



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined seventh and eighth periodic reports of the People's Republic of China at the Committee's fifty-ninth session, held in November 2014. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/CHN/CO/7-8). You may recall that in the concluding observations, the Committee requested the People's Republic of China to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 15 (a) and (b) and 31 (b), (d) and (e) of the concluding observations.

The Committee welcomes the follow-up report received with a 2-month delay in January 2017 (CEDAW/C/CHN/CO/7-8/Add.1) under the CEDAW follow-up procedure. At its sixty-seventh session, held in July 2017 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 15** of the concluding observations, that the State party “ensure that women have effective access to justice, including women involved in land claims, by providing legal aid”: The State party indicated that it issued an opinion in 2015, stipulating that the scope of legal aid, including that provided to women, should be broadened. Moreover, it informed that training on the defence of the rights of women with regards to land contracting were held in various districts, that representatives of the All-China Women's Federation have been included in rural land contract arbitration Committees and that it has promoted the contracting of female arbiters.

The Committee welcomes that the State party issued an opinion on the broadening of legal aid provided to women. It also welcomes measures taken to facilitate women's access to arbitration in land matters. Regretting the lack of steps taken to implement the opinion mentioned, the Committee considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

His Excellency
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In relation to the recommendation that the State party “ensure that women have effective access to justice, including women involved in land claims, by supporting non-governmental organizations, where relevant, which facilitate women’s access to justice”: The State party indicated that it supports programmes for women’s legal aid, which are implemented by civil society organizations, through a legal aid fund.

The Committee takes note of the financial support granted to civil society organizations for the implementation of programmes for women’s legal aid. It however regrets the lack of information on these programmes and their impact on women’s access to justice, including women involved in land claims. It thus considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

With regards to the recommendation that the State party “establish independence of the judiciary, inter alia, by preventing all forms of interference by the political branch of the State party, so that all disputes involving the human rights of women are considered and can be decided in accordance with the rule of law”: The State party cited the acts currently regulating the conduct in trials and inspections, and ensuring the independence of judicial organs, in line with its Constitution. It further informed that its judicial system is under reform since 2014 and that it has made progress in matters concerning the management of personnel, as well as of the financial and material assets of the people’s courts and the people’s procuratorates at province level and below. It added that in March 2015, it issued rules and implementation measures on the recording of, reporting on and on the accountability in cases of interference in judicial activities by officials. It moreover informed that it adopted regulations on internal supervision and the handling of cases to prevent and punish intercession and other interference in law enforcement.

The Committee welcomes steps taken by the State party to prevent interference in the judiciary. It takes note of measures taken to encourage reporting and to regulate the handling of cases of intercession and other interference in law enforcement. The Committee considers that the State party has taken significant steps to implement the recommendation. It considers that the recommendation **has been implemented**.

The Committee recommends that, in relation to **paragraph 15** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. Implement the opinion, stating that legal aid provided to women should be broadened and illustrate the impact on women’s access to justice, including women involved in land claims.
2. Enhance women’s access to justice, including for women involved in land claims, through the support to civil society organizations, including but not limited to the implementation of programmes for women’s legal aid.

With regards to the recommendation made in **paragraph 31** of the concluding observations, that the State party “adopt more prescriptive temporary special measures, such as quotas, in accordance with article 4 (1) of the Convention and the Committee’s general recommendation No. 25 and general recommendation No. 23 on women in political and public life, in order to accelerate women’s full and equal participation in elected and appointed bodies”: The State party presented data on the participation of women in governmental and business instances, such as the National People’s Congress, the National People’s Political Consultative Congress, central government, boards of directors, neighbourhood committees and village committees. It added that through its National Human Rights Action Plan for 2016 – 2020, the objective to reach 50% of women in neighbourhood committees and 30% of women in village committees by 2020 was set. It moreover informed that it reserved a number of posts for the promotion of women officials and that a quota system for women’s participation in politics is under consideration.

The Committee welcomes the definition of objectives on the participation of women at the local level and the reservation of positions for the promotion of women officials. It takes note of data provided on the representation of women in governmental and business instances. It considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

Regarding the recommendation to “thoroughly investigate allegations of violence and abuse against women who stand for election as independent candidates and ensure that the perpetrators are prosecuted and adequately punished”: The State party reported on provisions of its electoral law defining the conditions for and the process to stand for elections to the People’s Congresses at country and village level. It informed that based on these provisions, one needs to be recommended by political parties, public organizations or by at least 10 voters in the electoral district to stand for election.

The Committee takes note of the information provided on the conditions and process to stand for elections to the people’s congresses, allowing for independent electoral candidates. It however regrets the absence of measures taken to investigate allegations of violence and abuse against women who stand for election as independent candidates, and to ensure that the perpetrators are prosecuted and adequately punished. The Committee considers that the recommendation **has not been implemented**.

With regards to the recommendation that the State party “ensure the implementation of the National Human Rights Action Plan (2012-2015) through the adoption of specific measures to promote and facilitate the participation of ethnic and religious minority women”: The State party informed that the goals set in the National Human Rights Action Plan (2012 – 2015) have been achieved. It also reported on measures taken to enhance the capacities of ethnic minorities: selection of outstanding ethnic minority women to participate in tertiary educational institutions or institutions for continuing education, opening of schools in ethnic minority districts, promotion of dual-language education, provision of study assistance funds to students in ethnic minority regions and reduction or elimination of fees for those living in particularly difficult circumstances. It added that it also opened girls-only classes and girls-only schools in order to raise girls’ school attendance.

The Committee welcomes the information provided by the State party that the goals set in the National Human Rights Action Plan (2012 – 2015) have been achieved. It takes note of measures taken to promote the capacities of ethnic minorities and girls. The Committee nevertheless regrets the absence of specific measures to promote the participation of ethnic and religious minority women in political and public life. The Committee considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**

The Committee recommends that, in relation to paragraph 31 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. Adopt prescriptive temporary special measures, such as quotas, with clear time-bound targets in order to accelerate women’s full and equal participation in elected and appointed bodies.
2. Thoroughly investigate allegations of violence and abuse against women who stand for election as independent candidates and ensure that the perpetrators are prosecuted and adequately punished.
3. Adopt specific measures to promote and facilitate the participation of ethnic and religious minority women in political and public life.



Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Hilary Gbedemah'.

Hilary Gbedemah
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women