province	937.64	114.94
Guangdong province	1 273.97	176.64
Guangxi Zhuang autonomous region	847.68	131.77
Hainan province	136.75	98.86
Chongqing municipality	618.54	81.12
Sichuan province	1 784.33	173.91
Guizhou province	1 015.78	96.69
Yunnan province	1 080.06	157.81
Tibet autonomous region	14.2	0.9
Shaanxi province	1 042.6	193.45
Gansu province	446.36	39.21
Qinghai province	65.74	17.2
Ningxia Hui autonomous region	160.72	6.65
Xinjiang Uighur autonomous region	253.05	1.93
National total	24 525.04	2 757.75

Note: Following the implementation of the newly revised Land Administration Law in 2020, the expropriation approval procedure has been updated and reporting of rural population resettlement numbers is no longer required; the statistical data above are incomplete.