

(Translation)

**Introductory Statement by H. E. Mme. Huang Qingyi  
Head of the Chinese Delegation at the Consideration of the Combined 5**



made by the Committee during its considerations, the Chinese Government has, on the basis of China's national condition, reinforced its efforts in the following five aspects.

### **I. Enactment and amendment of relevant laws to ensure legal protection**

The Constitution of the People's Republic of China amended in March 2004, explicitly provides that "the State shall protect and respect human rights". In June 2006, the Chinese Government solemnly declared at the First Session of the UN Human Rights Council that concern for women's rights should be regarded as one of the five priorities to open up a new situation in international human rights cause. The

Law of Women ("LPRIW") adopted in August 2005 defines that gender equality is a fundamental national policy and opposes all forms of discrimination against. This indicates that China's legislation is evolving from focusing on protection and development of women's rights and interests to fighting against and punishing gender discrimination. The amended version of the Marriage Law adopted in April 2001 incorporates for the first time in the Chinese legislative history provisions such as prohibition of domestic violence, and compensation by the defaulting party and compensation for non-paid work done by divorced women in divorce cases. The

Land Management Law, promulgated in March 2003, underscores in particular the right of married women, divorced women and widowed women to have equal access to land. The Chinese National People's Congress (NPC) approved the ratification of the

Convention on the Elimination of All Forms of Discrimination Against Women in August 2005 and has incorporated provisions of the Convention such as "women shall enjoy equal right to employment as men" and "gender-based discrimination shall be prohibited" into the draft of the Education Law. The

Education Law amended in June 2006 emphasizes that equal right of girls to education must be guaranteed.



Programme were mentioned for over 50 times. To ensure the realization of the Programme objectives as scheduled, the PRC State Council has set up 15 steering groups that are headed by 30 provincial governors or government ministers and consist of over 70 experts and relevant government officials. At the moment, these steering groups are conducting on-site assessment, monitoring and instruction with regard to the implementation of the Programme in 31 Chinese provinces (autonomous regions and municipalities).

#### **IV. Pooling of financial and physical resources to address prominent problems**

The Chinese Government has concentrated and integrated various forces to address prominent problems related to the existence and development of women. For instance, in order to reduce maternal mortality rate and eliminate tetanus among newborns, multiple government departments have joined hands to implement the Project for Reducing Maternal Mortality Rate and Eliminating Tetanus among Newborns since 2000. With a cumulative financial input of RMB1.03 billion, this project has covered 1,000 counties in 23 provinces (autonomous regions and municipalities) and benefited more than 300 million people. Chinese Premier Wen Jiabao has pledged to make hospital0 TDbe01 ,J-1u80

## **V. Extensive publicity of the Convention to create favorable public opinion**

The Chinese Government gives top priority to promoting the spirit of the Convention and includes it in the national law-awareness campaign. In 2004, the Chinese Government took a series of actions to implement the Programme that reflected the spirit of Convention. Throughout the country radio and television stations, newspapers and website put up special programs, news conferences, seminars, performances and free counseling were organized. 2005 became the Year for Publicity of the Fundamental National Policy of Gender Equality in China thanks to close cooperation between government functional depasio

and recommendations of the previous consideration by the Committee. Numerous departmental meetings have been convened to explore ways to implement the conclusions. Details thereof may be found in the combined 5<sup>th</sup> and 6<sup>th</sup> Periodic Report submitted to the Committee. Here I would like to highlight a few specific issues.

**I. With regard to the Committee's recommendation that China adopt special measures to promote women's participation in high-level decision making, the Chinese Government has adopted the following actions:**

Organize education and publicity campaigns to enhance public awareness of gender equality and women's initiative to participate in decision making;

Explicitly define proportion of female officials in government leadership at all levels to further institutionalize mandatory requirements that government bodies should be staffed with women leaders;

Select more outstanding women to serve in leadership at all levels on the occasion of re-election of local leaders, with priority given to medium and high-ranking women cadres and female principals;

Adopt various measures to give women cadres better training to enhance their ability and level of political participation;

Improve mechanisms for fair competition and management of civil servants in the course of personnel system reform to provide equal competition opportunities for women to participate in decision making and management and ensure that preference be given to women cadres when all conditions are equal; and

Convene the 5<sup>th</sup> National Conference on Cultivation and Selection of Women Cadres in August this year.

At the moment, among the Chinese state leaders, 9 are women (3 as vice chairpersons of the Standing Committee of NPC, 4 as vice chairpersons of the of the Chinese People's Political Consultative Conference, 1 as Vice Premier of the State







is not high. Discrimination against women happens in employment. The education and health condition of women need to be improved. It will be a fairly long historical process to progress from de jure equality to de facto equality. The Chinese Government is now committed to pursuing a scientific development concept, building a harmonious society and implementing the This will surely create new historical opportunities for the development of Chinese women. With support and help from the Committee and Committee members and with promotion and

**CEDAW Hearing on the Second Report of  
HKSAR, China on the Convention on the Elimination of All Forms of  
Discrimination against Women  
10 August 2006, New York**

**Opening Statement by  
Ms Sandra Lee,  
Permanent Secretary for Health and Welfare  
HKSAR Government**

Madam Chair, distinguished Members,

Good Morning.

2. I am honoured to have this opportunity to speak on the Hong Kong Special Administrative Region Government's (HKSARG's) implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in the HKSAR, China. On behalf of the Hong Kong SAR Government, I thank you for your interest and observations on our Government's Second Report submitted in 2004 and our response to your subsequent questions submitted in May this year. May I also take this opportunity to thank Madam Huang Qingyi for her leadership of the China delegation which for the first time, includes the two Special Administrative Regions of Hong Kong and Macau.

3. Madam Chair and Members, I want to assure you that the HKSAR Government is fully committed to removing all forms of discrimination against women in the Hong Kong SAR.

4. Equality is an important fundamental under the Hong Kong Basic Law, our constitutional document. That all Hong Kong residents shall be equal before our law is guaranteed under the Basic Law. Hong Kong's Bill of Rights also

5. I would like to address four specific issues which I believe are of concerns to Madam Chair and Members.

will continue to promote better understanding and awareness of the concept in our community.

10. On education, one notable success of the Commission is an innovative Capacity Building Mileage Programme it organized with the Open University of Hong Kong, a radio station and 78 women's groups and NGOs which benefited over 10,000 women including the less privileged.

11. The Commission works intimately with local women groups in taking forward its initiatives and also participates actively in international events. The Commission attended 16 major meetings overseas in the past five years including the annual meeting of the UN Commission on Status of Women.

### *Combating Domestic Violence*

12. I would now turn to the issue of combating domestic violence. Madam Chair, I wish to emphasize that the HKSAR Government takes a serious view of domestic violence and spare no efforts in dealing with it. Violent acts are liable to criminal charges under our law. Whether they happen in a domestic context or other situations, they receive the same serious attention from our law enforcement agencies. In addition to seeking help from the criminal justice system, the domestic violence victims may also seek civil redress from the Domestic Violence Ordinance. This legislation provides protection to victims facing physical, psychological and sexual abuse. Following a review of the Ordinance, the Government now proposes further improvements in three areas, namely, extending the scope of coverage to include formal spousal or co-habitation relationship; extending the criteria for attachment of a power of arrest to an injunction order to psychological harm; and an increase to the duration of the injunction order. We are consulting the public on their views on these proposals.

13. Besides legal protection, a continuum of preventive, supportive and specialized services are provided to victims of domestic violence and families in need. In the current financial year, more than US\$170 million has been allocated for counseling, shelter, child care, clinical psychology, emergency financial support and compassionate re-housing services for victims. In March 2006, we introduced two pilot projects of Batterer Intervention Programme. A new 24-hour service for victims of sexual violence is being introduced by the Government.

14. We have allocated US\$ 4M to start new services to facilitate early identification of families in need. We have strengthened training and coordination for social workers, police officers and related professionals. Volunteers also assist in the outreach programme.

15. Madam Chair, I can assure you that the HKSAR Government has zero tolerance for domestic violence and will continue to explore effective means to assist these victims.

### *Trafficking in women*

16. Now I would like to address the question about trafficking in women and exploitation of prostitution. We have provided a written response earlier. I would like to supplement that cases of trafficking recorded are small in Hong Kong – only two and three suspected trafficking cases were recorded in 2004 and 2005 respectively. Debriefing from sex workers from outside Hong Kong reveals that they entered Hong Kong to practise prostitution of their own volition. Notwithstanding that the number of trafficking cases is small, our law enforcement agencies have remained vigilant and maintained their efforts in combating trafficking activities on all fronts.

17. Prostitution itself is not a crime in Hong Kong but it is a criminal offence to organize and exploit prostitution. The Hong Kong Police Force enforces the law vigilantly and will continue to do so. There has been allegation of individual police officer abusing his power in undercover operations against vice activities. I wish to emphasize that Police undercover operations against vice activities are subject to rules and procedures clearly stated in internal guidelines. Police officers involved are carefully selected and are required to comply strictly with the guidelines. There are established mechanisms to complain against the Police.

### *Employment*

18. Finally, on the question relating to employment, I would like to supplement that women in Hong Kong enjoy the same rights and opportunities in terms of employment and choices of career as their male counterparts. The Employment Ordinance affords employees with protection of their labour rights, such as entitlement to payment of wages and statutory holidays. Foreign domestic helpers enjoy the same rights and benefits provided under the labour law as local workers. They are further protected by a standard employment contract and



