



Economic and Social Council

Distr.: General
7 April 2021

Original: English
Chinese, English, French and
Spanish only

Committee on Economic, Social and Cultural Rights

List of issues in relation to the third periodic report of Macao, China*, **

I. General information

1. Please provide information on the measures taken by Macao, China, to give effect to the provisions of the Covenant in the domestic legal order. Please specify any efforts undertaken to provide specialized training for judges, lawyers and other legal professionals on the provisions of the Covenant and their justiciability, including through the Legal and Judicial Training Centre. Please provide information on the cases in which provisions of the Covenant were applied by or invoked before domestic courts, including examples of such cases.
2. Please clarify whether the Ombudsman of the Commission against Corruption is explicitly mandated to promote and protect all the rights enshrined in the Covenant and provide information on the activities carried out by the Commission to this end. Please provide information on cases filed with the Commission relating specifically to the violation of Covenant rights, including the number of such cases and their outcome. Please also provide information on legal aid available to disadvantaged and marginalized individuals alleging the violation of their Covenant rights and the effectiveness of the legal aid system in this regard.
3. Please provide information on the mitigation efforts undertaken to respond to climate change and indicate any policy framework adopted to this end. In particular, please indicate whether the Government has set targets for reducing emissions in accordance with the Paris Agreement on climate change and, if so, please provide information the progress made in meeting them. Please also provide information on the adaptation measures taken 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.

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

Maximum available resources (art. 2 (1))

4. In order for the Committee to assess whether Macao, China, 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:

* Adopted by the pre-sessional working group at its sixty-eighth session (8–12 March 2021).

** The present document forms part of the list of issues in relation to the State party report of China (E/C.12/CHN/Q/3), which also includes the list of issues in relation to the report of Hong Kong, China (E/C.12/CHN-HKG/Q/4).



(a) 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;

(b) 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;

(c) The proportion of public revenue that is financed through taxes;

(d) 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;

(e) 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;

(f) Inflation-adjusted absolute levels of social spending.

5. 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 also provide information on the cases filed with the Commission against Corruption, particularly those involving high-level officials, including the number of cases filed, investigated and prosecuted and the sentences passed on those involved in corruption, during the reporting period. Furthermore, 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.

Equal rights of men and women (art. 3)

6. Please indicate the measures taken to address the gender disparities in labour market participation. Please provide information on the trend in the gender pay gap during the reporting period and on the steps taken to narrow it. Furthermore, please indicate the efforts undertaken to ensure that the “Macau Women Database” provides adequate statistical data and information to assess the level of enjoyment of economic, social and cultural rights by women.

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

Right to work (art. 6)

7. Please provide information on the number and proportion of workers in the informal economy and in non-standard forms of employment. Please indicate the level of legal protection provided to such workers in terms of their working conditions and social security.

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

8. Please provide information on the minimum wages currently set in specific sectors and on the measures taken to ensure that the minimum wages provide workers and their families with a decent living. In addition, please indicate the progress made in introducing a general minimum wage scheme applying to all workers. Please also indicate whether the principle of equal pay for work of equal value is stipulated in labour legislation, in accordance with article 7 of the Covenant, and to what extent this principle has been implemented in practice.

9. Please provide information on the labour inspections carried out by and the complaints filed with the Labour Affairs Bureau, including the main issues of concern and the measures taken to address them. Please also provide information on occupational accidents, including

updated statistical data, disaggregated by industry, gender and migrants/locals, on the number of injuries and deaths caused by accidents, and on occupational diseases, including most common diseases and their causes.

10. In light of the Committee's previous concluding observations (E/C.12/CHN/CO/2, para. 54), please specify the steps taken to improve the working and living conditions of migrant workers. Please provide information on the recommendations resulting from any studies that have been carried out on the working and living conditions of migrant workers, particularly domestic workers, with a view to developing a policy to improve their working and living conditions.

Trade union rights (art. 8)

11. Please indicate any steps taken to adopt legislation that explicitly provides for the freedom of association and collective bargaining and clarify the status of the draft law on the fundamental rights of trade unions. Please provide information on the measures taken to prohibit and protect individuals from acts of discrimination and reprisals for union activities and interference in the functioning of trade unions.

Right to social security (art. 9)

12. Please provide information on:

(a) The differences between the Provident Fund Scheme and the Retirement and the Survivor's Pensions Scheme, including in terms of contributions and benefits, and the reasons for keeping the Retirement and the Survivor's Pensions Scheme only for judicial and procuratorate magistrates who are in the career regime;

(b) The measures taken to increase the participation of both resident and non-resident workers in the social security system and to ensure the full compliance of employers in contributing to the system;

(c) Whether there are any plans to extend the mandatory system to non-resident workers;

(d) The steps taken to ensure that the amounts of social security benefits, particularly the old-age pension, disability pension and unemployment allowance, are sufficient to provide recipients with a decent living.

Protection of the family and children (art. 10)

13. Please indicate any procedures that have been put in place to ensure that the legislation and policy relating to older persons are designed, implemented and assessed with a view to improving their enjoyment of economic, social and cultural rights. With reference to the information provided in the report (E/C.12/CHN-MAC/3, para. 158), please provide information on specific cases brought before the courts and on legal aid or other support provided to the older persons concerned. Furthermore, please provide information on the results of the measures taken, such as the Community-based Child-rearing Service Experimental Programme, to facilitate equal distribution of family responsibilities such as childcare between men and women.

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

14. Please indicate what is the nationally defined poverty line in Macao and provide statistical data, disaggregated by gender, disability and residence status (local/migrant), on the proportion of persons or households living below that poverty line. Please indicate the impact of the measures taken to support poor households, including the Wealth Partaking Scheme and the allowance (E/C.12/CHN-MAC/3, paras. 72 and 182–184), to address the persistent poverty. In addition, please specify whether any policy frameworks have been adopted to eradicate poverty. Please provide information on the measures taken to narrow the large economic disparities among population groups, and their effectiveness.

15. Please provide information on:

(a) The number of households living in substandard housing and of persons experiencing homelessness and the measures taken, and their effectiveness, to provide durable solutions in such cases;

(b) The effectiveness of the measures taken to increase the provision of social housing, including statistical data on the number of social housing units provided, the average waiting time for social housing and the public budget allocated thereto, during the reporting period;

(c) The housing situation of migrant workers and the support provided for them to access adequate housing.

Right to physical and mental health (art. 12)

16. Please provide information on the legislative and policy framework on mental health. Please indicate the measures taken to combat the stigma attached to persons with mental health conditions and to facilitate access to mental health-care services. Furthermore, please indicate the efforts undertaken to address the reportedly high level of depression and mental stress, particularly in the context of the COVID-19 pandemic, and to tackle the reportedly increased incidence of suicide among students.

Right to education (arts. 13–14)

17. Please clarify the reasons for the continuous decrease in net enrolment rates at the pre-primary education level and for the low net enrolment rates and higher dropout rates at the secondary education level. Please indicate what steps have been taken to address these issues.

Cultural rights (art. 15)

18. Please indicate the measures taken to improve access to the Internet and to information and communication technology, especially for disadvantaged and marginalized individuals and groups, and to address the difficulties faced by these groups in accessing digitalized public services.
