



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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9 June 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 follow-up to the examination of the initial periodic report of China, Macau.

At the end of its 107th session, the Committee transmitted its concluding observations to your Permanent Mission. You may recall that, in paragraph 19 of the 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 5 April 2014, the Committee received the reply of the State party. At its 112th session, held in October 2014, the Committee analysed this information and adopted the following decisions:

- 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;

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- (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;
- (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.

During the 113^h session of the Committee, held in Geneva in March 2015, the Committee noted that information sought by the Committee had not yet been provided. Therefore, I write to request that the above-mentioned additional information be submitted at Your Government's earliest convenience.

The next follow-up report of the Human Rights Committee will be adopted in October 2015. If the State party wishes the information referred to be taken into account on that occasion, the reply should be sent in a Word electronic version to the Secretariat of the Human Rights Committee by 1 **August 2015** (Kate Fox: kfox@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.

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