



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**

**Consideration of reports submitted by States  
parties under article 9 of the Convention**

**Fourteenth to seventeenth periodic reports of States  
parties due in 2015**

**China\*, \*\*, \*\*\***

[Date received: 24 January 2017]

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\* The reports of Hong Kong, China (CERD/C/CHN-HKG/14-17) and of Macao, China (CERD/C/CHN-MAC/14-17) form part of the present State party report.

\*\* The present document is being issued without formal editing.

\*\*\* The annexes to the present report are on file with the Secretariat and are available for consultation.



## Introduction

1. Pursuant to article 9, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, the People's Republic of China herewith submits to the Secretary-General of the United Nations the combined fourteenth to seventeenth periodic reports on its implementation of the Convention.
2. The present combined report mainly concerns the progress made by China in its implementation of the Convention from 2008 to 2015. It consists of three parts: part one is the report prepared by the central Government; part two is the report prepared by the Hong Kong Special Administrative Region of China; and part three is the report prepared by the Macao Special Administrative Region of China.
3. The report has been prepared in accordance with the general guidelines regarding the form and contents of reports to be submitted by States parties under article 9, paragraph 1, of the Convention, adopted by the Committee on the Elimination of Racial Discrimination. The Chinese Government attaches great importance to the deliberations and concluding observations of the Committee. Relevant paragraphs of this report contain responses to the Committee's concluding observations on the report submitted by China in 2008.
4. This report was prepared with the direct participation of persons from ethnic minorities, and the views of legislative, administrative and judicial organs, relevant non-governmental organizations and experts in related areas were also broadly solicited. Representatives of ethnic minorities regularly participate directly, as members of the Chinese delegation, in the Committee's deliberations regarding the reports submitted by China.

## I. Overview

5. The People's Republic of China is a unified multi-ethnic country, in which 56 ethnic groups have been identified and recognized by the central Government. The various ethnic groups differ greatly in population. Compared to the Han ethnic group, the populations of the other 55 ethnic groups are relatively small, so they are customarily referred to as ethnic minorities. According to statistics from the sixth national population census, conducted in 2010, the total population of the country's 31 provinces, autonomous regions and municipalities directly under the central Government in mainland China was 1,339.72 million; of that number, 1,225.93 million were ethnic Han and 113.79 million were from ethnic minorities, who accounted for 8.49 per cent of the total population. In comparison with the fifth national population census, conducted in 2000, the ethnic Han population had increased by 66.53 million, or 5.7 per cent, while the ethnic minority population had increased by 7.36 million, or 6.9 per cent. Gender-disaggregated population figures for all ethnic groups in the 2000 and 2010 censuses are provided in annex 1.
6. With regard to the Committee's request, contained in paragraph 9 of its concluding observations on the previous State party report, for updated and detailed statistical data on the socioeconomic situation of the population, disaggregated by ethnic group and nationality, the major economic indicators for the eight multi-ethnic Chinese provinces and regions for the year 2015 are provided in annex 2.
7. In China, legislation guaranteeing the rights and interests of ethnic minorities is essentially now fully in place. In addition to enjoying the same constitutional and legal protections as ethnic Han citizens, ethnic minorities also receive protection under the provisions of laws on regional ethnic autonomy and related laws and administrative statutes dealing with specific ethnic autonomous areas. Article 33 of the Constitution of the People's Republic of China provides, in its second paragraph, that "[a]ll citizens of the People's Republic of China are equal before the law", and, in its third paragraph, that "[t]he State respects and preserves human rights". Article 4 provides that:

All nationalities in the People's Republic of China are equal. The State protects the lawful rights and interests of the minority nationalities and upholds and develops a relationship of equality, unity and mutual assistance among all of China's nationalities. Discrimination against and oppression of any nationality are prohibited; any act which undermines the unity of the nationalities or instigates division is prohibited. The State assists areas inhabited by minority nationalities in accelerating their economic and cultural development according to the characteristics and needs of the various minority nationalities.

Regional autonomy is practised in areas where people of minority nationalities live in concentrated communities; in these areas organs of self-government are established to exercise the power of autonomy. All national autonomous areas are integral parts of the People's Republic of China. All nationalities have the freedom to use and develop their own spoken and written languages and to preserve or reform their own folkways and customs.

Further information on the system of ethnic laws and regulations in China can be found in paragraph 9 of the previous State party report.

8. Regional ethnic autonomy is a basic element of the Chinese political system. The Law on Regional National Autonomy (annex 3) forms the legislative basis for implementing the system of regional ethnic autonomy as stipulated in the Constitution. It is the basic law guaranteeing all rights of ethnic minorities and ethnic areas, and it is the code of conduct that State organs at all levels must follow. The Provisions of the State Council on Implementation of the Law on Regional National Autonomy (annex 4) are the supporting administrative regulations for the Law and set forth specific policies and measures to advance the comprehensive development of ethnic minorities and ethnic areas. Relevant departments of the State Council have also introduced supporting regulations since 2008, effectively promoting the Law and the State Council's provisions.

9. For quite some time now, and especially since 2008, the Chinese Government has steadily pursued ethnic equality, ethnic unity, regional ethnic autonomy and the common prosperity of all ethnic groups as basic principles and policies. The current shared solidarity and struggle and shared prosperity and development of all ethnic groups are primary themes in the Government's work in this sphere, as it strives to make faster progress in its priority mission of the economic and social development of ethnic minorities and ethnic areas. The equal rights of all ethnic groups and the rights of ethnic areas to exercise regional autonomy are being more fully guaranteed. Furthermore, the Chinese Government is committed to taking special measures to support rapid development in all economic, social and cultural spheres for ethnic minorities and ethnic areas whose development has been relatively lagging for historical or geographical reasons.

## **II. Implementation of articles 1 to 7 of the Convention**

### **A. Definition of discrimination**

10. In paragraph 10 of the concluding observations on its consideration of the previous State party report, the Committee recommended that China should adopt a comprehensive definition of racial discrimination, fully in accordance with article 1, paragraph 1, of the Convention, prohibiting discrimination on the basis of race, colour, descent, or national or ethnic origin. The "ethnic discrimination" prohibited under Chinese law covers all the types of discrimination referred to in the Committee's recommendation and thus is in accordance with the definition of racial discrimination provided in article 1 of the Convention.

11. In paragraph 11 of its concluding observations, the Committee recommended that China should adopt a national law on the elimination of racial discrimination. As described in paragraph 7 above, legislation guaranteeing the rights and interests of ethnic minorities is essentially now fully in place in China. The Constitution stipulates all the basic rights of ethnic minorities. Based on the provisions of the Constitution, China has drafted dozens of laws on regional ethnic autonomy, elections, education, higher education, labour,

employment promotion, the standard spoken and written national language, the civil service and sports, all of which fully protect the political, economic, cultural and social rights of ethnic minorities. These laws contain comprehensive and targeted provisions for guaranteeing equality among ethnic groups and for assisting and promoting accelerated economic and cultural development in all ethnic areas. Those provisions already cover the substance of protection from discrimination, and their scope of protection goes well beyond the domain of discrimination.

12. Concerning the suggestion of the Committee contained in paragraph 12 of its concluding observations, China has — following the completion of the National Human Rights Action Plan of China (2009–2010) as scheduled — continued its work on planning in this sphere. In June 2012, the State Council of China authorized the issuance, by the State Council Information Office, of the National Human Rights Action Plan of China (2012–2015), which explicitly proposed further guarantees for the economic, political, social and cultural rights enjoyed by ethnic minorities. A special section on the rights of ethnic minorities in chapter III of that document sets out explicit provisions regarding the goals and duties of the State to guarantee the lawful rights and interests of all ethnic minorities, as well as concrete measures to be taken. The June 2016 assessment report on the implementation of the National Human Rights Action Plan of China (2012–2015) found that the rights of ethnic minorities to take part in the management of State and social affairs, to economic development and to education had all received protection in accordance with the law. Training programmes for talented members of ethnic minorities had steadily advanced, and ethnic minority cultures as well as their spoken and written languages had been protected and promoted. In September 2016, the Chinese Government launched its third plan in this vein: the National Human Rights Action Plan of China (2016–2020). This third Action Plan explicitly proposes that the State should give greater prominence to accelerating the development of ethnic minorities and ethnic areas, while respecting and guaranteeing the rights and interests of ethnic minorities. Chapter III of the Action Plan, entitled “Rights of specific groups”, includes the rights and interests of ethnic minorities in its first section and lays out provisions for substantive goals, tasks and measures in that regard.

13. In paragraph 14 of the previous concluding observations, the Committee recommended the continuation of reform of the household registration system. On 24 July 2014, the State Council issued an opinion on further reform of the household registration system (State Council publication No. 25 [2014]), indicating that further reform of the household registration system had entered the stage of comprehensive implementation. From 2016 to 2020, China will gradually eliminate the distinction between agricultural and non-agricultural residence registration and it will set up a unified system of urban and rural household registration. The full implementation of the Interim Regulation on Residence Permits and the extension of the residence permit system to cover all permanent urban residents whose households have not been registered will promote the equal development of citizens, allowing them to share equally in outcomes and enjoy the same levels of social security protection.

14. The system of re-education through labour referred to in paragraph 15 of the Committee’s previous concluding observations was abolished pursuant to the decision on repealing legislation on re-education through labour, which was adopted at the sixth meeting of the Standing Committee of the Twelfth National People’s Congress on 28 December 2013.

## **B. Article 2**

### **Legislative and policy measures to eliminate racial discrimination**

#### **1. Laws and regulations**

15. Since 2008, the Chinese Government has continued its efforts to strengthen legislation on the elimination of ethnic discrimination. It has formulated or improved numerous laws and regulations to guarantee equality for the rights and interests of all ethnic groups, such as the Organic Law on Villagers’ Committees, the Law on the Protection of

Minors, the Public Security Administration Punishments Law, the Law on the Protection of the Rights and Interests of the Elderly, the Tourism Law, the Law on the Prevention and Treatment of Infectious Diseases, the Trademark Law, the Law on the Protection of Consumer Rights and Interests, the Meteorology Law, the Legislation Law and the Counterterrorism Law.

## 2. Policies and measures

16. In paragraph 21 of its previous concluding observations, the Committee recommended that disparities in regional economic and social development should be eliminated, that ethnic minorities should benefit from economic growth, that economic, social and cultural rights should be implemented and that cultures and traditions should be respected. Responses are provided in paragraphs 17 to 47 below.

17. Since 2008, the State Council has promulgated a series of policies and measures to promote the economic and social development of ethnic minorities and ethnic areas in line with those areas' different economic and social development conditions, as described below.

18. At the Central Ethnic Work Forum held on 28 September 2014, several important arrangements were made to accelerate development in ethnic areas and promote the comprehensive construction of a moderately prosperous society. Following the conference, the Central Committee of the Communist Party of China and the State Council issued an opinion on strengthening and improving efforts in support of ethnic minorities with a view to comprehensively promoting the social and economic development of ethnic minorities and ethnic areas.

### *Economic development*

19. Since 2008, the five autonomous regions of Inner Mongolia, Guangxi, Tibet, Ningxia and Xinjiang and the three multi-ethnic provinces of Guizhou, Yunnan and Qinghai (hereafter referred to as the "eight multi-ethnic provinces and regions") have enjoyed a continuous rise in gross domestic product (GDP), steady growth in local fiscal revenues and a gradual improvement in the quality of life of their populations. In 2015, these eight multi-ethnic provinces and regions of China achieved a GDP of 7,443.64 billion yuan, an increase of 4,286.49 billion yuan over 2008, for an average annual growth rate of 11.4 per cent. In 2014, the public budget revenue of the eight multi-ethnic provinces and regions was 889.97 billion yuan, an increase of 621.62 billion yuan over 2008, for an average annual growth rate of 18.7 per cent. In 2015, the disposable income of permanent residents of urban and rural areas in the eight multi-ethnic provinces and regions was 26,725 yuan and 8,753 yuan respectively, representing increases of 13,594 yuan and 5,039 yuan over 2008, for average annual growth rates of 10.7 per cent and 13 per cent respectively.

20. In 2015, the western multi-ethnic regions of Chongqing, Tibet and Guizhou ranked as the top three nationally in terms of GDP growth. Regional GDP for Xinjiang was 40,036 yuan per capita, or double the 2008 figure of 19,797 yuan, and was gradually closing the gap with the rest of the country. Disposable income for urban residents in Xinjiang stood at 26,275 yuan, a 13.2 per cent increase over the previous year and the fastest growth of anywhere in the country.

21. The eight multi-ethnic provinces and regions have become major producers of agricultural and industrial products in China. In 2015, 47.3 per cent of all the flue-cured tobacco in China was produced in Yunnan and Guizhou, which ranked first and second respectively. Xinjiang produced 62.9 per cent of the country's cotton, ranking first. Inner Mongolia produced 21.4 per cent of the nation's milk, ranking first. Inner Mongolia and Xinjiang were the top producers of wool, cashmere and milk. Guangxi ranked first in the production of silkworm cocoons, and Yunnan ranked first in the production of fresh flowers. Guangxi produced 62.8 per cent of the country's sugar and was its largest base for the production and multipurpose utilization of sugar cane. Xinjiang ranked fourth in the production of crude oil and second for natural gas, making it the main producer of energy for China.

*Full implementation of the strategy for opening up the western regions*

22. The Chinese Government continues to move forward with its strategy for opening up the country's western regions, bringing shared prosperity and development to all ethnic groups and enabling them to share the fruits of economic reform. The policies and measures connected with the strategy are described in the previous State party report. As of 2015, the eight multi-ethnic provinces and regions of China, along with 150 autonomous prefectures and counties, had either been fully incorporated into the strategy framework or were following policies consistent with its implementation. Since 2008, the deployment of the strategy has been defined more explicitly in strategic terms and it has been more fully implemented. Conceptually, greater emphasis is being placed on the quality and effectiveness of development under the strategy; operationally, the focus is now on giving full play to regional advantages; and with regard to the overall distribution of development, stress is being placed on guidance that is tailored to local conditions and sectors. China is resolved to address ethnic and regional factors jointly in the comprehensive implementation of the strategy's policy measures in ethnic areas.

*Development planning for ethnic minorities*

23. The Chinese Government is accelerating the development of its work in support of ethnic minorities. On 12 July 2012, in accordance with the overall goals of the Government's outline of the twelfth five-year plan for national economic and social development and taking into account the development conditions of ethnic minorities, the State Council issued a planning document for the advancement of ethnic minorities under the twelfth five-year plan (annex 5), establishing the guiding ideology, development goals and main tasks to support ethnic minorities for the period 2011–2015. The support plan for ethnic minorities under the thirteenth five-year plan currently being compiled by the Chinese Government will also be of great significance in further accelerating the social and economic development of ethnic minorities and ethnic minority regions.

*Programme to revitalize border areas and enrich residents' lives*

24. Of the 136 counties that lie along the land borders of China, 107 are autonomous counties populated largely by ethnic minority groups. In 2000, the Chinese Government formally launched a programme to revitalize the country's border areas and enrich the lives of the people who lived there; by 2009, the scope of assistance funding under that programme had expanded to cover all border counties. The programme is aimed at strengthening all types of support for building basic infrastructure in border areas, improving the living and working conditions and raising the incomes of the people there and fostering locally advantageous industries. By stepping up various types of support, the idea is to accelerate the economic and social development of the border areas and achieve the goals of making the people prosperous, making the border areas thrive, strengthening the nation and befriending neighbouring countries.

25. In 2011, the State Council promulgated and implemented a programme plan for revitalizing border areas and enriching residents' lives (2011–2015) (annex 6). From 2008 to 2014, the central Government fiscal authorities earmarked a cumulative total of 7.635 billion yuan of fiscal poverty-alleviation funds in support of the plan. In the first three years of the twelfth five-year plan alone, the central fiscal authorities allocated a cumulative total of 27.75 billion yuan in transfer payments for border areas, significantly improving the living and working conditions of the people in those areas and raising their standard of living, as well as vigorously promoting the economic and social development of the border areas.

*Development support for small-population ethnic groups*

26. On 20 June 2011, the State Ethnic Affairs Commission, together with other relevant units, issued a plan for supporting the development of small-population ethnic groups (2011–2015) (annex 7). The plan increased the number of ethnic groups included in the scope of support from 22 ethnic groups with total populations below 100,000 to 28 ethnic groups with total populations below 300,000. The central fiscal authorities have continuously increased the support provided for all economic and social development

initiatives in areas that are home to small-population ethnic groups. Statistics for 2,119 villages with concentrations of such groups indicate the following results between 2011 and 2013: more than 24,000 km of newly constructed or widened rural roads; 10,000 new or repaired farmland water-conservancy facilities; 185,000 m<sup>2</sup> of new or repaired village clinics and cultural facilities; 173,000 *mu* [1 *mu* = 0.067 hectare] of new or additional commercial forests and orchards; and 839,000 *mu* of new or additional artificially improved grassland and grazing areas. Some 600,000 farmer or herder households (a net total of 2.5 million people) were directly covered under local village or household programmes. By the end of 2013, the net income of farmers and herders in the 2,119 villages averaged 5,179 yuan, an increase of 47 per cent over the 2010 figure. Working and living conditions for the people in areas with small-population ethnic groups have been improving day by day, with a continuous increase in income flows and coordinated implementation of social infrastructure development projects.

#### *Protection and development of distinctive ethnic minority villages*

27. In 2009, in order to improve working and living conditions in ethnic areas, preserve distinctive ethnic residential housing, cultivate distinctive industries and transmit ethnic culture to future generations, the State Ethnic Affairs Commission and the Ministry of Finance jointly initiated a pilot exercise in preserving and developing villages with distinctive ethnic minority characteristics. In 2012, the State Ethnic Affairs Commission issued an outline plan for the preservation and development of distinctive ethnic minority villages (2011–2015) (annex 8). As at the end of 2014, the central fiscal authorities had invested a cumulative total of 1.4 billion yuan in fiscal poverty-alleviation funds to support pilot projects aimed at preserving and developing such villages. By 2015, altogether 800 pilot projects of this kind had been implemented throughout China, benefiting several hundred thousand people and involving more than 40 ethnic minorities distributed geographically throughout most ethnic areas. Significant results have thus been obtained in the preservation and development of distinctive ethnic minority villages.

#### *Poverty alleviation efforts in ethnic areas*

28. An outline plan for rural poverty alleviation and development (2011–2020) as drafted and implemented by the Chinese Government specifically increases support for former revolutionary base areas, ethnic areas and border areas. From 2011 to 2015, the poor population of the eight multi-ethnic provinces and regions dropped from 39.17 million to 18.13 million, a decrease of 21.04 million, for a poverty reduction rate of 53.7 per cent. The incidence of poverty fell from 26.5 per cent to 12.1 per cent, a drop of 14.4 percentage points. The number of rural poor people among ethnic minorities has been decreasing year by year: with comprehensive economic development in poor areas, significant improvements in basic infrastructure, steady progress in social infrastructure development and steadily increasing income levels, issues of survival and adequate food and clothing have basically been resolved for rural residents of poor ethnic-minority areas.

#### *Development of basic infrastructure*

29. From 2011 to 2015, total fixed-asset investment in the eight multi-ethnic provinces and regions reached 28,185.4 billion yuan, with an average annual growth rate of 20.7 per cent, far surpassing the overall national average growth by 4.9 percentage points. In 2015, total fixed-asset investment in the eight multi-ethnic provinces and regions was 7,320.1 billion yuan — 6.8 per cent more than the previous year, and an increase of 5,468.7 billion yuan over 2008, showing that average annual growth had attained 24.4 per cent. By the end of 2015, the eight multi-ethnic provinces and regions had 1.08 million km of highways, of which 26,981 km were expressways.

30. The Chinese Government is providing strong support for the building of basic infrastructure in the Xinjiang Uighur Autonomous Region. The Region's general public-budget revenue was 133.09 billion yuan in 2015, or 3.7 times the figure for 2008, and reflected a growth rate of 20.5 per cent per annum. Total fixed-asset investments in the Region surpassed the trillion-yuan mark for the first time in 2015, reaching a total of 1,081.3 billion yuan, 4.8 times the figure for 2008 and reflecting an annual growth rate of

25.6 per cent from the period 2008–2015. Construction has begun on a number of major infrastructure projects for water conservancy, transportation and key core industries related to overall development; 5,868 km of railways were in operation at the end of 2015, an increase of 7.4 per cent over the previous year, while the 178,300 km of highways (including 4,316 km of expressways) represented a 1.6 per cent increase over the previous year. With the completion of the second double-track Lanzhou-Xinjiang Railway, Xinjiang has entered a new era of high-speed rail operation.

#### *Fiscal transfer payments*

31. In 2010, the Ministry of Finance drafted measures for central Government transfer payments to local ethnic areas, containing explicit provisions on how transfer payment allocations are to be distributed, how they are calculated and how they are to be managed. All ethnic areas were covered under this policy by 2015.

32. In 2014, the central fiscal authorities continued increasing transfer payments to ethnic areas, allocating 52 billion yuan in such funds, an increase of 12.1 per cent over the previous year. Allocations to all eight multi-ethnic provinces and regions totalled 252.5 billion yuan in 2014, an increase of 10.9 per cent over the previous year. With the majority of ethnic areas having been brought into the scope of transfer payment coverage for national key ecological-function areas, transfer payments totalling 17.2 billion yuan were allocated in that category for those areas, for an increase of 12.9 per cent over the previous year. Accelerated development of ethnic minority provinces and regions was supported through border-area transfer payments with a total allocation of 8.59 billion yuan, an increase of 10.3 per cent over the previous year.

#### *Accelerating development of social infrastructure in ethnic areas*

33. From 2011 to 2015, Chinese Government investment in education, health care and culture in the eight multi-ethnic provinces and regions exceeded 43 billion yuan, effectively improving conditions for public education, health care and cultural activities for the people in those areas. Particular focus has also been placed on special construction projects for building secondary schools in ethnic-area counties with weak educational infrastructure, based on actual conditions in those areas. In 2014, the central Government investment budget of over 16.6 billion yuan supported the improvement of public education, health and cultural services in the eight multi-ethnic provinces and regions and promoted more equal access to basic public services.

#### *Environmental protection and resource conservation*

34. Since 2008, the Chinese Government has emphasized top-level design in strengthening environmental protection in ethnic areas, and it has been gradually broadening the scope of technical training in ethnic areas in connection with the mid-term assessment of the national planning document for environmental protection under the twelfth five-year plan. Xinjiang, Guangxi, Ningxia, Qinghai and the Xinjiang Production and Construction Corps have been designated as pilot areas in the national environmental-function zoning programme, while the Beihai ethnic area in Guangxi along with the Urumqi and Shihezi ethnic areas in Xinjiang have been designated as pilot cities in the urban environmental planning programme.

35. The establishment of an environmental compensation mechanism is being explored. Ethnic areas with important ecological-function areas are designated as national ecological-function zones; a policy of general fiscal transfer payments as ecological compensation is being implemented; and support for environmental protection in the eight multi-ethnic provinces and regions is being increased. Transfer payments by the central fiscal authorities to the eight multi-ethnic provinces and regions increased from 2.182 billion yuan in 2008 to 17.159 billion yuan in 2014. Furthermore, central Government budget investment allocations exceeded 3.5 billion yuan in 2014, supporting ten key energy-saving projects, major circular-economy and resource-conservation demonstration projects, urban sewage and waste treatment facilities and pollution-control projects in the five autonomous regions.

*Promotion of commercial production and trade*

36. In 2015, total import-export volume of the eight multi-ethnic provinces and regions reached US\$ 126.79 billion, a 98.9 per cent increase over 2010. Within that figure, exports alone accounted for US\$ 82.84 billion, a 118.9 per cent increase over 2010.

*Development of science and technology*

37. In November 2008, the State Ethnic Affairs Commission, the Ministry of Science and Technology, the Ministry of Agriculture and the China Association for Science and Technology jointly issued opinions on further strengthening science and technology work for ethnic minorities and ethnic minority regions. On 19 June 2011, the State Council General Office issued implementation guidelines for the 2011–2015 outline national programme plan for literacy in science; strengthening science education among ethnic minorities and in ethnic areas was explicitly mentioned among the key tasks outlined in that document.

38. A common key-technology research and demonstration application for information processing of written and spoken ethnic minority languages and an evaluation of distinctive ethnic-medicine techniques and their efficacy, including research on a platform technology for such techniques, are two national science and technology support programmes organized and implemented by the State Ethnic Affairs Commission that have received State funding support since 2008. The State Ethnic Affairs Commission, the Ministry of Science and Technology, the Ministry of Agriculture and the China Association for Science and Technology jointly organized a series of activities to raise awareness about science and technology in ethnic minority areas, such as bringing hundreds of experts in science, technology and wealth creation to ethnic areas and sponsoring lectures, training courses and consultation services in a wide range of scientific and technical topics by visiting specialists from various disciplines.

*Protection of traditional cultures*

39. On 5 July 2009, the State Council introduced its opinions on the further promotion and development of cultural initiatives in support of ethnic minorities. This document established the guiding ideology, basic principles and objectives and tasks for promoting and developing cultural initiatives of ethnic minorities; it specified 11 policies and measures in that regard.

40. In 2011, China promulgated and implemented the Intangible Cultural Heritage Law, which took on major significance for the transmission, protection and development of ethnic minority cultures. Yunnan, Inner Mongolia and Xinjiang have promulgated a series of local ordinances protecting the unique traditional cultures of ethnic minorities in those areas.

41. The Chinese Government has been expanding its efforts to salvage and protect valuable cultural relics and natural heritage in ethnic areas. With the establishment of arrangements to protect famous historical and cultural cities, towns and villages and the Catalogue of Traditional Chinese Villages, a group of such cities, towns and villages, including Lhasa in Tibet, Dali in Yunnan and Turfan in Xinjiang, have gained effective protection, as have traditional communities like Wengji and Nuogan villages of the Dai ethnic group in Yunnan, Dimen village of the Dong ethnic group in Guizhou and Nangang Gupai village of the Yao ethnic group in Guangdong. As of July 2015, cultural and natural heritage sites spread across many ethnic areas, including the Historic Ensemble of the Potala Palace in Tibet (encompassing the Jokhang Temple and the Norbulingka palace and park), the Old Town of Lijiang and the Three Parallel Rivers landscape in Yunnan, and the Jiuzhaigou and Huanglong scenic areas in the Aba Tibetan and Qiang Autonomous Prefecture, had been added to the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage List.

42. A large amount of precious intangible cultural heritage has been rescued, excavated and collated. As of December 2015, China had selected 12 ethnic minority projects for inclusion in the UNESCO Representative List of the Intangible Cultural Heritage of Humanity, along with a further four ethnic minority projects for inclusion in the UNESCO

List of Intangible Cultural Heritage in Need of Urgent Safeguarding; in addition, the establishment of 18 national experimental eco-cultural protection areas, 10 of which were in ethnic areas, had been approved. The State Council had announced a total of 1,372 representative national intangible cultural heritage projects in four groups, of which 479, or 34.9 per cent, were ethnic minority projects; it had also announced a total of 1,986 representative successors for national intangible cultural heritage projects in four groups, of whom 524, or 26.4 per cent, were members of ethnic minorities.

43. The rescue and collation of the ancient literature of ethnic minorities have yielded fruitful results. Publication of the *Annals and Collection of China Ethnic/Folk Literature and Arts*, comprising 450 million characters in 298 volumes (450 fascicles), was completed in October 2009. Publication of the *Annotated General Catalogue of Ancient Chinese Ethnic-Minority Literature* covering ethnic minorities nationwide was completed in December 2014.

#### *Leisure and sport activities*

44. As of December 2014, the national Junma Prize for ethnic minority writers had been successfully awarded ten times; the China Ethnic Minority Drama Festival had been successfully held three times; and there had been five successful national ethnic-minority folk arts performances. Since 2010, the State Ethnic Affairs Commission programme entitled “The Chinese nation is one family — grass-roots culture” had been presented successively in 30 cities and counties in 14 provinces and regions, including Yunnan, Ningxia, Zhejiang and Jilin, and had given nearly 30 theatrical performances for ethnic minorities and ethnic regions; it had also donated books, periodicals and audiovisual materials to more than 60 primary and lower-secondary schools in ethnic regions, and had conducted free clinical examinations for nearly 20,000 patients. In 2014, the State Ethnic Affairs Commission successfully held the first national performances of outstanding ethnic-minority dance. A rich variety of ethnic minority cultural activities have also been carried out in ethnic minority areas.

45. Joint artistic performances by ethnic minorities from across China, as well as traditional ethnic-minority sports competitions, are national-level cultural and sports activities. Such events enrich the cultural and sports activities of all ethnic groups and advance the development of ethnic minority culture and sports. By 2014, the National Ethnic Minority Arts Festival had been held four times, and the National Traditional Ethnic Minority Sports Meet had been held nine times. Also by 2014, the number of competitive events at the Meet had been expanded to 17, with over 100 exhibition events.

#### *Safeguarding of equal rights and the interests of scattered ethnic-minority populations*

46. According to statistics from the 2010 national population census, there are some 30 million persons in scattered ethnic-minority populations in China, representing approximately one third of the national ethnic-minority population overall. These individuals are spread out across over 98 per cent of the cities and counties in the country’s 31 provinces, autonomous regions and municipalities directly under the central Government.

47. China attaches very great importance to ensuring equal rights for scattered ethnic-minority populations. From 2011 to 2015, the State Ethnic Affairs Commission selected 35 cities, districts or neighbourhoods, divided into six groups across 29 provinces, regions and municipalities, in which to successively pilot programmes setting up systems to manage services for transient ethnic-minority populations. It has also been working to launch and promote the establishment of such systems, so as to provide practical protection for the lawful rights and interests of ethnic minorities, ensure that members of ethnic minorities arriving in cities enjoy the same work, social security, sanitation and educational benefits as permanent urban residents, and assist the transient ethnic-minority population to better integrate in the cities.

*Ongoing issues and difficulties*

48. China is a developing country, but the development of its various regions still lacks balance. Since 2008, the country's ethnic areas have undergone gratifyingly successful socioeconomic development. Notwithstanding their sustained economic growth, however, the ethnic areas are characterized by low openness to the outside world, sluggish capital-market financing, weak enterprise competitiveness and development of the manufacturing base, insufficient deployment of their comparative advantages, limited overall economic capacity, relatively large disparities in per capita economic indicators owing to large populations, and an overall economic level that has long lagged behind the national average as well as those of developed regions. In 2015, the regional GDP of the ethnic autonomous areas accounted for only 9.7 per cent of national GDP, and regional GDP per capita stood at 70.4 per cent of the national per capita level. Ethnic areas face generally unfavourable natural conditions; their development base is weak, and poverty there is broad and deep. In 2014, the impoverished rural population in ethnic areas stood at 22.05 million people, or 31.4 per cent of the impoverished rural population nationwide. Individual places face financial hardship and long-term debt, as well as obstacles in the way of building basic transportation, water conservancy, agricultural, energy, communication, environmental protection and urban infrastructure. The development of education, health care and cultural services in some areas is lagging, with deficits in basic public services, serious post-development after-effects and striking bottleneck conditions.

**C. Article 3**  
**The position of China on racial segregation**

49. China has consistently opposed and condemned all forms of racism, such as racial segregation and apartheid. The related content of paragraph 70 of the previous State party report remains valid. As a State party to the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Prevention and Punishment of the Crime of Genocide and the International Convention Against Apartheid in Sports, China has been making unremitting efforts together with the international community to achieve ethnic equality and oppose racial segregation, ethnic oppression and discrimination.

**D. Article 4**  
**Criminalization and punishment of incitement of racial prejudice**

50. All ethnic groups in the People's Republic of China are equal, and all persons are equal before the law. China prohibits all organizations or individuals from engaging in activities that advocate racial discrimination or incite ethnic hatred, and it punishes violators.

51. Articles 249, 250 and 251 of the Criminal Law set out appropriate definitions and sentencing criteria for criminal acts of incitement of ethnic hatred and ethnic discrimination. Further information on how the law courts handle racial discrimination cases is provided in section F below.

52. Article 9 of the amended Advertising Law, adopted at the fourteenth meeting of the Standing Committee of the Twelfth National People's Congress, on 24 April 2015, reiterates the Law's original prohibition of "any ethnically, racially, religiously or sexually discriminatory content" in advertising. Article 57 of the amended Law increases the punishment for violations of those provisions, including suspensions, fines or the revocation of inspection and approval documents for the advertising in question; in serious cases, business licences can also be revoked. In March 2014, for example, a business in Shaanxi Province produced a brand of instant noodles labelled as halal (denoting food that has been prepared in accordance with Islamic law), but pork was listed as an ingredient; that violated the regulations governing the use of that label. Consequently, under the Shaanxi Province administrative regulations on halal food production and operation, the

Shaanxi business was dealt with in accordance with the law, and it was ordered to remove the goods in question from shop shelves and destroy them.

53. In paragraph 17 of the concluding observations on its consideration of the previous State party report, the Committee referred to the cases of serious criminal violence, vandalism and arson that occurred in Lhasa, Tibet, on 14 March 2008 and in Urumqi, Xinjiang, on 5 July 2009. The trial proceedings in the relevant Chinese courts with regard to these two cases of serious criminal violence were carried out in strict accordance with the relevant provisions of the Criminal Procedure Law; except where otherwise stipulated under the law, all hearings were carried out in open court. For cases not subject to open trial according to provisions of the law, it is nonetheless ensured that the accused receives a fair trial. All procedural rights of the accused were protected in accordance with the law throughout the trial proceedings in all the cases. In cases where the accused were members of an ethnic minority, the trials were conducted by panels made up of ethnic minority judges, or else translators were provided for the ethnic minority defendants. All defendants had defence lawyers who took part in the proceedings; in addition to the accused exercising the right to argue in their own defence, their defence lawyers also mounted full defence arguments on their behalf. During the court investigation phase, each item of evidence was examined, cross-checked and verified in accordance with the provisions of the Criminal Procedure Law. At the court debate and final presentation stage, the accused and their defenders all made full arguments and statements. The customs and personal dignity of the ethnic minority defendants were respected. The trial proceedings and judgments for these cases were open and transparent. For cases tried in open court, the People's Court publicly posted the trial times and locations on the court bulletin board three days before the start of each trial; family members of the accused were present in court during the trial proceedings and sentencing, and many members of the community also attended the trial proceedings. For those cases that were tried in closed session, sentencing was announced in open court in accordance with the law and with the defendants' family members and the public in attendance.

54. The equality of all persons before the law is an important principle established by the Chinese Constitution; the Criminal Law and the Criminal Procedure Law clearly stipulate that the law shall be applied equally to any person who commits a crime. Whoever violates Chinese criminal law or commits a criminal offence shall be investigated for criminal responsibility in accordance with the law, regardless of the ethnicity, race or religious belief of the person involved.

## **E. Article 5**

### **Rights enjoyed by ethnic minorities in accordance with the law**

55. In China, citizens of all ethnic groups equally enjoy all rights stipulated in the Constitution and by law. Ethnic minorities also enjoy special policies and treatment in accordance with the law. Paragraphs 81 and 82 of the previous State party report remain valid in this regard.

#### **1. Guaranteeing the right of ethnic minorities to manage State affairs**

56. In paragraph 18 of the previous concluding observations, the Committee recommended that China should provide detailed information on the representation of ethnic minorities in public life, with an indication of the level of representation in higher-level positions. Members of 55 ethnic minority groups in China enjoy all the same rights as those of the Han ethnic group, including those relating to public service and political life, and they are represented in the State's highest level of authority, the National People's Congress. Further details are provided in paragraphs 57 to 62 below.

57. Under the Law on Elections for the National People's Congress and People's Congresses at All Local Levels, equality among ethnic groups is ensured in elections for the National People's Congress. Electing deputies based on equal urban and rural population ratios ensures that all ethnic minorities have an appropriate number of representatives. Of the 2,987 representatives to the Twelfth National People's Congress, 409 are members of

ethnic minorities, accounting for 13.69 per cent of the overall total. All 55 ethnic minorities, including those with relatively small populations, such as the Tatars, are represented by deputies of their own ethnicity. Moreover, the 26 ethnic minority members of the Standing Committee of the National People's Congress account for 16.15 per cent of the overall total. Ethnic minorities also have appropriate numbers of representatives in local people's congresses at all levels. Furthermore, the committees of the Chinese People's Political Consultative Conference (CPPCC) at all levels are important channels for the involvement of ethnic minorities in managing State affairs, political consultation, democratic oversight and the exercise of their right to participate in government and political affairs. Of the 2,237 members of the twelfth session of the CPPCC National Committee, 258 are members of ethnic minorities, accounting for 11.53 per cent of the overall total. Representatives of all ethnic minorities have entered the CPPCC National Committee, whose Standing Committee includes 38 ethnic minority members, equivalent to 12.71 per cent of that body's total membership. The foregoing proportional figures all exceed the 8.49 per cent proportion of ethnic minorities in the general population, according to the sixth national population census.

58. Under procedures defined by law, all members of ethnic minorities may enter and hold appropriate posts in administrative organs at all levels as well as enterprise and institutional regulatory agencies or people's organizations, and they may fully participate in the management of State, local and social affairs. The number of cadres from ethnic minorities has steadily increased, and a large number of outstanding ethnic minority cadres have taken up leadership posts at all levels; there has been a continuous increase in the number of ethnic-minority civil servants in recent years. In 2013, the proportion of minority civil servants in the country reached 10.4 per cent, higher than the proportion of ethnic minorities in the overall population.

59. The information regarding conditions in Tibet and Xinjiang in paragraph 85 of the previous State party report remains valid. In Tibet, deputies of the Tibetan and other ethnic minorities have always held an absolute majority among the deputies to the people's congresses at all levels. Of the 34,244 deputies directly or indirectly elected to people's congresses at the four levels in 2012, the 31,901 representatives of Tibetan and other ethnic minorities accounted for more than 93 per cent, and the Monpa, Lhoba, Naxi, Hui and Zhuang ethnic groups also had their own representatives. There are 20 deputies from the Tibet Autonomous Region in the National People's Congress, of whom 12 are ethnic Tibetans, and the Monpa and Lhoba ethnic groups each have one deputy. Of the 44 deputies on the Standing Committee of the Tenth People's Congress of the Tibet Autonomous Region, 25 are members of the Tibetan or other ethnic minority groups, along with 8 of the 14 chairs and vice-chairs of the Standing Committee. In 2013, 24 (or 52.17 per cent) of the province-level cadres in Xinjiang were members of the Tibetan or other ethnic minority groups.

60. The right of ethnic minorities to manage State affairs is guaranteed by enhancing the overall quality and ability of ethnic minority cadres through cadre education, training and temporary secondment. Since 2008, just the agencies belonging to the State Ethnic Affairs Commission alone have provided training for some 70,000 ethnic minority cadres. Ethnic minority cadres are being promoted into important grass-roots and first-line positions for training, especially outstanding ethnic minority cadres, who are being selected for temporary-secondment training in central Government ministries and commissions, State-owned enterprises under central Government jurisdiction and areas with relatively developed economies. Since 2008, such temporary-secondment training has been organized for some 3,000 ethnic minority cadres in ethnic areas.

## **2. Guaranteeing the right of ethnic minorities to manage their affairs within their own ethnic groups**

61. The information regarding the system of regional autonomy in the ethnic areas of China provided in paragraph 87 of the previous State party report remains valid. That system is one of the basic political systems of China, and it is an important factor in and systemic guarantee of the correct solution, with Chinese characteristics, for ethnic issues. Relevant provisions of articles 17 and 18 of the Law on Regional National Autonomy

provide guarantees regarding the representation of ethnic minorities in public life. Chairs of autonomous regions, governors of autonomous prefectures and heads of autonomous counties are to be members of the ethnic group exercising regional autonomy in the area concerned. Other posts in the people's governments of those areas should, whenever possible, be assumed by members of the ethnic group exercising regional autonomy and of other ethnic minorities in the area concerned. Moreover, the numbers of autonomous regulations and locally specific regulations in effect in ethnic minority areas have reached 139 and 696 respectively. There are also regulations protecting the rights and interests of ethnic minorities in more than ten provinces, autonomous regions and municipalities directly under the central Government. Special attention to ethnic minorities and ethnic areas is reflected in legislative activities at all levels.

62. In order that ethnic minorities living outside their own autonomous areas or who are not yet exercising regional autonomy may enjoy the right to autonomously manage their affairs within their own ethnic groups, the Chinese Government has also established ethnic townships in places where ethnic minorities live in concentrated communities at what corresponds to the township level. By 2015, a total of 991 ethnic townships had been established in China, and 9 of the 11 ethnic groups not yet exercising regional autonomy had established ethnic townships. The establishment of ethnic townships plays an important role in safeguarding the right of dispersed ethnic minorities to manage their own internal affairs and has become an important complement to regional ethnic autonomy.

63. In paragraph 13 of the previous concluding observations, the Committee raised the possibility that the system of granting incentives to work and settle in the autonomous minority regions could result in substantive changes in the demographic composition of those regions. For accelerating the economic and social development of ethnic areas, however, talent is key. The State has introduced a number of policy incentives to attract talented people in all areas of specialization to poverty-stricken ethnic minority areas and inspire them to make contributions there. For example, drawing on the planning document prepared for the strategy for opening up the western regions under the twelfth five-year plan, China implemented a talent-support programme for outlying poverty-stricken areas, frontier minority areas and former revolutionary base areas. Under the programme, leading teachers, doctors, scientific and technical personnel, social workers and cultural workers were steered towards working or providing services in the aforementioned areas; each year, priority was given to the support and preparation of 10,000 urgently needed professional and technical personnel. Based on the planning document for ethnic minority support activities under the twelfth five-year plan, China made further efforts to lend assistance to talented people in hardship and remote ethnic areas, encourage the growth and entrepreneurship of talented people of all kinds in ethnic areas, and support and attract talented people in all disciplines to develop and start ventures in ethnic areas. Moreover, ever since China adopted a market economy, ethnic minority people have been going to ethnic Han areas and the ethnic Han population has been going to ethnic minority areas to engage in trade, tourism and learning activities. This two-way population flow, which has greatly increased in frequency and volume, is conducive to enhanced understanding and mutual cooperation among all ethnic groups, and it is also conducive to their development. On the whole, the population structure of all ethnic groups in the ethnic areas of China has not greatly changed; compared with the previous census, the latest census indicates that the proportion of the ethnic minority population in the five autonomous regions has not changed significantly. Census-based tables showing the proportion of the ethnic minority population to the overall population in the five autonomous regions are provided in annex 9.

### **3. Guaranteeing the right of ethnic minorities to use and develop their own languages and writing systems**

64. China has an ethnic minority population of 114 million people. Aside from the Hui and Manchu ethnic groups, among whom spoken and written Mandarin are universally used, the other 53 ethnic minority groups have their own languages; 22 of those groups use a total of 28 kinds of writing systems among them. Some 60 million members of ethnic minorities in China use the language of their particular ethnic group, and roughly 30 million use their group's own writing system. At the national level, 13 laws, including the

Constitution, the Regional National Autonomy Law, the Criminal Procedure Law and the Compulsory Education Law, contain provisions relating to ethnic languages; additionally, there are 27 relevant administrative regulations and regulations of the State Council and its functional departments, such as the Provisions of the State Council on the Implementation of the Law on Regional National Autonomy. In ethnic autonomous areas, specific regulations for efforts in support of ethnic languages have been drawn up in all localities, in addition to the relevant provisions of the regulations on the exercise of autonomy, and individual regulations have been formulated in some places.

65. China not only allows citizens to use minority languages in public institutions at all levels, but it has also created ethnic-language work-management networks at the national, provincial/regional, prefectural/league and county levels and a cooperation system linking provinces and regions. Ethnic minority language-work institutions have been set up from the central to the local levels in China, and governments in places with relatively large ethnic minority populations have set up internal institutions responsible for the spoken and written languages of ethnic minorities.

66. Spoken and written ethnic minority languages are used in the administrative and judicial fields. At meetings of major bodies, such as the National Party Congress, the National People's Congress and the CPPCC, documents are provided in the scripts of the Mongol, Tibetan, Uighur, Kazakh, Korean, Yi and Zhuang ethnic groups, and simultaneous interpretation facilities have been set up. At meetings held in ethnic minority communities, one or more of the spoken and written languages common in those communities are used. Many ethnic area governments distribute important documents and texts of laws and regulations at the grass-roots level in both Mandarin and ethnic-minority written languages. In ethnic autonomous areas, where conditions permit, judicial departments publish judgments, notices and other documents in the writing systems commonly used in the locality.

67. Spoken and written ethnic minority languages are used in the fields of journalism and publishing. Many books, magazines and newspapers are published in ethnic scripts in China, and they involve numerous languages. There are currently 32 publishing houses of all kinds for books in ethnic scripts, accounting for roughly 6 per cent of the total number of publishers nationwide. Distributed across 13 provinces, autonomous regions and municipalities directly under the central Government, they cover most of the ethnic areas throughout the country. They publish around 4,000 titles yearly in 27 ethnic scripts, with a total print run of 50 million copies, corresponding to roughly 5 per cent of books printed nationally. Moreover, some 103 newspapers, or 5.4 per cent of the national total, are published in ethnic scripts, along with 227 periodicals, or 2.3 per cent of the national total.

68. Spoken and written ethnic minority languages are used in radio, film and television. As of 2015, there were approximately 200 broadcasting stations throughout the country, broadcasting in 25 ethnic minority languages. Province- or region-level television stations in Inner Mongolia, Xinjiang, Tibet, Qinghai and Guangxi broadcast programming in the Mongolian, Uighur, Tibetan and Zhuang languages. With the spread of satellite transmission by these television stations, their programmes in ethnic minority languages are becoming available throughout the country. State television in Tibet has instituted 24-hour rolling broadcasts of its programmes. Television stations in ethnic areas at the prefectural level and below also broadcast programming in more than ten ethnic languages and dialects, including Mongolian, Uighur, Tibetan, Zhuang, Korean, Kazakh, Kyrgyz and Dai.

69. The normalization, standardization and information processing of spoken and written ethnic minority languages are being promoted. Standards have been developed for the pronunciation, orthography and Chinese-character transcription of ethnic minority names for traditional spoken and written ethnic minority languages in common use, including Mongolian, Tibetan, Uighur, Kazakh, Korean, Yi and Dai. New terminology is released on a regular basis.

70. Work on the rescue and protection of endangered ethnic minority languages is being intensified. Like many countries throughout the world, China has some languages that are in endangered status. The Chinese Government has organized and implemented a project for the protection of language resources in China with a view to investigating, preserving,

exhibiting and developing the use of those language resources, including endangered languages of ethnic minorities.

#### **4. Guaranteeing the enjoyment by ethnic minorities of their right to education and training**

71. The Chinese Government effectively guarantees the right of ethnic minorities to receive higher education. Major measures taken in this regard include increasing the presence of institutions of higher learning in ethnic areas, extending preferential treatment to ethnic minority students in the national unified entrance examinations and graduate entrance examinations for admission to institutions of higher learning, establishing preparatory and other courses specifically aimed at attracting ethnic minority students to colleges and universities, and continuing to implement programmes to train key high-level ethnic-minority graduate students at the master's and doctoral levels. In 2014, there were a total of 288 institutions of higher learning in the eight multi-ethnic provinces and regions, which was an increase of 46, or nearly 20 per cent, over 2008; in 2013, the proportion of ethnic minority students among undergraduate/junior-college and graduate students nationwide had grown to 7.47 per cent and 5.99 per cent, respectively, from their 2008 levels of 6.33 per cent and 4.59 per cent. According to the sixth national population census, conducted in 2010, the proportion of members of 16 ethnic minorities aged 6 or over, including Russians, Koreans, Mongolians and Manchus, with education at a junior college/undergraduate or higher level exceeded the national average.

72. By the end of 2014, there were a total of 31 ethnic institutes and colleges throughout China, of which 21 were undergraduate colleges and 10 were higher vocational colleges; of the undergraduate colleges, 15 were comprehensive colleges and 6 were teachers' or medical colleges. There were a total of more than 360,000 students in school at these 31 ethnic institutions, more than 50 per cent of whom were ethnic minority students. The top ethnic institution of higher learning, Minzu University of China, receives substantial support from the State.

73. The Chinese Government vigorously supports the implementation of compulsory education for ethnic minorities. By 2011, ethnic areas throughout China had basically achieved the goals of universal nine-year compulsory education and the elimination of illiteracy among adolescents and young adults, in step with the country as a whole.

74. In 2013, there were 107,392 ethnic minority graduate students and 1,844,503 ethnic minority junior college students in China, representing increases of 82.33 per cent and 44.11 per cent respectively over the corresponding 2008 figures. The number of primary and lower-secondary school students coming from an ethnic minority stood at 7,228,824, proportionally exceeding the ethnic minority population of the country as a whole. A complete system of education from kindergarten to higher education has been instituted in ethnic areas, and the average number of years at school has significantly improved for ethnic minorities.

75. With regard to the Committee's recommendation, in paragraph 23 of the previous concluding observations, that more information be provided on illiteracy rates among the different ethnic groups and among men and women, details are provided in annex 10.

76. With regard to the Committee's recommendation contained in paragraph 22 of the previous concluding observations, relevant bilingual education policies are being implemented. Bilingual education generally refers to education in which the national language and script (Mandarin) and the language and script of a particular ethnic group, or the ethnic languages and scripts commonly used in the locality, are used in primarily ethnic minority schools and educational institutions. The Chinese Government attaches great importance to bilingual education work with ethnic minority students. The Chinese Constitution, Regional National Autonomy Law, Education Law and the Standard Spoken and Written Chinese Language Law all contain explicit provisions regarding the development of bilingual education. Because the situation is complicated by the large number and great variety of spoken and written ethnic minority languages in China, different ethnic areas are actively exploring many types of bilingual education models in line with their local conditions. Some prioritize class instruction in ethnic languages and

literatures, with the addition of instruction in Mandarin language and literature; others prioritize class instruction in Mandarin language and literature, with the addition of instruction in ethnic languages and literatures. Still others conduct some classes using ethnic languages and scripts, and other classes using Mandarin language and script. By 2015, some 10,000 schools throughout the country were conducting bilingual education in the scripts of 21 ethnic groups, covering a student population of several million. Bilingual education is also being developed in ethnic institutes and colleges as well as in some secondary schools in ethnic autonomous areas.

## **5. Promoting employment among ethnic minorities**

77. Paragraphs 78 to 81 below are in response to the Committee's recommendation, in paragraph 25 of the previous concluding observations, that employment opportunities for members of ethnic minorities should be increased.

78. The Chinese Government attaches importance to the employment of members of ethnic minorities, and provisions prohibiting employment discrimination against ethnic minority workers are included in many laws and regulations, such as the Regional National Autonomy Law, Labour Law, Employment Promotion Law and the Provisions of the State Council on the Implementation of the Law on Regional National Autonomy.

79. Since 2008, the Chinese Government has taken numerous measures to promote the employment of members of ethnic minorities. It has adopted a more proactive stance, encouraging ethnic areas to give employment work a prominent position in their economic and social development, strengthening the coordination of employment policies with fiscal, financial, industrial and trade policies, actively developing new areas of employment, improving and implementing policies to encourage entrepreneurship and cultivating new sources of employment growth.

80. There is a focus on obtaining good results in the employment of ethnic-minority college graduates. A series of supportive policies have been introduced, aimed at developing targeted employment services to broaden employment channels, encourage enterprises to absorb graduates, boost independent entrepreneurship as well as participation in employment and on-the-job training, develop employment support and assistance, and promote fair employment. Special recruitment activities aimed at college graduates from Tibet, Qinghai and Xinjiang are being organized in key State-owned enterprises, taking full advantage of the counterpart assistance mechanism. Promoting employment of ethnic-minority college graduates from Tibet, Qinghai and Xinjiang is being made a major element of government assistance to these locales, and developing recruitment activities of all kinds for local college graduates receiving assistance, to help them obtain employment as rapidly as possible.

81. Good work is also being done in recruiting ethnic-minority civil servants. Under the provisions of the Law on Regional National Autonomy, a series of measures have been introduced in ethnic autonomous areas to provide support for ethnic minority candidates for civil service examinations. These measures include producing dedicated hiring plans and positions, lowering requirements for registration, lowering minimum scores for admission and allowing candidates to use their own ethnic languages when sitting the exams. Ethnic autonomous areas taking one or more of these measures, in line with local conditions, have effectively raised the proportion of ethnic-minority civil service examinees who are recruited.

## **6. Improving health and sanitation for ethnic minorities and making the social welfare system more robust**

82. Paragraphs 83 to 88 below are in response to the Committee's recommendation, in paragraph 24 of the previous concluding observations, that efforts to address the persistent health disparities affecting persons belonging to ethnic minorities should be intensified.

83. Since 2008, to promote the development of health care in minority areas, the relevant departments of the State Council have introduced a series of policy documents on promoting the development of health initiatives in the Ningxia Hui Autonomous Region, supporting breakthrough development of health initiatives in Xinjiang, promoting

breakthrough development of Tibet's health initiatives and accelerating the development of health initiatives in the Tibetan areas of Sichuan, Yunnan, Gansu and Qinghai provinces, along with a notice concerning issuance of implementation rules for fully applying the spirit of the second Central Committee Work Forum on Xinjiang to promote the scientific development of sanitation and health-care initiatives in ethnic areas.

84. By 2015, the central fiscal authorities had allocated 192.6 billion yuan in transfer payments to support the development of basic health-care infrastructure, health and family-planning personnel training, basic public health services, basic family planning services, and major infectious and endemic disease prevention and control work in the ethnic areas of Xinjiang, Tibet, Inner Mongolia, Ningxia, Guangxi, Qinghai, Yunnan and Guizhou.

85. The health conditions of all groups in ethnic areas are steadily improving. Life expectancy has substantially increased; data from the sixth national population census, conducted in 2010, indicate that it has reached 75.11 years in Guangxi, exceeding the national average (74.83 years), and it is gradually nearing the national average in other ethnic areas. Rates of maternal and infant mortality are decreasing substantially and had already fallen below the national average in Inner Mongolia, Guangxi and Ningxia in 2013. Birth-defect prevention services are steadily improving, with the universal launching of free pre-pregnancy check-ups and folic-acid supplements as well as neural-tube defect prevention programmes nationwide; rural ethnic-minority married couples enjoy access to free pre-pregnancy exams and folic-acid supplements. Health resources in ethnic areas are likewise steadily increasing. In Inner Mongolia, Qinghai, Ningxia and Xinjiang, the number of beds in health-care facilities, as well as the number of technical health personnel, per thousand population have both exceeded the national average. In Inner Mongolia and Xinjiang, the number of practising physicians and assistant physicians, as well as the number of registered nurses, per thousand population again exceeded the national average.

86. The new rural cooperative medical care system has been steadily improving in recent years. Participation rates have stabilized above 95 per cent, and standards for government subsidies had risen from 20 to 380 yuan per capita by 2015. The reimbursement rate for hospitalization expenses covered by relevant policies has been raised to about 75 per cent, with maximum support payments rising to 200,000 yuan from no more than 30,000 yuan in 2008. The scope of insurance coverage has also been expanded to include outpatient services as well as inpatient care, and a pilot project covering 22 major illnesses is currently under way. As at 2015, the central Government had invested 23.5 billion yuan in support of 25,000 health and family-planning projects, and it was working to improve conditions for primary health care services in urban and rural ethnic areas. Led by the county hospitals, the three-tier rural health-services network based on town and township health clinics and village health centres has been gradually taking shape, to the point that the goal of every rural village and township having its own health centre and every county its own county hospital has basically been reached.

87. There are some 200 hospitals throughout China in which the folk medicine of one or more of 15 ethnic groups is practised. In ethnic areas, most traditional Chinese-medicine hospitals, town and township health clinics and some general hospitals have set up ethnic-medicine departments covering the folk medicine of 18 ethnic groups. The vast majority of village health centres in ethnic areas, as well as some health-care facilities in local communities, are able to provide ethnic-medicine services. By the end of 2015, a total of 12 educational institutions were offering specialties related to ethnic medicine, and some 16,000 students were enrolled in ethnic-medicine universities and colleges throughout the country. Moreover, specialized qualification examinations in Tibetan, Mongolian, Uighur and Dai ethnic medicine have been developed, and there are now nearly 10,000 ethnic practising physicians and assistant physicians nationwide.

88. Since 2008, social welfare systems in ethnic areas have been steadily improving, with rising levels of assistance and gradually improving insurance standards of all types. In 2015, the central fiscal authorities, continuing to increase the preferential allocation of grant support for the eight multi-ethnic provinces and regions, allocated 32.26 billion yuan in subsistence-allowance assistance funds, accounting for 27.5 per cent of the overall national figure for urban subsistence-allowance funds. A further 3.88 billion yuan in medical-aid

assistance funds was allocated, accounting for 27.5 per cent of the national total, along with 1.09 billion yuan in temporary-assistance funds, accounting for 25.9 per cent of the national total.

## **7. Respecting and guaranteeing the right of ethnic minorities to enjoy freedom of religious belief**

89. China is a unified multi-ethnic country and is also a country with a variety of religions. The Constitution states that “citizens of the People’s Republic of China enjoy freedom of religious belief”. The Chinese Government respects and guarantees the right of ethnic minorities to freedom of religious belief. Paragraphs 90 to 96 below are in response to the Committee’s recommendation in paragraph 20 of the concluding observations on its consideration of the previous State party report.

90. Chinese citizens are free to practise or not to practise a religion. Most of the ethnic minority people in China have religious beliefs, and certain religions are commonly practised in some ethnic groups, such as the Tibetans, most of whom practise Tibetan Buddhism. A number of ethnic groups practise the same religion, such as the ten ethnic groups in China among whose members the practise of Islam is common. The Law on Regional National Autonomy stipulates that “the organs of self-government of national autonomous areas shall guarantee the freedom of religious belief to citizens of the various nationalities”.

91. As the Chinese Government endeavours to promote the progress of economic, cultural and educational initiatives in ethnic minority areas and enhance the material and cultural well-being of people, including those who profess a religious belief, in ethnic minorities across the board, it pays special attention to respecting the religious beliefs of ethnic minorities and to protecting their cultural heritage. It investigates, collects, collates, studies and publishes the heritage of the cultures (including religious cultures) and folk arts of all ethnic groups. The State also invests a great amount of capital in the maintenance of temples and religious sites of important historical and cultural value in ethnic minority areas.

### *Buddhism*

92. The Chinese Government consistently respects and protects the right of Tibetans and other ethnic minorities to freedom of religious belief, and the policy of freedom of religious belief has been fully implemented in Tibet and in the Tibetan areas of four provinces. The State protects normal religious activities in accordance with the law, and it respects and guarantees the freedom of all ethnic minorities in Tibet, and especially of the Tibetan people as a whole, to live, perform their normal religious duties and ceremonial activities, and take part in major religious and folk-holiday activities according to their own traditional customs and inclinations. For example, in 2014, practical work carried out by the Government with regard to protecting religion and culture in Tibet and four other provinces included further assisting religious communities with the upkeep of temples and shrines, improving the protection of cultural relics and the collation of classic religious texts, supporting Buddhist religious education and the building of Buddhist studies institutes, and respecting Tibetan folkways and customs. As of 2015, there were 3,542 temples and shrines in Tibet and other Tibetan areas, with 140,000 monks and nuns; of these, there were 1,780 Tibetan Buddhist temples and shrines in Tibet proper, with 46,000 monks and nuns.

### *Christianity and Catholicism*

93. China has published the Bible in a total of eight ethnic minority languages. In 2015, the two major Christian organizations (the China Christian Council and the National Committee of the Three-Self Patriotic Movement of the Protestant Churches in China) conducted a training course for bilingual ministers of churches located in ethnic minority areas; the course was attended by 200 local ministers from ethnic minority areas in Yunnan, Guizhou and Guangxi. At the national level, the two organizations plan to continue conducting the course over a five-year period, with the aim of gradually alleviating the current shortage of bilingual ministers in ethnic minority areas in Yunnan, Guizhou and Guangxi. In 2015, the two organizations successfully convened a conference of

theological-reconstruction preaching teams for south-western China in Guiyang. Preaching team members gave sermons on the theme of “The Gospel and Christian witnessing”, and they then fanned out to preach in locations throughout Guizhou.

94. There are around 150,000 members of the Manchu, Mongol, Tibetan, Miao and Zhuang ethnic minorities who profess the Catholic faith in China. There are two bishops (one each from the Tujia and Manchu ethnic minorities) and more than 30 priests and 30 nuns; the right of these ethnic minority members of Catholic religious communities to freedom of religious belief is fully respected and protected. The Chinese Government also invests capital in the maintenance and protection of Catholic churches whose architecture displays ethnic minority characteristics, and it accommodates the needs of ethnic minority Catholics to engage in normal religious activities.

#### *Islam*

95. The Islamic faith is common among members of the Hui, Uighur, Kazakh, Kyrgyz, Uzbek, Tajik, Tatar, Dongxiang, Salar and Bao’an ethnic minorities. According to data from the sixth national population census (conducted in 2010), the current population of these ten ethnic minorities is 23.14 million. They are distributed throughout China but are mainly concentrated in Xinjiang, Ningxia, Gansu, Qinghai and Henan. In accordance with their religious doctrines, rules and customs, Muslims worship, fast, give sermons and recite the Qur’an in public venues for religious activities and in their own homes.

96. The Chinese Government respects and protects the freedom of religious beliefs as well as the customs of Muslims. As at 31 December 2013, a total of 39,177 venues for Islamic religious activities (mosques and other permanent facilities) had been built throughout the country, accounting for roughly 29.7 per cent of all religious activity venues in China, and there were some 50,000 Islamic clergy. Muslims undertake organized hajj pilgrimages to Saudi Arabia. In recent years, the number of yearly participants has exceeded 10,000, with 14,500 participants in 2015 alone. The Chinese Government assists these hajj pilgrims with transportation, medical care, sanitation, meals and lodging; it also allocates funds to support efforts undertaken in the Islamic community to maintain and repair old mosques and other venues for religious activity, so as to ensure the safety of Islamic believers’ religious activities as well as the personal safety of the believers themselves. The folkways and customs of ethnic minority Muslims with regard to diet, marriage, funerals and religious festivals are respected.

### **8. Respecting and protecting the customs and traditions of ethnic minorities**

97. Paragraphs 98 to 100 below are in response to the Committee’s recommendation in paragraph 21 of the previous concluding observations.

98. Many ethnic minorities in China have special customs in such areas as diet and dress; among these, the ten ethnic minorities that follow Islam customarily eat halal food. The Chinese Government has included halal foods on its list of daily-use articles specific to ethnic minorities. In 2014, the State Ethnic Affairs Commission of China licensed 737 businesses as designated manufacturers of halal foods, effectively resolving the problem of supplying 23 million members of ethnic minorities with the necessities of daily life. In February 2014, the relevant national government departments issued a notice of the State Council Office of Food Safety and other departments on regulating halal food production and operations, further strengthening the monitoring and management of halal foods and regulating their certification and evaluation.

99. The Chinese Government respects ethnic minority funeral and interment customs, such as cremation, earth burial, water burial and sky burial. Article 6 of the Regulations on Funeral and Interment Control, amended by the State Council on 9 November 2012, provides that “[f]uneral and interment customs of ethnic minorities shall be respected”. In order to respect the burial customs of the ten — Hui, Uighur, Kazakh, Uzbek, Tajik, Tatar, Kyrgyz, Salar, Dongxiang and Bao’an — ethnic minorities and overcome the difficulty of low per-capita land tenure in China, land is being specially allocated for the construction of public burial grounds.

100. The Chinese Government guarantees the right of ethnic minorities to celebrate their own ethnic festivals, stipulates leave provisions for ethnic minority festival days, provides venues for festival activities and ensures the supply of articles for festival use.

## **9. Guaranteeing the rights of ethnic minority women**

101. The Chinese Government pays great attention to protecting the rights of ethnic minority women, who enjoy equal rights in the political, economic, educational and cultural spheres. It adopts policies that are respectful of and protect the special customs and cultures of ethnic minority women, as for example the protection and guarantees afforded them in such areas as marriage customs, childbearing and religious beliefs. According to the sixth national population census, there were 54.67 million ethnic minority women in China, accounting for 48.8 per cent of the overall ethnic minority population and 8.4 per cent of the overall population of women in China. Under the provisions of article 48 of the Constitution, women enjoy equal rights with men in all spheres of political, economic, cultural, social and family life. China has drafted a law on the protection of women's rights and interests to legally and institutionally guarantee all rights of Chinese women, including ethnic minority women. The Chinese Government drafted and enacted medium- to long-term planning outlines for women's development in China for the periods 2001–2010 and 2011–2020, effectively guaranteeing the lawful rights and interests of women, especially ethnic minority women, and promoting women's comprehensive development. In 2015, the National People's Congress passed amendment (IX) to the Criminal Law and introduced the Anti-Domestic Violence Law to more effectively prevent, suppress and punish violence against women, including ethnic minority women. The Chinese Government is conscientiously implementing the Convention on the Elimination of all Forms of Discrimination Against Women, and in 2014 it agreed to the consideration, by the United Nations Committee on the Elimination of Discrimination against Women, of the seventh and eighth reports of China on its implementation of that Convention.

102. Given that the great majority of ethnic minority women live in mountainous or pastoral regions with poor sanitation, the Chinese Government is allocating special funds for the establishment of health-care services for women and children in ethnic areas, increasing medical facilities and personnel, publicizing information about women's and children's health maintenance and providing training in new obstetric techniques. These measures help to promote and protect the health of ethnic minority women, lower maternal mortality rates and raise the average life expectancy of ethnic minority women. In this connection, the All-China Women's Federation has distributed two sets of bilingual books, each set comprising four illustrated volumes, to 2 million Uighur households in southern Xinjiang, for a total of 16 million volumes in all. These books are a rich source of knowledge on such topics as women's health, child-rearing and family life.

## **F. Article 6 Legal protections and remedies**

### **1. Strengthening judicial and prosecutorial capacity-building in ethnic minority areas**

103. Chinese courts emphasize the education and training of bilingual judges in ethnic minority areas, and full play is given to the judicial training centres at Lhasa in Tibet, Zhouqu in Gansu and Urumqi in Xinjiang to move forward with the implementation of the Thousand Talents Plan to train bilingual judges and continuously improve the quality of judges in ethnic minority areas. Following its reorganization in December 2015, the China Judgments Online website added public court documents in five ethnic minority languages; it has become a widely used judicial case library as well as the most influential judicial documents website in the world. Procuratorates in China are intensifying their efforts to educate and train procurators in ethnic minority areas; each year they organize educational support and teaching tours in ethnic minority areas by teams of lecturers and outstanding procuratorial colleagues to train procurators in ethnic minority areas such as Tibet and Xinjiang. The training of bilingual procurators is being strengthened in ethnic minority

areas, especially as centres for training bilingual Uighur-Mandarin and Tibetan-Mandarin procurators are being completed in the Xinjiang and Tibet regions.

## **2. Protecting the right of ethnic minorities to participate in legal proceedings in their own languages**

104. At its fifth meeting, on 14 March 2012, the Eleventh National People's Congress adopted a decision to amend the Criminal Procedure Law; this decision went into effect on 1 January 2013. Article 9 of the amended Law provides that citizens of all ethnicities have the right to use the spoken and written languages of their own ethnic group in court proceedings and that the people's courts, the people's procuratorates and the organs of public security shall provide translation services for any party to court proceedings who is not familiar with the spoken and written language commonly used in the locality. Where people of an ethnic minority group live in a concentrated community, or where members of different ethnic groups live together in one area, the spoken language commonly used in the locality should be used to conduct court hearings, and judgments, notices and other documents should be issued in the written language commonly used in the locality. Article 11 of the Civil Procedure Law also stipulates the principle that court proceedings should be conducted in the spoken and written languages of the local ethnic group. Article 9 of the Administrative Procedure Law provides that citizens of all ethnicities have the right to use the spoken and written languages of their own ethnic group in court proceedings. This principle has been fully implemented in judicial practice.

## **3. Protecting the right of lawyers to exercise their profession**

105. In paragraph 19 of the concluding observations on its consideration of the previous State party report, the Committee recommended that protection of lawyers' freedom to exercise their profession should be strengthened. The provisions of the Criminal Procedure Law concerning the system of advocacy have been improved, and the scope of protection of lawyers' rights and interests has been broadened. This primarily includes: (1) clearly specifying that lawyers can act as defence counsel during the investigation stage; (2) improving lawyer interview procedures; (3) improving lawyers' case-file review procedures; (4) expanding the application scope of legal aid; (5) creating specific provisions for jurisdiction in cases involving perjury by defence counsel; and (6) specifying relief procedures when judicial authorities or their staff interfere with the right of defence counsel to litigate in accordance with the law.

106. At its twenty-ninth meeting, on 26 October 2012, the Standing Committee of the Eleventh National People's Congress adopted a decision to amend the Law on Lawyers. Article 33 of the amended Law further guarantees the right of lawyers to meet with criminal suspects and accused persons and provides that "lawyers acting as defence counsel, who are licensed to practise law and have law-firm certification and powers of attorney or official legal-aid documents, have the right, in accordance with the provisions of the Criminal Procedure Law, to meet with criminal suspects or persons in custody or under residential surveillance. Defence counsel shall not be monitored while meeting with criminal suspects or accused persons". Article 34 further clarifies lawyers' right to review case-file documents and provides that "when acting as defence counsel, lawyers have the right to read, take excerpts from and reproduce materials in the case file starting from the day on which the people's procuratorate takes the case under review".

107. With regard to the issue of racial-discrimination court cases referred to by the Committee in paragraph 26 of the previous concluding observations, the following relevant examples can be cited. In July 2015, defendant Xu Kai used differences in ethnic customs to incite ethnic hatred and ethnic prejudice; the offences were of a serious nature, and the Wuzhi County People's Court in Henan Province sentenced him to two years' fixed-term imprisonment for the crime of inciting ethnic hatred and ethnic prejudice. In November 2015, defendant Peng Yubo used differences in the manners and customs of the Hui ethnic group to create conflicts between the local Hui and Han ethnic groups; he was sentenced to one year of fixed-term imprisonment by the people's court in the Jinan New and High-Technology Industry Development Zone for the crime of inciting ethnic hatred and ethnic prejudice.

## **G. Article 7**

### **Education and promotion of racial equality**

108. Since 2008, the Chinese Government has continued to promote, in the educational, journalistic and cultural domains, the concept of equality and unity of all ethnic groups.

109. The Chinese Government promotes the concept of ethnic equality and unity through news conferences and white papers. For example, white papers published by the State Council Information Office include “Protection and development of Tibetan culture” (September 2009); “Fifty years of democratic reform in Tibet” (March 2009); “China’s ethnic policy and common prosperity and development of all ethnic groups” and “Development and progress in Xinjiang” (September 2009); “Sixty years since the peaceful liberation of Tibet” (July 2011); “Development and progress of Tibet” (October 2013); “History and development of the Xinjiang Production and Construction Corps” (October 2014); “Tibet’s path of development is driven by an irresistible historical tide” (April 2015); “Successful practice of regional ethnic autonomy in Tibet”, “Gender equality and women’s development in China” and “Historical witness to ethnic equality, unity and development in Xinjiang” (September 2015); and “Freedom of religious belief in Xinjiang” (June 2016).

110. The Chinese Government pays great attention to the promotion of and education about ethnic unity and progress. In August 2009, the Central Committee Publicity Department, the Ministry of Education and the State Ethnic Affairs Commission issued a circular on promoting educational activities on ethnic unity in schools. In February 2010, the Publicity Department and United Front Work Department of the Central Committee, along with the State Ethnic Affairs Commission, issued opinions on generating activities for further developing ethnic unity and progress; and the human-rights-related content of the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and the International Convention on the Elimination of All Forms of Racial Discrimination is commonly included in the content of courses taught at institutions of higher learning and in the training of judicial, law enforcement and administrative personnel.

111. The Chinese Government attaches importance to publicizing national ethnic laws and regulations as well as the Convention, and it has made this an important part of its efforts to promote knowledge about the legal system. Following the fifth education process for raising legal awareness, and the beginning of implementation of the sixth five-year plan for legal awareness education in 2011, the Chinese Government has laid out clear requirements for the promotion of ethnic laws and policies. The International Convention on the Elimination of All Forms of Racial Discrimination has been included in the compilation of Chinese ethnic laws and regulations used as teaching material for legal awareness education, and it has been published in the Chinese, Mongolian, Korean, Uighur and Kazakh languages, further strengthening publicity about and implementation of the Convention.

### III. Annexes (partial list)

1. Gender-disaggregated population figures for all ethnic groups in the 2000 and 2010 censuses
  2. Major economic indicators for eight multi-ethnic provinces and regions for the year 2015
  3. Law of the People's Republic of China on Regional National Autonomy
  4. Provisions of the State Council on Implementation of the Law of the People's Republic of China on Regional National Autonomy
  5. Notice of the General Office of the State Council concerning issuance of a planning document for ethnic-minority support activities under the twelfth five-year plan
  6. Notice of the General Office of the State Council concerning issuance of a programme plan for revitalizing border areas and enriching residents' lives (2011–2015)
  7. Notice of the State Ethnic Affairs Commission, the National Development and Reform Commission, the Ministry of Finance, the People's Bank of China and the Poverty Alleviation Office of the State Council concerning issuance of a plan for supporting development of small-population ethnic groups (2011–2015)
  8. Outline plan for preservation and development of distinctive ethnic minority villages (2011–2015)
  9. Census-based tables of the proportion of ethnic minorities to overall populations in the five autonomous regions
  10. Data on illiteracy rates among ethnic minority groups and among men and women
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