

**ADVANCE UNEDITED VERSION**



already noted in its previous concluding comments (A/54/38/Rev.1), and that such a definition was not included in the Law on the Protection of Rights and Interests of Women, amended in 2005. While noting that the Convention is an integral part of Chinese law, the Committee is concerned that the State party is still not aware of the importance of such a definition and that the lack of a specific legal provision may constrain the application of the full scope of the Convention's definition of discrimination in the State party.

**10. The Committee reiterates its recommendation that the State party develop capacity to understand the meaning of substantive equality and non-discrimination, as required by the Convention, and include a definition of discrimination against women in its domestic law, encompassing both direct and indirect discrimination, in line with article 1 of the Convention.**

11. While welcoming the establishment of special courts and tribunals for the protection of the rights of women and children, the Committee notes with concern that in the absence of provisions for effective legal remedies, women's access to justice in cases of discrimination may remain limited, in particular in rural areas. The Committee also notes that the Convention does not appear to have ever been invoked in a court of law.

**12. The Committee encourages the State party to ensure that the Convention, the Committee's general recommendations and related domestic legislation are made an integral part of the legal education and training of judicial officers, including judges, lawyers and prosecutors, and to ensure that, in particular, judges and officers of the special courts and tribunals are familiar with the Convention and the State party's obligations thereunder. It also calls upon the State party to enhance availability of effective legal remedies and implement further awareness-raising and sensitization measures about such legal remedies against discrimination so that women can avail themselves of the m. It encourages the State party to monitor the results of such efforts and to include in its next periodic report detailed statistics on the use by women of the legal system to obtain redress for discrimination in all fields covered by the Convention, and trends over time.**

13. The Committee is concerned that the report did not include sufficient data disaggregated by sex, regions and ethnic groups, and information comparing the situation of women to that of men, to enable it to obtain a comprehensive understanding of the current situation of women in regard to all areas covered by the Convention, and trends over time. The Committee is further concerned that the lack or limited availability of such detailed data may also constitute an impediment to the State party itself in designing and implementing targeted policies and programmes, and in monitoring their effectiveness in regard to the implementation of the Convention in all parts of the vast country.

**14. The Committee calls upon the State party to study obstacles to data collection and to enhance the collection and the wide availability of sex-disaggregated statistical information, by region and by ethnic group, in regard to each of the provisions of the Convention, so as to enhance its capacity to design and implement targeted policies and programmes aimed at the promotion of gender equality and women's enjoyment of their human rights. It also recommends that the State party strengthen its monitoring and assessment of the impact of such policies and programmes and to take corrective measures,**

**whenever necessary. It requests the State party to provide such statistical information and trends over time in its next periodic report so that an in-depth assessment of the progress in the implementation of the Convention can be made.**

15. While commending the State party for the significant economic growth and related reduction in poverty rates achieved in recent years, the Committee is concerned that these benefits continue to be unevenly distributed between urban and rural areas and that women may not benefit to the same extent as men from overall economic growth and development. The Committee is also concerned at the gender-specific consequences of economic restructuring, decentralization of services, in particular as regards the employment of women, their health and education and the State party's focus on the development of infrastructure over social spending, and the impact of these policies on women and girls, in particular in rural areas.

**16. The Committee calls upon the State party to enhance its monitoring of the impact of economic development and changes on women and to take proactive and corrective measures, including increasing social spending, so that women can fully and equally benefit from growth and poverty reduction. To that end, it recommends that a gender impact analysis of all social and economic policies and poverty-reduction measures be conducted regularly, including of the budget. It invites the State party to implement targeted measures to prevent and eliminate any adverse impact on women of economic restructuring, in particular, on those who live in rural and remote areas, or who belong to an ethnic minority.**

17. The Committee expresses concern at the persistence of deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and society, reflected in concerns such as son-preference, which lead to high adverse sex-ratio and illegal sex-selective abortion. The Committee is concerned that these prevailing attitudes continue to devalue women and violate their human rights.

**18. The Committee calls upon the State party to put in place a comprehensive approach to overcoming traditional stereotypes regarding the role of women and men in society, in accordance with articles 2 (f) and 5 (a) of the Convention. Such an approach should include legal, policy and awareness-raising measures, involve public officials and civil society and target the entire population, in particular men and boys. It should include the use of different media, including radio, television and print, and encompass both specialized and general programmes. The Committee calls upon the State party to evaluate the gender-sensitivity of the curriculum and textbook reform it has undertaken since 2000 and to further ensure that it explicitly addresses the principle of equality between women and men.**

19. While recokTc 0.95u-12 TD -0.04 entireertts 1629 0 2i23 Tc (.) Tj bygenderli.w

Moreover, the Committee is concerned about the insufficient data and statistical information about the extent of trafficking, in particular internal trafficking.

20. **The Committee recommends that the State party increase its efforts to combat all forms of trafficking in women and girls. It urges the State party to bring its domestic legislation in line with international standards and to speedily complete, adopt and implement the draft national programme of action against human trafficking. It requests the State party to enhance enforcement of the law against trafficking so as to ensure that those who traffic and sexually exploit women and girls are prosecuted and punished, and to provide all necessary assistance to the victims of trafficking. The Committee also urges the State party to take measures aimed at the rehabilitation and reintegration of women in prostitution into society, to enhance other livelihood opportunities for women to leave prostitution, provide support for them to do so and to prevent any detention of women without due legal process. It calls upon the State party to systematically compile detailed data on cross-border and internal trafficking, reflecting the age and ethnic background of the victims. The Committee requests the State party to provide in its next report comprehensive information and data on the trafficking of women and girls as well as on the impact of measures taken and results achieved in this regard.**

21. While commending the State party for the explicit prohibition of domestic violence in the amended Marriage Law of 2001 and for other measures taken to address violence against women, the Committee remains concerned by the lack of comprehensive national legislation on violence against women that also provides access to justice and means of support for victims and punishment of perpetrators, and the lack of statistical data concerning all forms of violence against women. The Committee is also concerned about reported incidents of violence against women in detention centres, in particular in Tibet.

22. **The Committee urges the State party to adopt a comprehensive law on violence against women and to ensure that all forms of violence against women and girls, both in the public and private spheres, constitute a crime punishable under criminal law. It calls upon the State party to provide immediate means of redress and protection to women and girls victims of violence, in accordance with the Committee's general recommendation 19. It also encourages the State party to enhance victims' access to justice and redress, for example, through training aimed at judicial officers, including judges, lawyers and prosecutors, in order to enhance their capacity to deal with violence against women in a gender-sensitive manner and ensure that claims are investigated expeditiously, including incidents of violence against women in detention centres. It also calls upon the State party to strengthen its system of data collection in regard to all forms of violence against women and to include such information in its next report.**

23. The Committee is concerned that the State party h

**of the goal of de facto or substantive equality of women with men in all areas of the Convention.**

25. While welcoming the provisions adopted by the State party to ensure the representation of women in all areas of political and public life, the Committee expresses concern at the continued low level of representation of women, including women from ethnic minority backgrounds, in public and political life and in decision-making positions, including in the foreign service. It notes with concern that the proposed revision of the Organic Law of the Villagers' Committees does not call for women's equal representation on villagers' committees.

**26. The Committee encourages the State party to take sustained measures, including temporary special measures, such as the establishment of adequate numerical goals and targets, and timetables, so as to progress more expeditiously towards women's full and equal representation in elected and appointed bodies in all areas of public life, from the local to the national levels, and in all branches of Government, including in the country's foreign service. The Committee recommends that the State party conduct** tsl 9l 9Tj ooh5mmes

**further reduce the female suicide rate. The Committee urges the State party to take a holistic approach to eliminating the multiple forms of discrimination that ethnic minority women face and to accelerate the achievement of their de facto equality. The Committee requests the State party to provide, in its next report, comprehensive information, including sex-disaggregated data, on the situation of rural women, including ethnic minority women, especially with regard to their educational, employment and health status and exposure to violence.**

29. The Committee is concerned about the situation of women in the employment sector, including the lack of legal provisions guaranteeing equal pay for equal work and work of equal value, the persistent wage gap, the high concentration of women in the informal sector, the toxic and harmful environment certain women workers might be exposed to and income reduction in a competitive job market. While appreciating the various efforts to promote the re-employment of laid-off women workers, it is concerned that gender might be the primary reason for being laid off. It is also concerned about the limited monitoring of implementation of labour legislation and the very low number of women who report violations of such provisions. It is also concerned about sexual harassment at work.

30. **The Committee recommends that the State party take further measures to overcome vertical and horizontal occupational segregation and to enhance its monitoring and effective enforcement of the legislative framework, including the Law on the Rights and Interests of Women, and to ensure that women have effective means of redress against the violation of labour laws, including the discriminatory laying-off of women based on gender. The Committee calls for measures to ensure that women receive equal pay for equal work and work of equal value, and equal social benefits and services. It encourages the State party to ensure that women workers are protected from hazardous working environments and that adequate sanctions are in place for discrimination against women in the employment field in**







46. **The Committee urges the State party to give priority to putting in place preventive measures to address all forms of violence against women, in accordance with its general recommendation 19. It recommends that research be conducted on the prevalence, causes and consequences of all forms of violence against women, including domestic violence, to serve as the basis for comprehensive and targeted intervention and to include the results in its next periodic report. It recommends that the Government of the Macao Special Administrative Region ensure that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. Moreover, it encourages the State party to see to the provision of shelters and counselling services for victims of violence. The Committee further urges the Government of the Macao Special Administrative Region to specifically include sexual harassment in the workplace in its legislation and to report on the implementation of such provisions in its next periodic report.**

47. The Committee is concerned that there was a lack of information on women's representation in public and political life in the Macao Special Administrative Region.

48. **The Committee requests the Government of the Macao Special Administrative Region to provide sufficient data and information on women in public and political arenas disaggregated by sex, including information on temporary special measures under article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, in its next periodic report.**

49. The Committee notes with concern that women's non-governmental organizations have not been fully involved in the process of elaborating the report. As a result, the impact of the reporting process as an aspect of the holistic approach to the ongoing implementation of the Convention may be limited.

50. **The Committee calls upon the State party to strengthen the coordination with women's non-governmental organizations as a means to enhance the implementation of the provisions of the Convention, the follow-up to the concluding comments of the Committee and the preparation of future periodic reports under article 18 of the Convention.**

51. **The Committee urges the State party to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.**

52. **The Committee urges the State party to utilize fully in its implementation of its obligations under the Convention, the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.**

53. **The Committee also emphasizes that the full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and explicit reflection thereon in its next periodic report**

