



REFERENCE:KF/fup-115

19 November 2015

Excellency,

In my capacity as Special Rapporteur for Follow-up to concluding observations of the Human Rights Committee, I have the honour to refer to the examination of the first periodic report of China, Macau.

As you know, in paragraph 19 of its concluding observations, the Committee requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 7, 11 and 17 of the concluding observations.

On 5th April 2014, the State party submitted information on these paragraphs. During the 112th session of the Committee, held in October 2014 in Geneva, the Committee considered that the reply on paragraphs 7, 11 and 17 was partially satisfactory, but that additional and more precise information was required on the following issues:

- Paragraph 7: [C1]: The recommendation has not been implemented. The Committee reiterates it.
- Paragraph 11: [C1]: The State party has not provided specific information on the current stand and results of the negotiations it has already conducted with mainland China on the arrangement of legal assistance in criminal cases. The recommendation has not been implemented. The Committee requests further information on the negotiations between the State party and mainland China on the transfer of offenders.
- Paragraph 17: [B2]: The Committee requests additional information on the following:
 - (a) whether and how the State party provides free or affordable legal advice to non-resident workers and employers advising them of applicable rights, obligations, and protections;
 - (b) statistical information on the incidence of labour law violations committed against non-resident workers, particularly with respect to the absence of formal contracts, excessive fees requested by recruitment agencies and the payment of lower wages to local workers, and the investigation and pursuance thereof by the State party;

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- (c) statistical information on complaints filed by non-resident workers with the Labour Affairs Bureau, and subsequent actions taken by the Bureau or other governmental agencies; and
- (d) the regulation of employment agencies and measures taken by the State party to ensure that these employment agencies do not exploit non-resident workers.

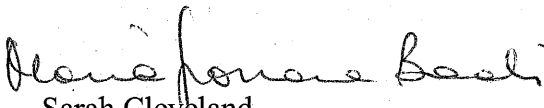
On 9 June 2015, the Special Rapporteur for Follow-up to concluding observations of the Human Rights Committee sent you a letter of reminder. During its 115th session held in Geneva in October 2015, the Committee noted that no reply was received.

Taking this situation into account, the Committee decided to send a second reminder to the State party, requesting that the above-mentioned additional information be submitted to the Committee.

The next follow-up report will be adopted in March 2016. If the State party wishes the information referred to be taken into account on that occasion, a **Word electronic version** of the reply should be sent to the Secretariat of the Human Rights Committee by **10 January 2016** (Sindu Thodiyil: sthodiyil@ohchr.org and Fernanda Santana: fsantana@ohchr.org).

The Committee looks forward to pursuing its constructive dialogue with the authorities of China, Macau on the implementation of the Covenant.

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


pp. Sarah Cleveland

Special Rapporteur for Follow-up to Concluding Observations
Human Rights Committee