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Committee on Economic, Social and Cultural Rights Seventy-third session

Summary record of the 5th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 15 February 2023, at 10 a.m.

Chair: Mr. Abdel-Moneim

Contents

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

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The meeting was called to order at 10.05 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)

1. *At the invitation of the Chair, the delegation of China joined the meeting.*
2. **Mr. Chen Xu** (China) said that the Chinese Government emphasized the right to subsistence and the right to development as the foremost human rights. The country's gross domestic product (GDP) had more than doubled in 10 years and annual per capita GDP now exceeded \$12,000. The country had met the poverty eradication goal set in the 2030 Agenda for Sustainable Development 10 years ahead of schedule and had eliminated poverty for nearly 100 million rural residents. The authorities had adopted a people-centred development strategy in the previous decade, resulting in 110 million more people in employment in urban areas and the construction or renovation of nearly 90 million units of affordable housing. The economy had proved resilient to the impact of the coronavirus disease (COVID-19) pandemic.
3. The number of people covered by old-age, unemployment and disability insurance had risen significantly. National basic health insurance now covered 95 per cent of the population, and the Government had invested heavily in health services, especially in remote areas. Life expectancy had increased to over 78 years and the country had sound health indicators. The Government's response to the COVID-19 pandemic had ensured that the country had the lowest rates of fatalities and severe cases in the world, notwithstanding a surge in infections that had taken place since a refinement of the COVID-19 response strategy in recent months.
4. In the field of environmental protection, the average concentration of PM_{2.5} particles in urban areas and the carbon dioxide emissions per unit of GDP had both dropped by over a third in 10 years. The Government had announced plans to ensure that carbon dioxide emissions would peak by 2030 and that the country would be carbon-neutral by 2060.
5. Compulsory education had been made free of charge, and the Government was now working to deliver universal higher education. The value of the country's cultural sector had increased in the previous 10 years by about 12 per cent annually, the number of libraries and cultural pavilions had grown from 6,300 to 95,000 and the country now had 450,000 cultural organizations. The Government had improved the protection of vulnerable groups, including ethnic minorities, women, children and older persons, and China had been recognized by the World Health Organization as one of the 10 fast-track countries in women's and children's health. Persons with disabilities received State support for their rehabilitation, education and employment, and more than 95 per cent of children with disabilities were enrolled in the compulsory education system.
6. China had promoted international cooperation in the field of economic, social and cultural rights, in particular through the development aid it provided to 166 countries, its partnership with international organizations and its Belt and Road Initiative and Global Development Initiative.
7. The challenges facing the country in terms of economic, social and cultural rights included unbalanced development, bottlenecks in high-quality development, disparities in income and development levels between rural and urban areas and environmental issues. The Twentieth National Congress of the Communist Party of China had set out the task of rejuvenating the Chinese nation by embarking on a Chinese path to modernization, with constant promotion and protection of human rights.
8. **Ms. Foo Siu-wai Gracie** (Hong Kong, China) said that the "one country, two systems" policy had proven to be the best arrangement to ensure the long-term prosperity and stability of Hong Kong and that, notwithstanding some social turbulence in recent years, the people

in Hong Kong had now returned to a period of peace and stability, thanks in part to the adoption 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 improvements in the electoral system. The status of Hong Kong as a global financial centre had recently been reaffirmed in the Global Financial Centres Index, published in 2022.

9. The Government was committed to promoting employment, upholding workers' rights, improving employees' benefits and protecting the rights of foreign domestic workers, and it had begun a review of the statutory minimum wage. Levels of cash assistance to those in need had risen significantly under the non-contributory social security system. The authorities had adopted a series of strategies to improve and increase provision of public housing and to shorten waiting times, and they had addressed needs for medical services by improving primary health care, promoting public hospital services, hiring staff and investing in mental health services. They were committed to developing Hong Kong as a bridge for international cultural exchange and to leveraging the support extended under the fourteenth five-year plan of the People's Republic of China, regional development plans and the Belt and Road Initiative.

10. **Mr. Lou** Soi Cheong (Macao, China) said that, since 2014, Macao, China, had made progress in its implementation of the Covenant, in particular by drawing up legislation relating to the prevention of domestic violence, the protection of older persons, support for persons with disabilities and the adoption of a minimum wage and improved parental leave policies. A special education system had been formulated in 2020 with the aim of promoting inclusive education, and a series of laws and regulations had recently been adopted to enhance environmental protection.

11. **Mr. Windfuhr** (Country Rapporteur) said that, in accordance with its standard practice, in preparation for the dialogue with the State party, the Committee had considered, over and above the information submitted by the Government, inputs from civil society organizations and independent sources. It had received an unprecedented volume of submissions from civil society, including a number regarding the extraterritorial obligations of China, in particular relating to the implementation of the Belt and Road Initiative. While the Committee would, particularly in its concluding observations, recognize the progress made in the State party's implementation of the Covenant, it would focus in the interactive dialogue on areas where there was room for improvement.

12. The Committee had received reports that human rights defenders were operating in a deteriorating environment where they had difficulty accessing a lawyer of their choice, often faced intimidation and were sometimes detained, often in poor conditions. He wished to know whether human rights defenders belonging to ethnic minorities were disproportionately subjected to investigations, arbitrary detention and unlawful imprisonment for defending the rights covered by the Covenant. While the Government had stated in its periodic report that there was no intimidation of lawyers, numerous reputable sources, including United Nations specialized agencies, had reported that lawyers faced de facto intimidation, including residential surveillance, which severely restricted their ability to take up certain cases, out of fear of reprisals. In its reply to the list of issues, the Government had indicated that it was drafting provisions to protect the rights of lawyers, but the Committee remained concerned that lawyers were still impeded from taking up cases relating to Covenant rights and that the current legal climate might have a chilling effect on civil society. He would like to know how the Government planned to allow greater public participation in policy processes and to address limitations on the space available for action by civil society.

13. Transparency and participation were crucial to the enjoyment of economic, social and cultural rights, as they made it possible to draw up effective policies. The Committee would like to know how the Government intended to increase transparency and participation in development plans related to the rights covered by the Covenant.

14. The Committee had received reports of the detention of civil society and trade union representatives in Hong Kong, China, under the National Security Law and of a deterioration of the civil society landscape there. Civil society organizations had reportedly been threatened in the media, cultural organizations faced budget cuts and the implementation of the National Security Law had worsened long-standing problems of discrimination against

minorities, marginalized groups, migrants, domestic workers and lesbian, gay, bisexual, transgender and intersex persons. He would like to know how many organizations had been classified as posing a threat to national security since the enactment of the National Security Law and whether it was common practice to confiscate the passports of persons arrested under its provisions. It would be of interest to learn how the authorities ensured that the national security legislation would not be applied arbitrarily or used as a pretext to suppress civil society or undermine trade union rights and academic freedoms.

15. Human rights defenders, non-governmental organizations (NGOs) and civil society organizations had reportedly faced difficulties when trying to attend the Committee's meeting with the State party, as they feared reprisals, and a number of NGOs had been forced into exile to continue their work. The Committee thus wished to request the State party to confirm that no persons or organizations would face reprisals for providing it with information.

16. He would like to know how the Government would improve transparency in respect of the COVID-19 pandemic, including by sharing basic data with the international community and improving international cooperation in combating the pandemic. It would also be useful to hear from the delegation whether the central Government and the authorities in Hong Kong, China, and Macao, China, planned to establish independent national human rights institutions, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). If so, the Committee would like to know whether they would seek support and advice from the Office of the United Nations High Commissioner for Human Rights or other bodies.

17. The Committee had received information indicating that coal-fired power plants were still being built by Chinese companies abroad. He would like to know what additional measures would be required to achieve the emission targets set in the Paris Agreement, how quickly the green development concept would be fully implemented and how many coal-fired power stations were still being financed by China in other countries.

18. The Committee would like to know whether the State party intended to withdraw the declaration it had filed relating to article 8 (1) of the Covenant and whether it planned to ratify the Optional Protocol to the Covenant. It would like to find out to what extent the Chinese Guidelines for the Compliance Management of Enterprises' Overseas Operations were in line with the United Nations Guiding Principles on Business and Human Rights and to learn whether the Government had any plans to adopt binding legislation on human rights due diligence for foreign companies operating in China and for Chinese companies acting both within China and abroad. It would be useful to learn whether victims of human rights abuses carried out by Chinese companies and State-owned enterprises had access to effective remedies or complaint mechanisms. The Committee would like to find out what kind of binding regulations applied to State-owned enterprises to ensure that they did not undermine human rights in other countries and whether the Chinese Government assessed the environmental, social and human rights impact of overseas projects, with a view to mitigating or preventing harm. Noting that the Belt and Road Initiative had resulted in a heavy debt burden for some participating countries, he would like to know what tools were available to address debt suspension in the long term.

19. With regard to the right to freely dispose of natural wealth and resources, he asked how many Tibetan nomads had been resettled from their pastureland since 2014, with what compensation, and how the Government ensured that the development of poverty alleviation measures conformed with the way of life of traditional communities. He would like to know whether the central Government and the authorities in the Hong Kong and the Macao Special Administrative Regions intended to draw up general legislation that would address all forms of discrimination, including in relation to gender; what measures the Government took to combat discrimination against ethnic minorities that resulted in mass evictions and relocations; what action it took to protect migrant workers in cities and domestic workers against discrimination; and how it worked against discrimination in the provision of public services linked to the household registration (*hukou*) system. The Committee would like to know whether the State party was planning to proactively promote social acceptance of members of the lesbian, gay, bisexual, transgender and intersex community and how it would

address recent increases in the gender gaps in labour force participation and engagement in political decision-making.

The meeting was suspended at 10.45 a.m. and resumed at 10.50 a.m.

20. **A representative of China** said that various Chinese government entities, including the Ministry of Foreign Affairs and the Ethnic Affairs Commission, were responsible for aspects of human rights protection that were related to their mandates. However, the Government had taken note of the recommendation regarding the establishment of a national human rights institution in line with the Paris Principles and would take steps in that regard.

21. Since the launch of the Belt and Road Initiative, China had signed over 200 agreements, covering some 3,000 cooperation projects, with 150 countries and 30 international organizations. Investments made under the Initiative had had a positive impact on local employment. China also supported the efforts of developing countries to reduce poverty, increase food security and otherwise improve their peoples' welfare.

22. The appropriate channels for enforcing economic, social and cultural rights in China were those set out in the many domestic laws addressing those rights, rather than under the Optional Protocol. Responsibility for ensuring compliance with the Covenant lay with the Government. China would carefully answer any allegations made through the Human Rights Council's complaint procedure. There would be no retaliation against NGOs providing information to the Committee.

23. **A representative of Hong Kong, China**, said that article 4 of the National Security Law required human rights to be protected in any actions taken to safeguard national security. Any action taken by law enforcement agencies was based strictly on evidence. Offences considered to endanger national security included those set out in the Law and others, such as sedition, provided for under other legislation. As at 3 February 2023, 243 persons had been arrested under the Law for their suspected involvement in acts endangering national security and charges had been filed against 149 persons and 5 companies.

24. The right to form and join trade unions was protected under both article 27 of the Basic Law of the Hong Kong Special Administrative Region and article 18 of the Hong Kong Bill of Rights Ordinance. The Government of Hong Kong, China, had consulted with the Legislative Council, NGOs and members of the public in compiling its fourth periodic report. Normal interactions with other countries, regions and international organizations would continue to be protected under the Basic Law and the Region's laws.

25. **Mr. Lou Soi Cheong** (Macao, China) said that there would be no retaliation against NGOs for providing information to the Committee or attending meetings to express their views. Macao, China, did not have a body that met the requirements of the Paris Principles. However, the Commission against Corruption was an independent body empowered to, among other things, prosecute public officials, and the Ombudsman could make recommendations regarding government regulations, carry out investigations and provide advice on the rectification of unlawful situations.

26. **A representative of China** said that prisoners' right to health was protected under the laws of China and the National Human Rights Action Plan. Individual medical files were kept on inmates and they received periodic check-ups by prison medical staff and necessary treatment either in prison or in hospital. Staff of the procuratorial services provided oversight of prisons and detention centres.

27. The Constitution prohibited acts of retaliation against persons protecting Covenant rights, and any such act constituted a crime. Many of China's more than 600,000 lawyers contributed to the protection of human rights. The few who violated professional ethical standards or broke the law were punished in accordance with the law. Between 2014 and 2021, more than 500 lawyers had lost their licences and 1,100 had been urged to cease practising. Thirteen lawyers had been charged with violating the law. The penalties faced by lawyers were mainly administrative. They were entitled to participate in their own defence, appeal the punishment imposed and file a corresponding case with the people's court. Lawyers facing criminal proceedings would have the assistance of another lawyer.

28. Freedom of expression was guaranteed under the Constitution. Citizens could express their views in newspapers and online. More than 1 million comments had been received from members of the public on a range of issues, including same-sex marriage, during the 10 public consultations held regarding the amendment of the Civil Code. The Constitution stipulated that citizens could not exercise their rights in a way that jeopardized the security of the State or the rights of other people.

29. **A representative of China** said that all workers had the right to participate in or organize a trade union, regardless of their age, level of education, background or religion. The declaration made by China with respect to article 8 (1) of the Covenant reflected a domestic context in which freedom of assembly was already fully guaranteed under the Constitution and other laws.

30. **A representative of China** said that the rights of minority groups were protected by lawyers. In the Inner Mongolia Autonomous Region, the number of lawyers had increased by over 1,000 between 2021 and 2022.

31. **A representative of China** said that, since 2014, China had been taking steps to reform the household registration system, including by eliminating the distinction between urban and rural registration. Most cities – except for the largest ones, including Beijing and Shanghai – allowed migrant workers to transfer their registration from elsewhere. Members of the 121 million households that had done so enjoyed the same rights as other urban residents to education, health care and employment.

32. **A representative of China** said that China had thus far issued over 200 press releases and more than 100 other documents to share information relating to its response to the COVID-19 pandemic, including information on genome sequencing, and had organized over 60 meetings to exchange technical information with the international community and the World Health Organization, which had repeatedly praised the quality of the exchanges. The Government also published relevant information and data on the number of COVID-19 infections in the country online.

33. **A representative of China** said that existing Chinese laws did not contain provisions regarding lesbian, gay, bisexual and transgender persons. The view reflected in the Civil Code and the Marriage Law that the basic unit of the family was formed by a man and a woman was in keeping with traditional Chinese cultural norms.

34. **A representative of China** said that articles 25, 77 and 78 of the amended Law on Protection of Women's Rights specifically addressed sexual harassment. Women accounted for 43.5 per cent of the active population and 45 per cent of the workforce of Internet enterprises. Legislative measures had been introduced to prevent sex-based discrimination, and labour inspections also addressed such discrimination. Women accounted for almost a third of people's congress delegates at both the county level and the township level. Around 46 per cent of the judges in the country's courts were now women.

35. **Mr. Windfuhr** said that he would appreciate further information on the budgets allocated to social security and the level of government spending on economic, social and cultural rights.

36. **A representative of China** said that enterprises were being asked to make larger contributions into the social security system, to ensure its sustainability. A social security fund had been set up, primarily with central government funding, to supplement the resources available for retirement pensions. Around 2.6 trillion yuan were now available for retirement pensions. Major State enterprises would make contributions at a standardized rate of 10 per cent to bolster insurance coverage within enterprises. Another 1.5 trillion yuan was available under a provincial-level investment scheme.

37. **A representative of Hong Kong, China**, said that, under the 2022/23 budget of the Government of Hong Kong, China, recurrent expenditure on social welfare exceeded \$14 billion, accounting for almost 20 per cent of total government recurrent expenditure and representing a 160 per cent increase over the 2012/13 financial year. For the 2022/23 financial year, the estimated total recurrent expenditure on cash assistance schemes such as the Comprehensive Social Security Assistance Scheme and the Social Security Allowance Scheme – both components of the multi-tiered non-contributory social security system – and

the Working Family Allowance Scheme exceeded \$9 billion, a 150 per cent increase over the 2012/13 financial year.

38. **Ms. Saran** (Country Task Force) said that she wished to know whether the State party conducted internal reviews of its procedures for providing loans under the Belt and Road Initiative and its development assistance programmes and whether it provided any help to countries that experienced economic crises after receiving such loans. She wondered whether the delegation could comment on allegations that Chinese development assistance was provided on unsustainable credit terms, resulted in environmental degradation and was used to promote Chinese strategic interests rather than the interests of local communities. She wished to know whether prior informed consent had been obtained from Indigenous communities in the Tibet Autonomous Region for infrastructure projects in that region and whether the State party had taken steps to disseminate the United Nations Declaration on the Rights of Indigenous Peoples.

39. **Ms. Lee** said that, while it was commendable that many people in the State party had been lifted out of poverty, income distribution remained a major concern. She would welcome data on levels of income inequality before and after taxes and transfers and on levels of wealth inequality. It would also be useful to receive statistical data, disaggregated by sex, ethnic origin and urban/rural population, on the employment, unemployment and underemployment rates, incomes and the ratios of persons living in poverty.

40. **Mr. Hennebel** (Country Task Force) said that the Committee had received serious and credible allegations that some quarters of civil society feared reprisals for their work. He wished to know whether the State party was prepared to cooperate fully with the relevant bodies of the United Nations to prevent such reprisals.

41. The Committee had also received credible allegations that human rights defenders and human rights lawyers had been threatened. He wished to learn whether any steps had been taken to release from detention any lawyers, journalists or other human rights defenders who had been arrested and prosecuted for defending social justice and the rights enshrined in the Covenant.

42. He would like to know how the Government planned to put an end to the widely documented practice of placing large numbers of Uighurs, Tibetans and Muslims in internment camps, detention centres and prisons, where they were forced to work in the context of “re-education” programmes. It would be useful to hear how the authorities would ensure that the victims had access to justice and reparations. He would also welcome details of any measures taken to establish an independent mechanism to inspect training centres in the Tibet Autonomous Region and the Xinjiang Uighur Autonomous Region. He would be grateful for statistics, disaggregated by region, ethnic origin and sex, on the number and proportion of people sent to such centres. It was unclear how long the training programmes delivered in the centres lasted, and whether individuals at the centres were able to receive support from their families.

43. He was interested to hear how the authorities dealt with cases of forced labour linked to work-study programmes, particularly in the textile and garment sectors, and how the rights of students participating in the programmes were protected. He wished to learn whether the Government would commit to allowing independent experts and special rapporteurs to visit the aforementioned Autonomous Regions, and in particular the internment camps in Xinjiang Uighur Autonomous Region.

44. He would welcome information on the steps taken to implement the International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29) and Abolition of Forced Labour Convention, 1957 (No. 105), as agreed in the Comprehensive Agreement on Investment between China and the European Union, signed on 30 December 2020.

45. He would be grateful for the delegation’s comments on how the Government guaranteed respect for religious beliefs, including for Tibetans, in connection with the right to work and how the authorities ensured that public and private employers did not discriminate against ethnic minorities. It was unclear whether hiring procedures still involved screening for infectious diseases. It would be useful to learn how the State party ensured effective legal protection for expatriate workers without legal status.

46. He would appreciate details of any measures in place to uphold the rights and interests of migrant workers. It would be interesting to learn how women were ensured equal access to public functions and how they were protected from dismissal while pregnant, after giving birth or while breastfeeding. He would welcome an account of the measures taken to facilitate access to employment for young persons.

47. He wished to know what was being done by the Government of Hong Kong, China, to combat workplace discrimination against domestic workers, young persons and LGBTIQ+ persons and to prevent modern slavery and trafficking in persons. He would welcome an update on any plans to repeal the ban preventing foreign lawyers from working on cases relating to the Hong Kong National Security Law. He was also interested to learn about any steps being taken by the Government of Hong Kong, China, to halt the many legal proceedings launched against journalists and independent media, including those against Mr. Lai Chee Ying.

48. It would be useful to receive information about measures taken by the Government of China to ensure the safety and health of workers employed by Chinese enterprises overseas and to improve working conditions in factories. He wished to know what mechanisms had been put in place to ensure access to justice for workers who had allegedly experienced significant rights violations during the application of the Zero Covid policy.

49. It would be helpful to learn about the concrete measures set out in the National Plan for the Prevention of Occupational Diseases for the period 2021–2025 and whether the Plan would be implemented in the Tibet Autonomous Region and the Xinjiang Uighur Autonomous Region.

50. He would appreciate confirmation of whether migrant workers still faced wage arrears. Details would be welcome of how the State party protected the rights of domestic workers, Chinese workers overseas and medical personnel.

51. He wished to learn how the Government of Hong Kong, China, regulated working hours and the minimum wage for domestic workers and migrant workers. It would be useful to know how the Government of Macao, China, prohibited discriminatory practices in the legal framework governing labour.

52. It would be interesting to learn about the measures taken by the Government of China to guarantee the right to freedom of association, to protect workers wishing to participate in trade union activities from dismissal and intimidation and to promote the formation of trade unions outside the umbrella of the All China Federation of Trade Unions. He would welcome details of how the State party ensured that it respected its international obligations in connection with the right to strike, as well as how the authorities dealt with workplace accidents.

53. He would like to know how the Government of Hong Kong, China, upheld the rights enshrined in article 8 of the Covenant and how it shielded the academic freedom of higher education staff and students from political pressure. It would be helpful to know about any plans to amend or repeal the Hong Kong National Security Law and about the appeals procedures and guarantees relating to that Law.

54. It was unclear whether, in Macao, China, any limitations were placed on the rights to freedom of association and to strike and, if so, how they were applied.

55. It would be useful to receive clarification regarding the low take-up rates, in China, of the unified basic pension insurance system, together with details of any measures taken to ensure that all eligible persons received a pension that was sufficient to provide a decent standard of living. He wished to know what was being done to harmonize the retirement age for men and women and to remove the threshold for participation in the social insurance scheme. Information would be welcome on how the coverage of the social security system was being extended, especially to rural residents, migrant workers, informal sector workers and individuals belonging to ethnic minorities, and what was being done to ensure its financial viability, as well as to guarantee pension payments.

56. It would be interesting to hear what the Government of Hong Kong, China, was doing to reform the social security system with a view to further reducing economic inequality.

57. Lastly, he wished to know about the measures in place in Macao, China, to ensure that persons with disabilities, in particular those who were unable to work, were covered by social security.

The meeting was suspended at 11.55 a.m. and resumed at 12.05 p.m.

58. **A representative of China** said that the Belt and Road Initiative was intended to promote growth and sustainable development in the countries along its route. The projects undertaken offered partner countries numerous opportunities to address deficits and lessen their debt burden. China was the biggest contributor to the Debt Service Suspension Initiative that had been set up by the Group of 20 in response to the economic impact of the COVID-19 pandemic. China was a friend to Pakistan and Sri Lanka and assisted those countries with their development. It had proactively acted to suspend debt payments by Sri Lanka and was committed to helping the country to achieve debt sustainability.

59. When investing overseas, Chinese enterprises placed high priority on feasibility studies and due diligence. China was committed to social responsibility, environmental protection and local cohesion.

60. **A representative of China** said that the Government guaranteed the income of migrant workers and provided them with support if they wished to return to their communities of origin and establish a business there. Migrant workers, including those in the construction sector, were covered by the workplace injury insurance scheme. There was no discrimination against any group within the labour market, and unemployment insurance was open to everyone.

61. The minimum wage regulations were designed to ensure a decent standard of living for employees and their families. The minimum wage was adjusted periodically and had risen by 4 per cent each year since 2020.

62. **A representative of China** said that the right of journalists to exercise their profession was fully guaranteed by law. While contributors to the millions of blogs and media outlets that existed in China were fully able to exercise their right to freedom of expression, any instances of fraud or blackmail must be punished.

63. **A representative of China** said that legislation was in place to protect the rights and interests of lawyers, except where they expressed opinions that affected the country's interests. The right to litigate was protected by law, and all Government departments were obliged to publish information on the bodies that lawyers could contact if they wished to file a complaint. The judicial system was open and transparent, and all non-confidential details of cases, from the launch of proceedings to the final decision, were made available on an online platform.

64. **A representative of China** said that, under the Constitution and labour legislation, women were guaranteed equal treatment in employment and social security matters. Women were legally entitled to continue receiving their salary and benefits during the maternity period. In 2021, the Supreme People's Court and the All China Women's Federation issued a document intended to help shape new legal provisions to ensure that enterprises no longer placed restrictions on the employment of women. Over the previous decade, women's employment had grown by almost 40 per cent.

65. **A representative of China** said that China had ratified the ILO Conventions relating to forced labour in 2022. Local education campaigns and training sessions had been launched to increase public understanding of the issue of forced labour.

66. Work was under way to amend the Trade Union Law to make it clear that workers in new sectors of the economy had the right to form trade unions. The All China Federation of Trade Unions had set up a consultation mechanism to enable it to provide better support to workers engaged in the digital economy.

67. The Government sought to provide a fair and accessible social security system for all workers, including by harmonizing the rural and urban pension systems, incorporating migrant workers into the pension system under the category of urban workers and bringing the benefits for rural migrant workers into line with those for urban workers. Rural migrant workers were now entitled to 2,800 yuan if they lost their job. Other measures included the

launch of enterprise insurance pilot projects, the extension of the work-related injury insurance scheme to workers in informal sectors, including food couriers, and efforts to prevent and treat occupational disease.

68. The Government was taking steps to raise the retirement age gradually and flexibly to deal with the effects of the ageing population. No specific plans were yet in place to harmonize the retirement age for men and women.

69. Labour inspections were conducted to prevent wage arrears affecting migrant workers. Numerous bilateral agreements had been signed with other countries to guarantee access to social security for Chinese workers abroad and foreign workers in China at the level to which they would be entitled in their country of origin.

70. **A representative of China** said that forced labour was not an issue in the Tibet Autonomous Region. Policies had been introduced to boost employment for Tibetans, such as providing dedicated training courses at universities throughout the country and encouraging the hiring of Tibetans as civil servants within the central Government and as workers on major construction projects. In some provinces, companies that hired Tibetans were eligible for extra benefits and, in others, Tibetan workers were entitled to extended holiday leave. Tibetans were entitled to the same working conditions as all other ethnic groups, including with regard to pay.

71. **A representative of China** said that the vocational training centres in Xinjiang Uighur Autonomous Region were not places of detention or forced labour; rather, individuals who had committed minor terrorist acts could, after receiving administrative punishment, enter such centres to undergo deradicalization, study national law and the Chinese language and develop job skills. No actual labour was performed, however. Those study courses had in fact ended and the centres had closed by the end of 2019.

72. County-level governments in Xinjiang Uighur Autonomous Region could establish such centres in accordance with local need, and the number of students had thus varied continuously. While most students had lived at the centres during the training courses, they had been free to visit their homes, contact their families and receive visitors. All visitors, whether Chinese or foreign, needed to be granted permission to visit a centre by the management and by the student they wished to meet. Graduates of the centres were generally happy with their experience. They subsequently had the same labour rights as all other citizens, and employers were obligated to respect their cultural differences. The Government had not imposed any compulsory labour regulations; it provided only training opportunities and employment information.

73. **A representative of China** said that the right to freedom of religion in the Tibet Autonomous Region was guaranteed by the Constitution. Numerous Buddhist, Islamic and Christian religious buildings operated freely throughout the Region. In accordance with the law, all religious activities were performed at religious sites. Individuals were not prevented in any way from exercising their religion of choice at home.

74. **A representative of Hong Kong, China**, said that the right of workers in the Hong Kong Special Administrative Region to form trade unions was protected by law. In fact, the number of trade unions had increased significantly in recent years. Of the 176 trade unions that had been deregistered in 2021 and 2022, only one had been deregistered on the ground that its activities were inconsistent with its stated objectives and rules. The remaining 175 trade unions had been deregistered following voluntary dissolution. Trade unions were free to operate on the provision that they did not engage in unlawful acts outside of their competencies.

75. There were currently some 340,000 foreign domestic workers in the Hong Kong Special Administrative Region. The Government was committed to safeguarding their rights, including by providing statutory protections on a par with those for local workers. Under the government-prescribed standard employment contract, foreign domestic workers were entitled to a minimum wage and employer-provided medical insurance and accommodation.

76. **A representative of Hong Kong, China**, said that the Hong Kong Special Administrative Region had a comprehensive legislative framework to prohibit and prevent human trafficking and modern slavery, including penalties of up to life imprisonment for

certain offences. In 2018, an action plan had been introduced to help identify and protect victims, prevent and investigate offences and prosecute and punish offenders; all initiatives in the plan had been implemented in full by 2019. A joint investigations team, comprising representatives of the police, the customs authorities and the Labour Department, had been established to facilitate the exchange of intelligence, the investigation of offences and the identification of victims. All vulnerable persons brought to the team's attention were screened for signs of human trafficking and given the necessary protection and support.

77. **A representative of Hong Kong, China**, said that all legal action by law enforcement agencies of the Hong Kong Special Administrative Region was taken on the basis of evidence and in line with the law. Legal action was never taken against a person because of that person's profession. In that connection, it would be inappropriate to comment on the outcome of cases that were still under judicial consideration.

78. Given the presence of ongoing threats, the continued implementation of the Hong Kong National Security Law remained necessary to ensure stability and prosperity.

79. **Mr. Caunhye** (Country Task Force) said that, in light of reports of forced abortions and sterilizations performed on Uighur and Kazakh women, he would welcome disaggregated data on the number of abortions and sterilizations carried out in China. He wished to know why most procedures to insert an intrauterine device were performed in Uighur-majority regions, despite such regions representing only a small proportion of the overall population of China. He also wondered why the birth rate among Uighurs had dropped markedly between 2015 and 2018 and what was being done to ensure that all medical procedures performed on Uighur women were carried out with their full and free consent. He wished to know what was being done to prevent and criminalize all forms of coercive abortion and sterilization and ensure the prompt investigation and prosecution of such offences.

80. He would welcome disaggregated data on the number of persons referred to vocational education centres in the Xinjiang Uighur Autonomous Region between 2017 and 2022 and on the number of children from ethnic and religious minorities who had been separated from their families so that they could be placed in boarding schools.

81. While welcoming the immense progress made in reducing poverty, he nonetheless wished to know what was being done to alleviate poverty and what the impact of such measures were, in particular for older persons, persons with disabilities, and the children of urban migrant workers who remained in rural areas. He also wished to know what progress had been made in reducing wealth inequality and bridging the gap between rural and urban areas, especially with regard to housing and living conditions, water and sanitation, and access to health care and education. It would be useful to learn what steps had been taken to ensure that rural-to-urban migrants had adequate housing and to guarantee that their children did not experience undue family separation and were not adversely affected by the current housing registration system. Disaggregated data on the number of land expropriations carried out by the public authorities and on the level of compensation provided would be appreciated.

82. He wished to know what impact the measures taken to address the COVID-19 pandemic had had on the health system and what the Government was doing to address the backlog in the system and ensure the adequacy and accessibility of services, especially for persons from disadvantaged groups. He asked what progress had been made with regard to expanding drug abuse rehabilitation and other harm reduction services and improving treatment options for persons living with HIV and AIDS. He also wished to know what was being done to combat air, water and soil pollution and what the status was of the ongoing court cases of public interest on that topic.

83. It would be interesting to know what measures were in place to ensure the affordability and accessibility of mental health services and to improve the provision of services for marginalized groups. He also wondered what was being done to combat all forms of stigma regarding mental health and to eliminate practices such as confinement and shackling. In addition, he would welcome data on the suicide rate and on measures to combat suicide.

84. He wished to know what steps had been taken to provide legal gender change recognition and to adopt comprehensive legislation to explicitly prohibit discrimination on

the grounds of sexual orientation, gender identity and sex characteristics. He wondered whether the Government intended to grant lesbian, gay, bisexual, transgender and intersex persons equal and non-discriminatory access to all social, economic and cultural rights, including the legal recognition of same-sex marriage. It would be useful to know what had been done to guarantee appropriate health care services for transgender persons, including gender affirmation surgery and hormone therapy.

85. It would be useful to receive information on steps taken to guarantee an adequate standard of living for migrants, refugees and asylum-seekers, especially with regard to health services, education, food and nutrition, and living conditions.

86. He wished to know how many cases of domestic violence had been reported, investigated and prosecuted in each region, what policies were in place to raise awareness among women of their rights to protection and redress, and what measures had been taken to ensure that all cases were investigated and punished appropriately and that law enforcement agencies and the courts embraced a gendered understanding of domestic violence. It would also be interesting to know what was being done to ensure that cases of human trafficking were adequately investigated and punished and to provide protection and assistance to child victims, especially unaccompanied asylum-seeking children and the children of migrant workers.

87. On issues specific to the Hong Kong Special Administrative Region, he asked how the Government intended to tackle the disproportionately high level of poverty and wealth inequality and combat homelessness and substandard housing, including with regard to protecting tenants' rights and preventing rent abuse by landlords. It would be useful to learn what progress had been made in implementing the Elderly Service Programme Plan and how the Government ensured that it upheld elderly persons' rights under the Covenant, especially given the impact of the COVID-19 pandemic on living conditions and access to health care.

88. With regard to the Macao Special Administrative Region, he enquired how many persons were living below the poverty line, what financial assistance was available to poor and disadvantaged persons and how changes in income distribution and wealth inequality were monitored. Lastly, he wondered what measures were in place to protect the rights of non-resident workers, especially regarding housing, living conditions and access to health care, and to guarantee prompt access to adequate housing for disadvantaged and vulnerable groups and for persons not entitled to subsidized housing who were nonetheless unable to afford the high costs of housing.

The meeting rose at 1.15 p.m.