



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### Seventy-third session

#### Summary record of the 7th meeting

Held at the Palais Wilson, Geneva, on Thursday, 16 February 2023, at 10 a.m.

*Chair:* Mr. Abdel-Moneim

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Consideration of reports (*continued*)

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Third periodic report of China (continued)*

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*The meeting was called to order at 10 a.m.*

**Consideration of reports (continued)**

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (continued)**

*Third periodic report of China (E/C.12/CHN/3; E/C.12/CHN-HKG/4; E/C.12/CHN-MAC/3; E/C.12/CHN/Q/3; E/C.12/CHN-HKG/Q/4; E/C.12/CHN-MAC/Q/3; E/C.12/CHN/RQ/3; E/C.12/CHN/HKG/RQ/4; E/C.12/CHN-MAC/RQ/3)*

*(continued)*

1. *At the invitation of the Chair, the delegation of China joined the meeting.*
2. **Ms. Saran** (Country Task Force) said that she wished to know how many schools in the Tibet Autonomous Region used Chinese as the language of instruction, whether Tibetans could open private Tibetan language schools, whether parents who refused to place their children in residential schools faced reprisals, and how children whose parents were sent to re-education camps were cared for. She would appreciate comment from the delegation on allegations that the application of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (the Hong Kong National Security Law) and the practice of censorship in Hong Kong, China, limited academic freedom, cultural expression and freedom of expression and on reports that preschool enrolment rates in Macao, China, had decreased and that the children of migrants were underrepresented at that level of education. She wished to know how the rights of lesbian, gay, bisexual and transgender students were protected in schools.
3. She wished to find out what the State party was doing to ensure that members of ethnic minorities could use and teach their own language, teach their own history and culture, practice their religion freely and observe their own festivals. She would welcome information on any measures being taken to increase respect for cultural differences within the State party, including any measures developed with the participation of members of ethnic minorities. She wondered whether the delegation could comment on the reported demolition of monasteries and mosques and the rationale behind prohibitions on practices such as keeping a Qur'an in the home and growing a beard.
4. She would like to know how many nomadic members of ethnic minorities had been subjected to resettlement programmes, how many had challenged their resettlement, what the living conditions of the resettled persons were now like and what impact such practices had had on the demographic profiles of the autonomous regions. She would appreciate information on the implementation and impact of the Regulations on the Establishment of a Model Area for Ethnic Unity and Progress in the Tibet Autonomous Region. It would be helpful to know what criteria were used in deciding to send members of minority communities to re-education camps or vocational training centres and why such centres were equipped with high security walls, barbed wire and surveillance cameras.
5. She would appreciate further information on the measures being taken to effectively implement laws addressing sexual harassment in the workplace, forced marriage, trafficking in persons and the gender pay gap; the steps being taken to share data on the prevalence of the coronavirus disease (COVID-19) in China and the impact of the State party's efforts to prevent the spread of COVID-19 on the economic, social and cultural rights of its population; the system of labour-security supervision described in the periodic report; and the measures taken to regulate the recruitment process of Chinese workers sent overseas. It would be helpful to have disaggregated data on members of ethnic minorities employed in State-run and private businesses.
6. **Mr. Windfuhr** (Country Rapporteur) said that he wished to know how the State party planned to reach the targets set under the Paris Agreement for reducing greenhouse gas emissions and to adapt to climate change. He would like to know how judges working in areas involving economic, social and cultural rights were selected and trained. He wondered whether a narrower definition of national security would be introduced into domestic law and how it was ensured that the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region did not act arbitrarily. He wished to know whether it was true

that a hotline existed for the reporting of individuals believed to be acting against national security interests and, if so, whether any reports made had affected individuals' economic, social or cultural rights. He would like to find out whether persons placed in vocational training centres were required to perform labour in the coal mines and factories that appeared to be located near those centres and what monitoring and oversight mechanisms were in place to prevent forced labour.

7. **Mr. Hennebel** (Country Task Force) said that he would welcome comment from the delegation on allegations that the State party implemented a policy of forced assimilation of ethnic minorities. He would be grateful for information on any investigations undertaken into allegations of forced labour in the State party or of the enforced disappearance or arbitrary arrest of human rights defenders and lawyers. Further information would be appreciated on the legal regime governing the placement of individuals in vocational training centres and the possibilities available to those persons to object to their placement there. He wished to know how the State party reconciled the protection of cultural rights with the documented destruction of mosques, shrines and Uighur cemeteries. He wished to know what measures were being taken in Hong Kong, China, to protect academic freedom and students' freedom of expression and in Macao, China, to ensure that migrant workers were able to take on leadership roles in trade unions and to protect domestic workers.

8. **Mr. Caunhye** (Country Task Force) said that he would appreciate further information on the grounds on which people could be placed in vocational training centres and the factual circumstances that had given rise to prosecutions of human rights defenders and disciplinary proceedings against lawyers.

9. **Mr. Fiorio Vaesken** said that he wished to know whether any mechanisms had been established to monitor the State party's implementation of the Committee's recommendations.

10. **Mr. Chen Xu** (China) said that all members of all ethnic groups in China, regardless of their region, ethnicity, religion or sex, were able to enjoy their human rights on an equal basis with others. The periodic report provided a detailed description of the State party's efforts in that regard.

11. **A representative of Hong Kong, China**, said that the poverty alleviation measures taken by the Government of Hong Kong, China, had lifted 1.1 million people out of poverty and reduced the poverty rate by 15.7 percentage points. With the merging of two Old-Age Living Allowance schemes and the introduction of the Working Family Allowance Scheme, the eligibility criteria had been relaxed and payment rates increased.

12. The aim of the Elderly Services Programme Plan was to allow older persons to stay in their homes. Older persons could apply for subsidized services regardless of their financial status. In 2022, subsidies had been provided to more than 60,000 older persons receiving community care, covering over 95 per cent of the cost, and to half of the 60,000 older persons in residential care, covering 90 per cent of the cost. Work had begun on all recommendations under the Plan and some had already been fully implemented. The Government had introduced a bill to improve the quality of residential care homes for older persons and persons with disabilities by, for example, increasing minimum staffing requirements. The Government would increase the number of community care service vouchers from 8,000 to 12,000 by the 2025/26 financial year and provide an additional 6,200 subsidized residential care places by 2027. During the COVID-19 pandemic, staff testing requirements had been put in place in residential care homes, several rounds of vaccination had been provided, the ventilation in the homes had been improved and holding centres had been set up to separate and treat infected residents.

13. **A representative of Hong Kong, China**, said that all residents of Hong Kong, China, enjoyed equal access to public health-care services and had done so even during the COVID-19 pandemic. Fee waivers were available for persons unable to afford health-care services.

14. The Government intended to make 70 per cent of the 430,000 housing units projected to be needed over the next decade available as public housing and had already identified land sufficient for 360,000 units. Tenancy control had been introduced for private leased residential properties and regulatory regimes had been established for private developers and

estate agents. A three-year trial cash allowance scheme had been launched for families affected by prolonged waiting periods for public rental housing. By December 2022, around \$2.53 billion had been disbursed as cash allowances to some 84,000 households applying for such housing.

15. **A representative of Macao, China**, said that various types of subsidies were available to residents of Macao, China, including allowances for disadvantaged families, older persons and persons with disabilities. Additional assistance was available to single-parent families that included school-age children or persons with disabilities. Foreign employees had an equal right to benefits. Accommodation provided by employers or job placement agencies must meet certain standards. Information about labour rights was disseminated to both employers and employees.

16. By September 2022, the waiting period for public housing had been reduced to 8 months. Families were eligible for additional benefits during the waiting period. The Legislative Assembly had approved the rules and regulations for a new tier of housing to be introduced by the Government of Macao, China, which would combine elements of public and private housing. Public housing schemes were available for various groups of people, including older persons and persons of varying levels of financial means.

17. **Mr. Lou Soi Cheong** (Macao, China) said that, in Macao, China, everyone was equal before the law. While there was no specific anti-discrimination legislation, other laws and regulations provided a suitable foundation for the elimination of discrimination in the workplace. Employees could file complaints of rights violations with the authorities, who would investigate and, if appropriate, punish the perpetrators. In 2019 and 2020, the Labour Affairs Bureau had worked with other departments and non-governmental organizations to organize workshops on the prevention of workplace discrimination. A number of benefits were available to persons with disabilities, including social insurance payments and post-retirement provident funds. Employers were prohibited from preventing their employees exercising the right to freedom of association.

18. **A representative of China** said that the Government had taken steps to address health inequalities between rural and urban areas by setting up provincial, county and village clinics to ensure that everyone had access to health-care services no more than 15 minutes away from their home. Mobile clinics and online consultation services were also in operation. To reduce the economic burden of health-care costs for individuals, in 2021, the rate of reimbursement for treatment for serious illness had been increased by 18 per cent.

19. Forced sterilization was prohibited. All medical treatment was voluntary; patients or their guardians could request a second opinion if they so wished.

20. During the COVID-19 pandemic, a counselling programme had been set up to assist older persons, children, pregnant women, persons with disabilities and individuals in other vulnerable groups. In addition, all hospitals and medical facilities had been required to establish a fever clinic. All the necessary medicines were in stock at the local level, and the health authorities had the capacity to meet the health-care needs of the entire population.

21. **A representative of China** said that all students received the same education, irrespective of whether they lived with their families or in boarding schools. Children were not forcibly separated from their families; students who boarded could go home at weekends and during holidays.

22. Between 2014 and 2021, expenditure on education had increased by 68.4 per cent. Every school in the country had Internet access. A funding system had been established, covering preschool to postgraduate studies, to ensure that no student was left behind. Graduate students and retired teachers provided their services in rural areas as part of efforts to reduce disparities in education provision between rural and urban settings. Education was now compulsory and free of charge in all provinces. Private schools made up less than 5 per cent of the education system.

23. All students were treated equally; no distinction was made with regard to ethnic origin or sexual orientation. Children who moved with their parents to urban areas could enrol in school without needing to pass a test. Children with leprosy had the same rights as other

children, and schools were forbidden to refuse to enrol them. Vaccination against leprosy was available free of charge.

24. **A representative of China** said that a range of measures were in place to protect the rights of older persons. Improvements had been made to the old-age pension subsidy system, which now benefited 39 million individuals. Home visits for older persons with chronic diseases had been introduced to lessen the impact of the COVID-19 pandemic.

25. Under the Civil Code, marriage could be contracted only between a man and a woman; same-sex marriage was not recognized. Prospective adoptive parents were obliged to meet a number of criteria, including having no diseases or criminal record and being over the age of 30 years. Single persons must be at least 40 years older than the child they adopted.

26. **A representative of China** said that any assessment of the population of the Xinjiang Uighur Autonomous Region must take into consideration the official data and opinions released by the Government of China, rather than being based solely on reports from sources elsewhere in the world.

27. Although time constraints prevented him from providing a systematic account of his Government's policy in the Xinjiang Uighur Autonomous Region, he wished to note two aspects of the backdrop to the situation there. Firstly, between 2010 and 2020, the ethnic minority population in the Autonomous Region had grown by 1.95 million individuals, 1.62 million of whom were Uighurs. Secondly, since the 1970s, the family planning policies applied to ethnic minorities had been less strict than those applied to the Han Chinese population. In 2021, the unified three-child policy had been applied throughout the country, including in the Xinjiang Uighur Autonomous Region.

28. Forced sterilization and forced prenatal checks were forbidden, and women were free to choose the method of contraception they preferred. The Autonomous Region accounted for only 8 per cent of the 3.77 million intrauterine devices that had been fitted nationwide in 2018. Population growth had slowed in the Autonomous Region, just as it had in the whole of the country and in many parts of the world; the situation was not related to forced sterilization or arbitrary detention.

29. The vocational training centres had been set up for the purpose of deradicalization. Individuals were not sent to the centres for violating family planning policies. There had been no cases of human rights violations or ill-treatment in the centres.

30. **Mr. Caunhye** said that he would be grateful for an update on the progress achieved in the implementation of the national adaptation framework to address the adverse effects of climate change.

31. **Mr. Windfuhr** said that he wished to receive data, disaggregated by ethnic background, education level and income, on the number of persons dispersed under ecological migration or domestic labour transfer policies.

32. It was unclear how the Government of Hong Kong, China, determined the allocation of means-tested cash assistance intended to alleviate poverty.

33. **Ms. Lee** said that, in the context of the State party's relentless efforts to protect its population from COVID-19, any restrictions on rights must be proportionate, temporary and subject to independent review, in accordance with article 4 of the Covenant and general comment No. 14 (2000) on the right to the highest attainable standard of health. She would welcome details of how members of the public could request a judicial or other independent review of the proportionality of particular public health measures. It would be interesting to know whether, in the context of pandemics, the State party planned to design and implement public health measures that were compatible with its obligations under the Covenant, with a particular focus on their impact on vulnerable persons.

34. In connection with protests against restrictive pandemic control measures, including the "blank paper" protests held in major cities, she wished to learn how many protestors had been taken into custody, what charges had been brought against them, and whether the Government was considering dropping all charges against persons who had expressed their views in a peaceful manner.

35. **Mr. Nonthasoot** said that it was unclear how the registration of drug users affected their rights in the areas of work, education and health. He would welcome the delegation's response to reports that such persons were subjected to periodic interrogations and urine tests by public security officers.

36. **Ms. Rossi** said that the Committee was concerned at reports that some large-scale infrastructure and mining projects instituted by Chinese banks and investment companies were having a negative impact on local communities in Latin America, particularly with regard to the economic, social and cultural rights of Indigenous Peoples. She would be grateful for details of any oversight mechanisms that had been set up to monitor the overseas activities of Chinese enterprises and punish any human rights violations that arose in that context. She would be interested to learn about any plans to set up a forum for dialogue between enterprises and affected communities to explore solutions, mitigations and reparations and ensure non-repetition. She wished to know whether the authorities planned to establish judicial mechanisms to receive complaints from communities affected by the activities of banks and enterprises inside the State party itself. Lastly, it would be useful to know whether the environmental and social guidelines, including those relating to the Belt and Road Initiative, would be made binding.

37. **Mr. Hennebel** said that he would be interested to know whether the State party was considering stepping up its international cooperation and increasing transparency in respect of the COVID-19 pandemic, with the aim of at least helping to anticipate such events in the future.

38. It was unclear how the State party's policies towards ethnic and religious minorities, in particular Uighurs and Tibetans, were compatible with the obligations set forth in the Covenant, especially with regard to the right to an adequate standard of living.

39. **A representative of China** said that schools in ethnic minority areas provided bilingual education in Mandarin and minority languages, as required by law. Funds were allocated from the national budget to support bilingual education, including for textbook development and teacher training. Students at bilingual schools studied all compulsory subjects, and the age at which bilingual education began varied by region. Standardized textbooks in Mandarin were used throughout the country from the start of schooling in order to raise the standard of education and introduce students to the language from an early age. Since 2016, a high percentage of university students were from ethnic minorities.

40. Laws were in place to protect traditional culture. In the Xinjiang Uighur Autonomous Region and the Tibet Autonomous Region, newspapers, books and television programmes were available in local languages. Song and dance competitions were also regularly held at the national, county and provincial levels to promote ethnic minority cultures.

41. According to the most recent national census, there had been no significant change in the composition of the populations of ethnic minority regions. Ethnic minorities continued to represent a majority of the population in the Inner Mongolia Autonomous Region and the Xinjiang Uighur Autonomous Region. In fact, since the previous census, the Han population had grown by only 4 per cent, while ethnic minority populations had grown by more than 10 per cent.

42. Discrimination against ethnic minorities, which was prohibited by law, was not a problem in China; on the contrary, ethnic minorities received special treatment in many areas, to the extent that most children of inter-ethnic marriages chose to officially register as their minority ethnicity once they reached the age of maturity.

43. **A representative of China** said that all ethnic minorities in the Tibet Autonomous Region received bilingual education, which was designed both to ensure the continuation of minority languages and to support students' socioeconomic development and promote intercultural communication. Science and mathematics classes were delivered in Mandarin only, however, as the appropriate terminology did not exist in Tibetan. There were more than 30,000 qualified bilingual teachers in the Tibet Autonomous Region; education was delivered by teachers of Tibetan ethnicity, and Tibetan language teaching was a separate subject on teacher training programmes at universities.

44. Around 800 of the 16,000 boarding schools in China were located in the Tibet Autonomous Region. A comparatively high proportion of students in the region attended boarding schools, as such schools provided a solution to the problem of a geographically scattered population and ensured that all students in the region had access to high-quality education. It was also beneficial for students to receive education at lower altitudes, where oxygen levels were higher. Boarding schools provided free food and accommodation for students. Students could visit their homes and receive visitors at the school, open days were held, and parents could get involved in the management of school affairs via parents' committees. Boarding schools provided bilingual education and lessons on traditional culture, and students could wear traditional dress. Non-State schools could be established in the Tibet Autonomous Region on the provision that they met the government requirements.

45. Full respect for Tibetan culture and its development was guaranteed, and Tibetans were free to celebrate their own festivals. Efforts were being made to protect the cultural heritage of minorities, including by identifying and collecting books and works of art, supporting local artists and traditional theatres and promoting research. Freedom of religion and the protection of religious sites were also guaranteed by law, without discrimination. More than 1,700 religious sites for various religions existed in the Tibet Autonomous Region, and funding was allocated for their maintenance.

46. **A representative of Hong Kong, China**, said that the Hong Kong National Security Law clearly defined four categories of offences that posed a threat to national security, and set out the appropriate penalties. The offences specified were similar to those in equivalent legislation in other jurisdictions. It was not possible for law-abiding citizens to violate the Law unwittingly. Its provisions did not infringe on the right to freedom of speech, the right to freedom of information, the privacy of personal data, general business activities or the freedom of academia. Such rights were not absolute, however, and could be restricted in the event of an illegal act.

47. **A representative of Hong Kong, China**, said that academic freedom, institutional autonomy and freedom of expression, including for students, were important values that were protected under the Basic Law of the Hong Kong Special Administrative Region. All public universities were statutory entities in their own right, with their own governing ordinances and the power and freedom to pursue their own objectives. Funding for public universities was allocated through a rigorous mechanism overseen by the University Grants Committee. Universities were free to decide how all funding was assigned internally.

48. The Government of Hong Kong, China, did not compile or publish textbooks. Textbooks were evaluated by review panels to ensure that they were of good quality, factually correct and in line with the curriculum. While the reviewers relayed all comments to the publishers, they could not force the publishers to make specific changes. Teachers were free to adapt their teaching methods to suit their students' needs and the aims of the curriculum.

49. **A representative of Macao, China**, said that, in the Macao Special Administrative Region, education was compulsory between the ages of 5 and 15 years. The Government of Macao, China, monitored enrolment levels and the standard of the education provided. Parents of unenrolled children were encouraged to send their children to school, and children facing difficulties in accessing education could apply for assistance. Preschool education was coordinated at the level of the Guangdong-Hong Kong-Macao Greater Bay Area. Students who studied in Guangzhou were entitled to additional benefits, which had an impact on the number of students enrolled in the Macao Special Administrative Region itself. Migrants to the region could enrol their children in local schools.

50. **A representative of China** said that there were multiple cultures and religions in the Xinjiang Uighur Autonomous Region, and they were all protected. Individuals were free to choose or to change their religion. There were no restrictions on the practice of Islam. The Qu'ran and related texts had been published in various languages, and traditional holidays for religious events were upheld. Ethnic minorities maintained their own cemeteries. While some cemeteries had been relocated, none had been destroyed. Traditional funeral and marriage customs were respected.

51. Many mosques in the Xinjiang Uighur Autonomous Region had been built in the 1980s and 1990s to a low standard and were therefore unfit for use; in response to local

demand and in line with urban planning requirements, those buildings had been adapted to meet the needs of residents. Historic mosques in the region were protected and continued to operate as normal.

52. The high walls and wires around vocational training centres were solely for security purposes, and not for detention purposes. Many buildings in the country used similar security measures. All students who had studied at the vocational training centres before October 2019 had graduated. Local authorities had provided care for the family members of students at the centres, with their permission.

53. Deradicalization programmes were not aimed exclusively at Muslims. A clear definition of extremism and radicalization was set out in the law, which distinguished between unlawful acts and the normal exercise of religion. Individuals were never charged with extremism solely because of their name or their participation in practices such as fasting.

54. **Ms. Saran** said that she wished to know whether any higher education programmes were conducted in the Uighur language and whether the Hui minority also enjoyed the right to full cultural and religious freedom. She also asked how many private, semi-private and State-funded schools teaching in the Tibetan language had been established or closed down in China over the preceding decade.

55. **Mr. Windfuhr** said that he would like to hear what impact the 2017 National Intelligence Law had had on freedom of scientific progress and research, given the obligation that it placed on scientists to report all findings to the local authorities.

56. **Mr. Mancisidor de la Fuente** said that he encouraged the Government to consider developing scientific education in the Tibetan language, as experience in other parts of the world suggested that such efforts helped overcome prejudices about the nature of minority languages. He wished to know what the Government was doing to ensure that the goals related to educational and cultural rights in its National Human Rights Action Plan were fully compatible with the provisions of articles 13 and 15 of the Covenant and the Committee's general comment No. 21 on the right to take part in cultural life.

57. **Mr. Hennebel** said that, in the light of substantiated criticisms regarding the treatment of ethnic minorities in the State Party, he wished to know whether the Government agreed that its policies regarding ethnic minorities could, in fact, be considered counterproductive, resulting instead in the promotion of a monoethnic nation in violation of the principle of non-discrimination and other human rights values.

58. Noting the State's assertion that allegations of abuse at detention and re-education centres were unfounded, he wished to know whether rigorous, independent investigations into such allegations had been conducted, in line with international human rights requirements, and which entities were responsible for conducting them.

59. **Mr. Windfuhr** said that he would like to learn about the State party's efforts to combat corruption and would appreciate a description of its oversight mechanism.

60. **A representative of China** said that the State publicized the Committee's concluding observations and had implemented many of its recommendations: the abolition of re-education through labour, the adoption of the Anti-Domestic Violence Law and the introduction of changes to the compulsory education system. To the extent that the Committee's concluding observations corresponded with the situation in China, the Government would willingly implement them and follow up on them with the Committee. China did its best to observe its obligations under the International Labour Organization Forced Labour Convention, 1930 (No. 29) and Abolition of Forced Labour Convention, 1957 (No. 105). It ensured excellent cooperation with the Human Rights Council and other human rights bodies. Nine of the Council's special procedure mandate holders had visited the country in the previous few years. Such cooperation must be based on mutual respect and trust.

61. The Chinese Government encouraged Chinese companies operating in other countries to exercise their corporate social responsibility by respecting local culture, protecting the environment and upholding local workers' rights. Ensuring the right to health of Indigenous Peoples was among the Government's priorities in such situations. The Chinese company

that had worked on the Ivirizú Hydroelectric Power Station in Bolivia had been praised for effectively protecting the environment and the health of the local population and for its contribution of construction materials for the use of local communities.

62. The reports relating to the situation in the Tibet Autonomous Region and the Xinjiang Uighur Autonomous Region cited by Committee members sometimes did not reflect the actual situation. He hoped that the Committee would take into account the information provided by the Government and other sources when formulating its concluding observations.

63. **A representative of China** said that, if a Chinese company violated a law in another country, the case was heard in that country's courts. The Government was fully committed to combating corruption and had established the National Supervisory Commission to address corruption in the civil service. The Government had established disciplinary measures in line with the United Nations Convention against Corruption and had amended the Criminal Law to make it more effective in combating corruption. In recent years, some 360,000 civil servants had been accused of corruption.

64. Under the Constitution, the Criminal Law and the Criminal Procedure Law, the judiciary was entirely independent and free from outside interference. In recent years, additional measures had been adopted to ensure its independence, for example, by prohibiting any involvement in a case of officials who had not been assigned to it. Anti-corruption training courses including information on the Covenant had recently been held for over 10,000 judges.

65. The provisions relating to endangerment of national security were clearly set out in the law in terms of specific actions, such as the subversion of State power or associated acts. The procedure for prosecution was entirely transparent and the rights of defendants were fully protected.

66. **A representative of China** said that the central and local governments provided specific support for the cultural rights of ethnic minorities, with some 600 million yuan earmarked in recent years for the construction of libraries and cultural centres and support provided for theatre performances for minorities and other cultural activities in rural areas. The national human rights action plan had led to the adoption of laws on libraries and film production and activities to promote cultural events in local and rural areas. Libraries and cultural centres had been established in every county and village in China and some 570,000 cultural service centres had been set up, covering the entire country. The Government had increased financial support for cultural projects in the poorer parts of the country.

67. **A representative of China** said that the Government had ensured transparency in its pandemic control actions and cooperated with the international community, holding numerous meetings with international partners combating the pandemic. Its public health specialists had learned from the progress made in other countries in optimizing control of the pandemic. The emphasis had previously been on preventing the spread of the virus and had now turned to treatment. The extensive use of polymerase chain reaction (PCR) tests had thus ended, and people were now encouraged to administer self-tests instead, with no obligation to report the results. In general, the severity of the pandemic had diminished. Measures taken by the authorities were fully in line with the circumstances in the country, and data on infectious diseases was publicly posted on websites.

68. The authorities had protected the population's human rights by placing life and safety above all other considerations, while also protecting livelihoods. Specific government agencies had been tasked with the collection of complaints during that phase, with a view to addressing them where possible. For example, in response to media reports of the overzealous or oversimplified application of control measures, the central Government had issued instructions to avoid such excesses. China had already established effective and transparent cooperation with the World Health Organization (WHO) and other international bodies and was contributing to the modification of international health regulations and WHO activities for pandemic control.

69. **A representative of China** said that he did not have statistics on the number of people arrested during the pandemic. Cases of arrest were handled in accordance with the actual

facts of each situation and the resulting consequences. Information on the rehabilitation of drug addicts was widely disseminated, and the number of people affected by drug addiction had declined in the previous five years. Specific legal requirements were applicable to the registration of drug users, including a provision that protected persons who had undergone rehabilitation against discrimination. There was no legal requirement for periodic testing of drug users.

70. Regarding the question about the detention of human rights defenders, the Chinese Government applied the law equally to all persons. Anyone who committed an offence was subject to detention and prosecution, and no special protection was extended to persons who claimed that their actions were intended to defend human rights. Any person who was mistakenly detained could challenge the detention and apply for reparation.

71. **A representative of China** said that, in 2020, the total carbon emissions per unit of gross domestic product (GDP) had been reduced to nearly half the 2015 level. The Government had bolstered technical research and increased financial investment with a view to reaching its goal of reaching peak emissions in 2030 and carbon neutrality by 2060. The construction of new coal-fired power plants in other countries had been halted, but it would be unfair to abandon plants already built in developing countries. Consideration must be given to the prevailing conditions in each case, with due regard for sustainable solutions supported by technological development.

72. **A representative of China** said that the Government's poverty alleviation activities had played an important role in overcoming poverty among minorities. The Hui ethnic group was protected in an autonomous province and autonomous areas at various levels, including counties. The group's cultural rights were well protected at the local level, and they had access to numerous religious sites and facilities. The national policy with regard to ethnic groups was subject to constant adjustment and improvement in the light of input from representatives of the groups concerned. Criticism of the policy from elements outside of China was possibly attributable to a lack of understanding of the system.

73. **A representative of China** said that about half of the children attending school in the Tibet Autonomous Region, or about 290,000 students, were attending boarding schools. He thus suspected that the figure of 1 million cited by a Committee member was inaccurate. In 2020, the total population of Tibet had been estimated at over 3.6 million, with minority groups accounting for about 3.2 million. By 2019, under the poverty alleviation programme, some 260,000 people had been relocated; most had been living at particularly high elevations. Relocation took place on a voluntary basis, and local governments organized medical and other services for residents who chose not to take part. Relocated residents had the option of returning to their former homes in the summer to tend to their livestock.

74. **A representative of Hong Kong, China** said that the interpretation of the Hong Kong National Security Law issued by the Standing Committee of the National People's Congress of China had not conferred any additional power on the Chief Executive or the Committee for Safeguarding National Security of Hong Kong; it had only clarified that the provision in question was applicable in handling the controversy concerning foreign lawyers. The certificate issued under the National Security Law merely served as a piece of evidence in the case before the court. There had been no usurpation of the court's independence or function.

75. Threats to national security changed with the circumstances and could be unanticipated and thus difficult to define in advance. Flexibility was therefore required in the corresponding legislation, which thus lacked a definition of the term, in line with the common practice in many countries. In Hong Kong, the Court of Final Appeal had discussed the meaning of "acts endangering national security" and had not found that it lacked sufficient certainty. Hong Kong courts handled applications for bail in strict accordance with the law.

76. **A representative of Hong Kong, China** said that, because of the nature of offences endangering national security, serious consequences could result if certain defendants continued with their crimes or absconded. The National Security Law thus provided stringent conditions for the granting of bail, which, as the Court of Final Appeal had made clear, were justified by the cardinal importance of safeguarding national security. The National Security

Department hotline launched in November 2020 to facilitate reporting by members of the public had received around 400,000 pieces of information by February 2023.

77. **Mr. Lou Soi** Cheong (Macao, China) said that the participation of migrant workers in trade unions was restricted because such workers' contracts were generally limited in duration. Migrant workers nevertheless benefited from the same conditions of employment as others and were provided with an additional benefit in the form of paid transport to return to their homes at the end of their contracts.

78. **Mr. Windfuhr** (Country Rapporteur) said that the Committee was grateful to the Government for sending a high-level, well-prepared delegation and for the delegation's assurances that nobody would face reprisals for providing the Committee with information. As the head of delegation had indicated, China was a development-oriented country, with a focus on social development. Many of the Committee's questions had thus concentrated on ways to ensure that its development path would be human rights-based, notably by increasing transparency, public participation, the voluntary basis for policy implementation and the reliability and lack of arbitrariness of the legal system. The Committee was pleased to note that the delegation had indicated that the concluding observations would be distributed within China in numerous languages.

79. **Mr. Chen Xu** (China) said that his delegation appreciated the responsible and professional approach adopted by the Committee members in the interactive dialogue and that it would do its utmost to provide further information in response to some of the Committee's questions that had gone unanswered owing to time constraints. The authorities would study the forthcoming concluding observations carefully and, to the extent that they were in line with the reality in China, would accept them. The Chinese Government looked forward to engaging with the Committee in further communication and exchange to clear up sources of misunderstanding and build mutual trust, in a spirit of cooperation and mutual respect. It would work tirelessly to ensure the enjoyment of the rights of the Covenant.

*The meeting rose at 1.10 p.m.*