



Convention on the Rights of the Child

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Summary record of the 1063rd meeting

Held at the Palais Wilson, Geneva, on Monday, 19 September 2005, at 3 p.m.

Chairperson: Mr. Doek

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The meeting was called to order at 3 p.m.

Consideration of reports of States parties (agenda item 4) (*continued*)

Second periodic report of China (continued) (CRC/C/83/Add.9 and Parts I and II; CRC/C/Q/CHN/2; CRC/C/RESP/89; HRI/CORE/1/Add.21/Rev.2)

Initial report of China under the Optional Protocol on the sale of children, child prostitution and child pornography (continued) (CRC/C/OPSA/CHN/1 and Part II)

1. *At the invitation of the Chairperson, the delegation of China took places at the Committee table.*
2. **Ms. Khattab** commended China on meeting its objective of halving the number of people living in poverty compared to 1990 levels, but emphasized that much remained to be done. While the Government's attempts to curb the rural exodus had thus far prevented the development of shanty towns, the recent relaxation of internal migration policies could result in overcrowding in squalid neighbourhoods. It could also have a negative impact on the environment and on gender equality. To prevent such problems arising, the policies should therefore be amended, placing more emphasis on cooperation between the Government, the private sector and civil society. The launch of several assistance programmes, notably in the education and health sectors, was to be commended. However, poverty and the wide income gap remained issues of extreme concern. Social expenditure had not kept pace with the increase in State revenue.
3. Regarding mainland China, the lack of information on child poverty and the absence of a precise definition of poverty were regrettable. The Committee on Economic, Social and Cultural Rights had expressed concern at the widening income gap, and in particular the low wages paid in rural areas and in western China.
4. It was also unfortunate that there was no definition of poverty in Hong Kong, where welfare benefits had been cut and were extremely inadequate, thus exacerbating child poverty. The gap between rich and poor continued to widen and unemployment figures were on the increase. Furthermore, the entitlement criteria for welfare benefits had been revised in 2004, and eligibility depended on seven years' residence in Hong Kong, compared with only one year previously. The delegation should indicate whether it was planned to review the criteria and whether additional benefits, to pay for spectacles or dental care, for example, were envisaged.
5. **Mr. Krappmann** noted that, while all children started primary school, only 85 per cent of them completed the nine years of compulsory schooling. He asked whether measures would be taken to reduce the dropout rate. Moreover, only 60 per cent of primary pupils went on to secondary school, largely because many families could not afford the high school fees, which had increased drastically in recent years. Schools were seriously lacking in resources and had no option but to increase school fees. The quality of teaching could not be improved without additional funds. The delegation should indicate what measures were envisaged in that respect.
6. In Hong Kong, almost all children completed the nine years of compulsory education. After the third year of secondary education, however, there was a sharp increase in the school dropout rate. Pupils' socio-economic situation seemed to have a marked influence on the length of their studies and their educational achievement; the poorest pupils had neither all the books they needed nor access to a computer. It would be useful for the delegation to give details of the measures planned to remedy that situation.
7. In Macao, schooling was free of charge and pupils attended from kindergarten. It was, however, worrying to note that only 83 per cent of pupils completed primary school, and 68 per cent secondary school. The delegation should comment on that issue.

8. Additional information should be provided on vocational training and measures taken to prepare pupils for working life. Violence among pupils remained a concern. Since no information had been forthcoming on that issue in relation to Macao, the delegation should provide some details.

9. Pupils appeared to have little access to leisure and cultural activities outside children's institutions and centres. Particularly in Hong Kong, fierce competition in schools gave children no time for play and enjoyment. The towns were not a suitable environment for children and appeared to lack facilities for them. The delegation should explain whether measures had been taken in that regard.

10. **Mr. Siddiqui** requested additional information on the regional differences in school attendance and dropout rates, teacher training, and the subjects taught. He requested details on the measures that were taken to remedy those disparities. He asked whether the authorities ensured that minority languages and religions were properly taken into account in education. Regarding children from poor rural families who had gone to live in towns to find work, were particular measures taken to enrol them in school? Lastly, he asked whether the Government planned to give more powers and responsibilities to local authorities.

11. **Mr. Xu Hong** (China) said that training courses had been organized for officials working for and with children, such as social workers, judges and police, to deepen their knowledge of the Convention on the Rights of the Child. Awareness-raising campaigns had also been launched in the media. In order to ensure that the Convention was understood by everyone, it had been translated into seven languages.

12. While the principle of children's participation in decision-making ran counter to traditional Chinese culture, according to which children should above all be protected, attitudes were gradually changing. Pupils were asked to express their opinions at school and teachers could elect student representatives to take part in decisions about the functioning of the school. Student councils had also been created.

13. Since acceding to the Convention, China had enacted several laws on the protection of minors and had adopted a definition of the child. China was actively fighting corruption and wanted to cooperate as closely as possible with the international community in that area. China had signed the United Nations Convention against Corruption and would ratify it forthwith.

14. While the Special Administrative Regions of Hong Kong and Macao had broad autonomy, they depended on central Government for all defence and foreign affairs issues. There were many exchanges between the Special Administrative Regions and mainland China, but no cooperation mechanisms as such.

15. **Ms. Wang Yan** (China) explained that the State Council Working Committee on Women and Children included 33 institutions, 5 of which were non-governmental organizations (NGOs). It met at regular intervals and held a plenary meeting once a year to take stock of its activities and finalize the programme of work for the following year. It carried out numerous activities, such as disseminating information on the rights of the child, monitoring the quality of children's products such as formula milk, overseeing different programmes for children, and organizing national conferences.

16. The National Programme for Child Development, launched in 2001, established the country's objectives for child development and the specific measures to be taken in the fields of health, education, legal protection and the environment. It facilitated monitoring of the implementation of the Convention on the Rights of the Child. Monitoring was carried out at both provincial and central Government levels. Statistics were published annually.

17. The State budget contained no specific heading for children's affairs. It should be noted, however, that spending on education and health had significantly increased in recent years.

18. **Mr. Xu Hong** (China) said that the income gap between east and west China had widened and that such disparities hindered the development of the whole country. The Government was aware of that and had taken various measures to increase aid to the poorest regions, particularly in health, education and housing. Development in rural areas was one of the priorities of the Government's economic development strategy. It had lowered taxes, abolished some taxes on agricultural products and provided subsidies to cereal farmers wishing to purchase equipment to diversify their production.

19. **Ms. Xia Juan** (China) said that the Government attached great importance to observance of the right to education laid down in the Constitution, and that any school that hindered the exercise of that right could face administrative proceedings.

20. Central Government was fully aware of the inequalities in education in rural and urban areas, and the need to take measures to strengthen the education sector by enforcing the law on compulsory education. All schools throughout the country received the same support, whatever their location, in order that they should all deliver the same level of teaching. An assessment system had also been put in place to monitor the quality and effectiveness of the teaching in different schools.

21. Since 2001, funds had been allocated for the distribution of free textbooks to poor children in rural areas and regions with a high proportion of children from minority groups. Some 30 million children from the west and the centre of the country (26 per cent of the total number of pupils registered in those areas) had already benefited from those allocations. The Government aimed to provide free textbooks to all children in rural areas by 2007. Funding would also be required to build suitable premises and funds would have to be released to cover teachers' salaries in order to guarantee compulsory free education in those areas.

22. While schools currently set their own fees, the Government planned to introduce a single rate for school fees which would take into account the school's operating costs and the cost of textbooks. The Ministry of Education had set up a telephone hotline to answer families' questions on fee collection by schools, to increase transparency in the matter.

23. Children of migrant workers who moved from one area to another should be admitted to schools in the host community and their school fees paid there. The Government, however, urged the local authorities concerned to set up schools specifically for those children, whose situation was a very special one, and was willing to allocate funds to build such establishments.

24. Hygiene and sex education were taught to adolescents in secondary schools, often in biology lessons, and poster campaigns raised young people's awareness of how to avoid infection with HIV.

25. The school enrolment rate at the primary level had increased from 98.5 per cent in 1995 to 99.1 per cent in 2003, and the school retention rate had been 98.8 per cent at primary level in 2001 and 85 per cent at the end of the middle school level in 2003. To deter children from dropping out of school, the Government had updated the curriculum to make it more stimulating, established village and district bodies responsible for encouraging children to complete their compulsory education, and planned to fine parents who failed to send their children to school and employers who hired children of school age.

26. From primary school, children followed courses designed to develop their practical skills: they took part in community work, which attuned them to community awareness and

the division of labour. Distance learning programmes had also been set up at secondary level in order to reach as many people as possible.

27. **The Chairperson** observed that if the State party's education policy aimed to establish a single rate for school fees, that meant that free primary education had not yet been introduced. Furthermore, poor parents who could not afford to send their children to school would also be unable to pay any fines imposed on them. He asked what percentage of education spending was met by central Government and local governments, respectively.

28. **Ms. Xia Juan** (China) said that school fees were charged to cover the costs of textbooks and were paid at the beginning of the school year. Poor families were fined as a means of persuading them to send their children to school.

29. The delegation did not have precise statistics on the respective contributions of central Government and local governments to the education budget. Central Government allocated an overall budgetary package to the local governments each year, and the latter were responsible for dividing it between the different budget items. Once funds had been allocated to education, they could not be used to finance projects in other sectors.

30. **Ms. Jin Chanzi** (China) said that children who belonged to minority groups received preferential treatment in that since 1995, the central Government had invested almost RMB 2.2 million, under the ninth five-year plan, in education policies in the poorest regions and those most densely populated by minorities. Children from poor families could receive study grants and nomadic children were exempt from school fees. Each year, RMB 120 million were allocated to vocational training for Tibetans. The quality of teaching in the regions where there was a preponderance of minorities was also a key concern for the central Government, which was striving to set up in-service training courses for teachers in those regions and to motivate teachers from other regions to settle there, through bonuses and benefits in kind. The ultimate aim was to guarantee that children from minorities had access to education of the same quality as children of Chinese extraction. However, the lack of financial resources remained a major obstacle to fulfilling that objective.

31. **Mr. Liang Xiaofeng** (China) said that China was doing all it could to reduce the child mortality rate which currently stood at 25 per 1,000 for the country as a whole, and 27 per 1,000 in the countryside. To that end, the Government, in cooperation with the United Nations Children's Fund (UNICEF) and other international organizations, had conducted vaccination campaigns targeting a third of the districts in the country, and thus a third of the infant population. A major hepatitis B immunization campaign had been conducted between 2000 and 2002 in the west of the country. People living in towns were richer and had different health problems, which were taken into account in the health policies. The delegation did not have any statistics on obesity, which was more common in urban than rural areas.

32. Both central and local government attached great importance to the fight against HIV/AIDS. Sexually transmitted diseases affected 20 out of 100,000 children under the age of 15. Great efforts would have to be made to ensure that children's privacy was respected while they were in the care of the health services.

33. The primary health-care system in the countryside had previously been efficient and a source of some pride for the Chinese authorities. It had, however, deteriorated and the Government currently spent only 5.5 per cent of its gross domestic product (GDP) on public health, which was relatively little. The Government therefore needed urgently to mobilize funds to restore the system to its former glory within 10 years, so as to be able to provide inter alia for vaccination programmes in rural areas, particularly in the west.

34. **Mr. Cheng Ya'an** (China) said that children with learning difficulties were eligible for special support activities involving recreational activities adapted to their needs.

35. Between 77 and 80 per cent of disabled children followed the compulsory curriculum, and the aim was for all of them to have access to education by 2010. Integrating disabled children into ordinary classes was expensive for the authorities and required training for teachers in the special needs of those children; a compromise solution had therefore been found, whereby those children were taught in classes specially designed for them within mainstream schools.

36. In China, particularly in rural areas, having a child was still essentially a means of making provision for old age. It was therefore normal that a couple whose first child was disabled should try to have another child, as a measure of reassurance and to guarantee the first child's survival. Allegations of discrimination against the disabled children within families concerned only isolated cases, since discrimination on the grounds of disability was unacceptable and was prohibited by law.

37. **Ms. Yao Ying** (China) said that several factors explained the tendency to favour male babies: in the countryside, children were a means of ensuring the family's subsistence and to compensate for the low level of protection of elderly people; the current socio-economic context had resulted in a notable reduction in family size and ultrasound imaging was a widely available technological means of choosing the sex of the child through selective abortion. The Government had taken gradual steps to restore the demographic balance between men and women and had already achieved promising early results in some regions.

38. **Mr. Xu Hong** (China) said that the high suicide rate among women, particularly in rural areas, was explained by the burden of work and family responsibilities women had to face, the ensuing mental problems that sometimes occurred, and the widespread availability of extremely toxic pesticides. The measures taken by the Government to counter the phenomenon included increasing monitoring and response capacity, organizing information campaigns on "Loving life" and giving doctors specialized training in the regions and localities where the suicide rate among women was particularly high. Measures to control the distribution of pesticides had also been strengthened.

39. **Mr. Fisher** (Hong Kong Special Administrative Region of China) said that legislation on accessibility currently obliged architects and builders to design and construct public buildings, especially schools and theatres, so that people with limited mobility had access to them. Wherever possible, older buildings should be adapted to meet that standard. For example, a car ramp now bypassed the steps that led up to the University of Hong Kong, which had been built on a hillside in 1911. Those provisions were not applicable to historic buildings, which were more difficult to adapt because of obvious technical constraints.

40. To meet the special educational needs of children from the different ethnic communities living in Hong Kong, a flexible, varied education system had been put in place, which allowed pupils from non-Chinese speaking ethnic minorities, including Indians, Pakistanis, Nepalese, Filipinos, Indonesians and Thais, to attend special schools where the main language of instruction was English, but which offered lessons in national languages, French and German. Given that 95 per cent of the population of Hong Kong spoke Chinese, parents were of course free to choose their children's school. If necessary, they could use the interpretation and support services provided to facilitate communicating with teaching staff and monitoring homework if they chose to put their children through the general school system.

41. Figures showed that the problem of HIV/AIDS was under control in Hong Kong. An education and prevention programme for young people and the general public had been set up, and sex education, personal hygiene and moral education classes were taught in

schools. There had been no registered cases of infection in persons under the age of 18 during the year preceding preparation of the report.

42. The suicide rate among young people was relatively high, and was linked to several factors: the frenetic pace of life in Hong Kong, the extremely high population density, the high degree of competition in the school system, parental pressure to succeed at school, and adolescents' health and family problems. A multidisciplinary working group had been established to remedy that problem.

43. While grants paid to families under the Comprehensive Social Security Assistance (CSSA) Scheme were generally indexed to the cost of living, the 1997 economic crisis and inflationary pressure since then had necessitated a reduction of CSSA allowances in recent years.

44. To be eligible for CSSA, a person currently had to have resided in Hong Kong for at least seven years. The previous rule giving all persons who had lived in Hong Kong at least one year the right to benefits had been repealed because of the economic situation and to prevent dependence on the social security system becoming a way of life for some residents who, in the recent years, had begun bringing into Hong Kong their families who had previously lived in mainland China or elsewhere. Special dispensations or supplementary measures (assistance in kind, NGO support, etc.) would be available, particularly to children and families suffering genuine hardship.

45. While Hong Kong had no official poverty line, indicators were being developed and an anti-poverty commission had been established to give priority attention to children and young people. It was currently striving to solve the problem of the intergenerational transmission of poverty, and was making every effort to ensure that children living in families that depended on welfare support could escape the cycle of poverty, thanks to education and training. Resources were mobilized at the local level to help families in need.

46. **Mr. Costa Oliveira** (Macao Special Administrative Region of China) said that the Government was currently striving to bridge the gap between the private and public sectors regarding maternity leave, and to strengthen protection for pregnant employees. It was determined to ensure adoption of the law on maternity leave, drawn up in consultation with the permanent council for social affairs, which was unfortunately being delayed by technical difficulties in the context of the quest for consensus between the different parties.

47. **Ms. Wong** (Macao Special Administrative Region of China) said that pregnant women had been made aware of the importance of breastfeeding and the Government was continually promoting and actively encouraging breastfeeding, in line with World Health Organization (WHO) recommendations. In 2001, a breastfeeding promotion group had been created with the help of the Ministry of Health and the central hospital administration. Those initiatives should result in an increase in breastfeeding in the future.

48. While the incidence of chickenpox had increased in 2001, in most cases it was in the benign form only, and few people had been admitted to hospital. The increase was due to the small size of the territory, cross-contamination between the growing number of children over the age of 2 who attended day nurseries, and the low vaccination rate.

49. Only one person had been found to be HIV-positive in the three years preceding submission of the report – a baby who had died at 6 months of age. Since then, two children who had been infected in utero before the year 2000 had been detected and treated. Macao Special Administrative Region was active in the field of prevention; prenatal medical examinations and free screening tests were offered, and information campaigns were conducted in schools. Moreover, a range of treatment and prevention services had been provided for babies and children up to the age of 12, free of charge, for over 20 years.

50. Mental illness was not widespread in Macao. A total of 84 cases had been detected in 2002, and 102 cases in 2004.

51. **Mr. Costa Oliveira** (Macao Special Administrative Region of China) said that the authorities had decided to increase the length of compulsory education from 10 to 12 years. After a 10-year crisis, however, it was normal that commitments should take time to come to fruition, even if the economic situation had now improved.

52. **Ms. Un Hoi Cheng** (Macao Special Administrative Region of China) said that compulsory education had been introduced in 1999 and was free of charge for all children and young people aged between 5 and 15. It was about to be extended to a 12-year duration. The school enrolment rate for children aged between 6 and 11 had been 99.5 per cent in 1996. The high repetition rate was in part a result of the mobility of the population (new immigrants arriving in Macao and Macao residents going to live abroad). Given that results remained below expectations for the time being, the Education and Youth Department planned to reduce the number of pupils in each class and to increase spending on teacher training in order to improve the level of academic achievement.

53. Technical and professional education aimed to provide qualifications for young people and adults seeking to enter the job market. Professional training was usually provided by public training institutions and aimed to teach students the basic skills necessary to carry out a professional activity. The aim of technical-professional education was to prepare technical workers and intermediate-level professionals, giving them the necessary knowledge and skills to carry out certain professional activities. The private sector provided most technical-professional education, so as to best meet the needs of the job market.

54. **Mr. Krappmann** asked to what degree the different governments and regional and local authorities took the best interests of all children into account in their decision-making on social and family policy, housing policy and environmental issues. It would be useful to learn whether anyone at the central level was specifically in charge of promoting the interests of children in all decisions affecting them.

55. The Committee remained concerned at the high male birth rate since it had serious repercussions, given the one child policy, particularly on the child's personal development, the evolving job market, and pension payments. The State party should indicate whether it planned to pursue its policy of controlling the birth rate. If not, it would be useful to learn what alternative policies the Government would pursue.

56. The delegation should also provide additional information on the current structure of families, the average number of children per family, the number of childless women and the number of parents who refused to register the birth of their additional children.

57. **Ms. Lee** asked whether the number of children taken into the State party's large, modern orphanages was systematically and regularly monitored. Reports had been received of an alarming number of deaths of children in such institutions.

58. It would be useful to have further details of the number of people from the Democratic People's Republic of Korea that China classed as economic migrants, and who were therefore sent back to their country, whereas the Office of the United Nations High Commissioner for Refugees considered them to be asylum-seekers or refugees. More detailed information was required regarding the allegations of sexual exploitation of girls in the regions bordering that country.

59. The delegation should provide updated data on the actual implementation of the quota policy on reuniting children with their parents who lived in Hong Kong, including details on the length of waiting lists and any plans to change the policy.

60. **Mr. Pollar** enquired about the minimum employment age in China, the exact age of criminal responsibility in Hong Kong, the conscription age and the age at which a child could be a member of an association in each of the three regions of the State party.

61. The delegation should provide details on the measures adopted in the context of the follow-up to the Fourth World Conference on Women held in Beijing, and on measures to protect minorities, particularly Tibetan children, so that they could preserve their culture.

62. **Ms. Ouedraogo** asked what the Government was doing to help the All-China Children's Forum to implement its conclusions and how children, especially in rural areas, could get their views heard, given that there was a traditional attitude of not listening to children. She noted with concern that children aged under 18 were not able to express their views directly in judicial matters, but only through a parent or tutor, whereas they should be able to be heard. She also noted that in Hong Kong, a children's council had been established but that children's views were not systematically taken into account by that body in matters that directly concerned them, such as education reform or child poverty. She asked how the Government intended to make the system more participative in nature. She asked to be updated on the Government's plans to establish a working group of the children's council, which would be a standing body, and asked about the participation of children at the local level.

63. The delegation should indicate what measures had been adopted to take account of the failings in the civil registration system and whether that system had been reviewed because — despite the Committee's recommendations on birth registration in China — many children born outside the population plan were not registered; girls, especially, were not registered because families preferred boys. Noting that the Chinese Government seemed reluctant to grant nationality to the children of Indo-Chinese parents born in China, in violation of article 6 of the Nationality Act and of the principles and provisions of the Convention on the Rights of the Child, she asked whether there were plans to improve that situation. Lastly, she asked whether the Hong Kong Special Administrative Region intended to take measures to address the problem of children born out of wedlock who were characterized as "illegitimate", and in respect of whom the name of the father did not have to be recorded.

64. **Ms. Smith** noted that although Macao, Hong Kong and mainland China had adopted the necessary legislation regarding religious freedom, that legislation was not close to being applied in mainland China; religious education was not permitted in primary schools and in some provinces minors did not have the right to engage in religious activities, in particular in Tibet where children had been imprisoned for exercising their religion. She asked how the Government guaranteed the right of minority children to practise their religion, whether it recognized that religious freedom also encompassed the right to be educated in one's own religion, whether religious activities were permitted within the family and whether it was true that children were arrested on account of their religious practices or those of their parents, in particular members of the Falun Gong movement. The delegation should also provide information on the fate of the Panchen Lama, who was then aged 16, and on the activities of the Religious Affairs Bureau because, according to an official from that Bureau, new regulations giving greater autonomy to religious groups should have been adopted. Lastly, it would be helpful to know whether there was any legislative provision in Macao and Hong Kong recognizing the child's right to choose his or her own religion, even if it was different from that of his or her parents.

65. **Mr. Filali** asked what measures had been adopted in mainland China to ensure the right of the child to freedom of association, what conditions must be met for the establishment of associations, and what restrictions if any were imposed on freedom of association. He also asked about the role of the Young Pioneers in the protection of the rights of the child. Although the report described the legislation that existed with regard to

Hong Kong and Macao, it did not give any information about the establishment of associations, their activities in schools and in civil society, or their role in the promotion and protection of the rights enshrined in the Convention. He would welcome information about the Youth Council of the Macao Special Administrative Region and its activities.

66. He asked the delegation to provide information about the specific measures that mainland China had taken to raise the awareness of families, teachers and adults in general in order to ensure that the principle of the protection of privacy was respected in institutions and in places of detention, where cultural traditions were difficult to change; the report was vague in that regard. In Hong Kong, where the media tended to invade children's private lives, it would no doubt be necessary to raise the awareness of journalists dealing with those matters. Lastly, specific information about how that principle was applied in Macao would be helpful, as the report merely described the legislation.

67. **Ms. Vuckovic-Sahovic** said that the report did not contain any specific information about the management of the Internet and asked how the relevant regulations allowed children better access to information, how children were protected from having access to violent or pornographic content and why those under 18 years of age were not allowed to use Internet cafes. She would be interested to know whether there was a mechanism enabling harmful content to be reported and what provision there was to ensure that rural areas, schools and, in particular, disabled children had access to the Internet. The Committee wished to know what progress had been made in Hong Kong, where one third of the population had had access to the Internet in 2000, and how the police alert system worked. Detailed information about access to the Internet by children in Macao would also be appreciated, given that the Internet would soon be the primary source of information for children.

68. With regard to juvenile justice, she asked for more details about procedural guarantees in criminal matters, in particular with regard to legal assistance, and whether those guarantees were in conformity with the new law on the protection of minors which was due to enter into force in 2005. The delegation should report on the results obtained by the juvenile courts that had been established in 1998 and on training for judges. A plan of action could usefully be adopted on juvenile delinquency, which was on the increase, in order to better coordinate the various sectors of society, to elaborate reliable statistics and to apply a multidisciplinary approach to the reintegration of delinquents, in which NGOs could participate. Lastly, she asked whether China had any plans to revise the policy that allowed children aged 14 to 18 to receive life sentences, in the light of article 37 of the Convention.

69. **Ms. Al-Thani**, having noted that corporal punishment continued to be administered in 51 per cent of schools in mainland China despite being prohibited, asked whether it was also prohibited within the family and whether the Government intended to educate parents and teachers about various non-violent forms of discipline. She noted that in Hong Kong, corporal punishment was prohibited in schools and correctional facilities, but not in the family, where it was often applied severely. She asked what the situation was in Macao.

70. **The Chairperson** asked whether there was a system or mechanism that allowed children to report violence or neglect in the family and, if so, whether that system came within the remit of social services and was easy to access. The delegation should also indicate whether China planned to establish a telephone hotline for children who were victims of physical or sexual abuse in their families. He enquired about the impact of the programme to educate parents with a view to preventing and reducing domestic violence that had been put in place in Hong Kong; in particular, he wished to know the number of parents who had taken part, and whether the Hong Kong Special Administrative Region would follow a recommendation that such programmes should be made compulsory for parents. He asked how many professionals were familiar with the procedural guidelines for

cases where children were the victims of violence; whether they had access to those guidelines via the Internet; whether social workers had been appointed to deal with those cases; what results had been obtained; and whether there were any plans to make the reporting of such cases mandatory. The Committee wished to know whether there was a system of mandatory reporting in the Macao Special Administrative Region and, if so, whether it applied to professionals and the general public; what rules were applied in domestic violence cases; and whether there were rules that expressly provided for the protection of children testifying in violence cases, in particular when the child witness was also the victim.

71. **Mr. Parfitt** said that he was concerned by the size of the institutions in which children in mainland China and in the two special administrative regions were placed, in particular in Macao, where there were few foster families. He recalled the principles that should apply to children's homes (training of those in charge, respect for norms, monitoring, health care, respect for the views of the child, access to a mediator, regular contacts between the child and his or her biological family and if possible return to the family, and respect for privacy). He emphasized the crucial importance of the child's right to life and asked whether there were any statistics on the number of children who had died in such institutions and whether those deaths had been investigated. Although Hong Kong appeared to be complying with most of the Committee's recommendations, he noted that the number of children placed in care had increased, and asked why the related expenditure had fallen. Lastly, he wished to know when and how the State party intended to harmonize and enforce the criteria that applied to the placement of children in all the areas under its jurisdiction.

72. **Ms. Ortiz**, having noted that the system of civil registration in China was unsatisfactory, asked how the State party guaranteed the right of the child to know his or her identity, and the right of adopted children to know their origins. She wished to know whether poverty was sufficient reason for a child to be adopted and, if so, whether the State party intended to adopt a law to rectify that situation and what measures had been adopted to enable children to stay with their families. Given that China had ratified the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, she enquired about the number of international adoptions in China and requested details of the amounts that foreign parents had to pay in order to adopt a child and how that money was used: in particular, she wished to know whether it prevented separations or encouraged adoptions. The medical examinations conducted prior to adoption were incomplete and parents were not well prepared. In Hong Kong, some adjustments would make it possible to further improve practices that were already satisfactory: the declaration of eligibility for adoption should not be made by the same judge who ruled on the adoption and children should have an advocate who was not employed by the adoption services. She asked how many of the almost 1,700 children who lived in institutions would be able to return to their families or be adopted. With regard to Macao, where the adoption procedure was faultless, she wished to know whether the declaration of eligibility for adoption was a prerequisite for adoption.

73. **Mr. Zermatten** noted that Hong Kong and Macao had similar problems with regard to juvenile justice. He asked whether it was true that offences committed by minors were dealt with in non-specialized tribunals and what training was received by the judges entrusted with such cases. The lower and upper age limits with regard to criminal responsibility in the two special administrative regions were not in accordance with the Convention, which meant that children were not adequately protected. Minors detained as a result of a custodial sentence or placed in correctional or re-education facilities were not held separately from adults. Moreover, although capital punishment and life imprisonment had been abolished for minors, custodial sentences of up to 30 years could be handed down, which was excessive. Lastly, he noted with concern that Hong Kong's justice budget had

fallen, in particular the funds earmarked for non-custodial placement measures and support services in the community.

The meeting rose at 6.05 p.m.