

The Progress of Human Rights in China

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Foreword

In November 1991 the Chinese government published the white book Human Rights in China, which made clear to the international community China's basic position and practice on human rights. In the last four years the cause of human rights in China has seen new progress.

The four years since 1991 marked an important historical period for the overall implementation of the Eighth Five-Year Plan for National Economic and Social Development. National economic and social development in China has advanced by leaps and bounds. The plan to quadruple the 1980 GNP by 2000 was realized ahead of schedule in 1995. The Chinese people's life has improved greatly, and they are working hard to achieve a comfortable life. Today political stability, economic development and social progress are characteristics of China's new social order, along with ethnic unity, domestic harmony and a continually rising standard of living, thereby demonstrating the overall improvement in human rights. Practice has proved that it suits China's conditions and the basic interests of all the Chinese people to give priority to the people's right to existence and development and improve the situation of human rights in an all-round way under circumstances of reform, development and stability. This has won worldwide recognition.

In the last four years China has actively safeguarded the aim and principle of promoting human rights and basic freedoms set forth in the United Nations Charter and firmly opposed some countries' hegemonic acts of using a double standard for the human rights of other countries, especially developing countries, and imposing their own pattern on others, or interfering in the internal affairs of other countries by using "human rights" as a pretext. China's principled stand on human rights has won support from many countries of the world. China has made effective efforts in maintaining world peace and promoting the healthy development of international human rights.

Though great achievements have been made in the last four years in promoting the development of human rights in China, some human rights situations are not so satisfactory because of the limitations of history and level of development. It is still a long-term task for the Chinese people and government to safeguard and promote the development of human rights and improve the human rights situation for all the people.

I. People's Right to Existence and Development

China is a developing country with a population of 1.2 billion and relatively poor per-capita resources. It suffered foreign invasion, exploitation and oppression for a long time. The right to exist and develop thus historically became the urgent demand of the Chinese people. Since 1991, by firmly upholding economic construction as the central task, the Chinese government has pursued the basic policy of continually

improving the people's right to existence and development on the basis of economic development. Its achievements in this respect have attracted worldwide attention.

From 1991 to 1994 China's economy increased at an average annual rate of 12.2 percent, much higher than the world's average annual rate of 1.9 percent. The sustained, quick and healthy growth of China's economy has raised the level of China's overall social development and conspicuously improved the right to existence and development of the Chinese people.

The incomes of both rural and urban residents have increased steadily. The per-capita income for living expenses of urban households increased to 3,179 yuan in 1994 from 1,387 yuan in 1990; after deducting the price-rise factor the actual increase was 38.3 percent, an average annual increase rate of 8.4 percent. The per-capita income for living expenses of rural households increased to 1,221 yuan from 686, and after deducting the price-rise factor the actual increase was 18.2 percent, an average annual increase rate of 4.3 percent. The balance of deposits of rural and urban residents increased to 2,151.9 billion yuan at the end of 1994 from 703.4 billion yuan at the end of 1990, a more than three-fold increase in four years.

China's urban residents are close to living a comfortable life according to their level of consumption. The proportion of food expenses in consumption outlay (the Engel coefficient) dropped to 50.0 percent in 1994 from 54.2 percent in 1990. The proportion of meat, poultry, eggs and milk increased greatly in the food structure. The purchase of durable goods by urban residents showed an obvious increase--86 color TV sets per 100 households (an increase of 27 sets over 1990), 30 black-and-white TV sets per 100 households (22 sets less than 1990), and 62 refrigerators per 100 households (an increase of 20 refrigerators over 1990). The per-capita living area reached 7.8 square meters in urban households and 61.7 percent of the households were using gas. Clothes bought by each person in 1994 increased 2.6 times on the average over 1990.

The majority of rural residents have enough food and clothing and their consumption patterns have tended to optimize. Food expenses dropped to 58.8 percent of the consumption expenditure (the Engel coefficient) in 1994. At the same time, the consumption of durable goods increased greatly in the countryside. The average number of TV sets was 75.3 per 100 households, tape recorders 26, and washing machines 15 in rural areas in 1994; the average per-capita living area was 20.2 square meters in the countryside.

Owing to improvement in the quality of life, the mortality rate of the Chinese people dropped to 6.49 per 1,000 in 1994 from 6.67 per 1,000 in 1990, two or more per thousand points lower than some developed Western countries.

Though China's economy has developed rapidly and the people's living standard has improved markedly, the overall level of China's economic development still has a long way to go compared with some developed Western countries. According to data issued by the World Bank on September 17, 1995, China was, in terms of wealth, the 31st from the bottom in a list of 192 countries and regions in the world. The estimated average per-capita wealth was only US\$ 6,600. There is also unequal economic development between China's eastern coastal areas and its central and western areas because of natural conditions and historical reasons.

China's basic principle for developing a socialist economy is that consideration be given to both efficiency and fairness. While some areas and some people become rich first, they are encouraged to help poor areas and people get rich, so that all the people in the country will ultimately become rich and prosperous. Therefore, the Chinese government has always attached great importance to helping the central and western areas develop their economy, raise the living standard of the people, and actively help the poor people get rid of poverty.

Since 1991 the Chinese government and people have exerted unremitting effort to solve the problem of food and clothing for poor people. By the end of 1994 another 15 million people were lifted out of poverty, reducing the number of poor people from 85 million in 1990 to 70 million, and the proportion of poor people in the rural population was reduced from 10.1 percent to 8.2 percent. In the last few years, production and the living conditions and infrastructure in the still poor areas have improved greatly.

In order to support the work of aiding the poor, the Central Government allocated a total of 30.58 billion yuan from 1991 to 1994 to help poor areas. The state helped poor areas build an infrastructure of water, electricity and roads, improve the ecological environment and basic production and living conditions, and build stable and high-yield farmland despite drought or excessive rain. Statistics show that in 1994, 9.96 million mu of farmland and 13.71 million mu of cash crop land had been added in 592 poor counties where major help had been provided. At the same time, drinking water for 7.18 million people had been provided, 20,285 kilometers of highway had been built, 32,596 kilometers of new transmission lines had been installed, and 2,166 primary schools and 617 clinics had been built in these counties. Various circles and people's organizations in China have played an active part in aiding the poor in different ways.

Even so, the work of aiding the poor in China is still a long-term and arduous task. At present, 70 million people do not have enough food and clothing. Most of them are living deep in the mountains, in karst, desolate, high and cold areas, and in loess

plateau regions in central and western China, and in areas where endemic diseases rage. To get rid of poverty, more than 5 million of them have to move to other places. More must be done to help these people get away from poverty. More arduous tasks confront us. To tackle this question, the Chinese government drew up a plan in March 1994 and decided from that year to concentrate manpower and material and financial resources and to mobilize people from various circles in the society to solve the food and clothing problems for the 70 million people by the end of this century, thereby improving their basic human rights.

At present, China is drawing up the Ninth Five-Year Plan for National Economic and Social Development and a longrange objective for 2010. It plans to quadruple the 1980 per capita GNP and ensure that people have enough food and clothing and live a comparatively comfortable life by 2000, even though China's population will by then have increased by about 300 million over that of 1980. By 2010 the GNP will have doubled that of 2000 and the people will be well off. Implementation of the Ninth Five-Year Plan and the 2010 long-range objective will enable the Chinese people to realize their right to existence and development on a higher level and broader scope than before.

II. Civil and Political Rights

While paying great attention to the people's right to existence and development, China has also laid stress on ensuring that its citizens enjoy various civil and political rights according to law and that socialist democratic politics be practised and developed. That is an important reason why China's economy has developed rapidly. All power in China belongs to the people. This is the nucleus and basic principle of China's state system and also the essence of socialist democracy in China. The National People's Congress and people's congresses at various levels are the organs whereby the people exercise state power.

Deputies to people's congresses at various levels total 3.65 million and are all democratically elected. China's Constitution stipulates that all citizens of the People's Republic of China who have reached the age of 18 have the right to vote and stand for election, regardless of nationality, race, sex, occupation, family background, religious belief, education, property status, or length of residence, except persons deprived of their political rights according to law. In line with China's conditions, deputies to the people's congresses of counties and townships are elected directly by the people, and deputies to the NPC and people's congresses of provinces, autonomous regions and municipalities directly under the Central Government are

elected by people's congresses at a lower level. By the end of 1993, elections for the new session had taken place in accordance with the law in 2,897 counties (including cities without districts and districts directly under the cities) and 48,172 townships, ethnic-group townships and towns. According to statistics, people having the right to vote and to stand for election accounted for 99.97 percent of the number of citizens 18 years old or above, and the number of registered voters accounted for 99.3 percent of the total population aged 18 or above. Elections in China are not controlled by money, and candidates trusted by the people are elected after free consultation and discussion and by secret ballot. Multicandidate elections are practised in China. Voters showed high political enthusiasm and the voting rate reached 93.58 percent throughout the country.

Deputies to the National People's Congress and people's congresses at various levels are persons who have made contributions to the state and society or have served the people in an outstanding way. As they come from various ethnic groups and circles in the country, they are representatives of the broad masses of people. Of the 2,978 deputies elected in 1993 to the Eighth National People's Congress, 11.15 percent were workers, 9.4 percent peasants, 21.8 percent intellectuals, and 19.21 percent personages from democratic parties and non-party personages. Women accounted for 21.03 percent of the total deputies, and ethnic minority deputies accounted for 14.7 percent. Thus, all 56 ethnic groups in the country have their own representatives.

Deputies to the people's congresses, representing people of every profession and social stratum, exercise state power and are responsible to the people and supervised by the people. Voters or electoral units have the right to recall their deputies. Any citizen or unit may demand the recall of deputies who break the law, violate discipline or seriously neglect their duty. This is totally different from some Western countries, where elected parliament members are not supervised by the people and voters do not have the right to recall them. In February 1995 the NPC Standing Committee amended the Electoral Law for National People's Congress and People's Congresses at Local Levels and the Organic Law of the Local People's Congresses and Local People's Governments, thereby further perfecting the electoral and recall systems for people's deputies. This is an important guarantee for the people and deputies to the people's congresses to earnestly exercise democratic power, be masters of the country and run the state.

As the supreme organ of state power, the National People's Congress has the power to make decisions on state policies and principles, enact basic statutes and elect and supervise state administrative, judicial and procuratorial organs. The National

People's Congress meets once a year to listen to and examine the work reports submitted by the State Council, the Supreme People's Court and the Supreme People's Procuratorate and to examine and approve plans for the national economy and social development as well as the yearly state budget. The Standing Committee of the National People's Congress meets once every two months, supervises the enforcement of the Constitution, enacts and amends statutes, listens to and examines the work reports from various departments, and appoints and removes state functionaries. Three yearly sessions of the Eighth NPC have been held, and the state principles, policies and plans decided and statutes adopted by the sessions have embodied the people's will and interests, thus arousing their enthusiasm and ensuring the sustained fast development of the national economy and social progress.

People's congresses at various levels and their standing committees have paid great attention to ensuring the rights of the deputies. State organs and relevant departments at various levels have to make direct replies within a prescribed time to the deputies with regard to their opinions and suggestions formally put forward at the sessions. During the Second Session of the Eighth National People's Congress, held in 1994, 2,401 suggestions and opinions were put forward, and about 17.9 percent of the problems raised by the deputies have been solved completely or basically, and 48.2 percent are being solved or under consideration. The National People's Congress hears opinions and receives demands directly from visiting people or through letters. During the Third Session of the Eighth National People's Congress, held in 1995, 41,630 letters from the masses and 202 visitors were received. The NPC Secretariat handled the letters and received the visitors, and urged relevant departments and local governments to solve urgent problems, and address cases in which people had been wronged, misjudged or framed. Thus the rights and interests of the people have been safeguarded and close relations have been established between the people and state organs.

Multi-party cooperation and political consultation under the leadership of the Chinese Communist Party is an important component of China's people's democratic system with the people as masters of the country. The Chinese People's Political Consultative Conference is a united front organization, made up of delegates from the Communist Party and the democratic parties and personages from non-party and mass organizations. At present, China has 480,000 members of political consultative conferences at various levels, among whom 2,099 are CPPCC National Committee members. Among the Eighth CPPCC National Committee members, 839 are Communist Party members, accounting for 39.97 percent, 642 are members of

democratic parties, accounting for 30.59 percent, and 618 are non-party democrats, accounting for 29.44 percent. There are 293 women members, accounting for 13.96 percent, and 243 members are from ethnic groups, accounting for 11.58 percent. The CPPCC members come from all walks of life, including experienced political activists, well-known figures from various walks of life, and experts and scholars in various fields. Using their rich experience, knowledge and influence, they join CPPCC organizations on behalf of various circles, take part in state and social affairs, and participate in the consultation, discussion and democratic supervision of important state decisions. The CPC Central Committee and the State Council set great store by the opinions and suggestions made by these members and many of these have been accepted. After investigation and research they made many important proposals during the Eighth CPPCC National Conference. In particular, the Suggestions on Strengthening Macro Regulation and Bringing Down Inflation, which was accepted by the State Council, has played an active part in strengthening macro-regulation with effective measures and ensuring the sustained, rapid and healthy development of the national economy.

During the first and second sessions of the Eighth CPPCC National Conference, 4,032 proposals were offered on state policies and principles and people's life; 3,940, or more than 97 percent, of the problems have been settled.

There are eight democratic parties in China. They are not parties in power, but they participate in government and political affairs. The Chinese Communist Party upholds the principle of long-term coexistence, mutual supervision, sincere treatment with each other and the sharing of weal or woe in its relations with China's other democratic parties. Consultations and exchanges of views precede important decisions made by the CPC Central Committee and the State Council. Many members of the democratic parties hold leading posts in state organs, administrative and judicial departments. The present vice-president of the state and eight out of the nineteen vice-chairmen of the NPC Standing Committee are members of democratic parties. In 1994 the democratic parties submitted 28 important proposals which received the close attention of the CPC Central Committee and the State Council. Some of the proposals were accepted and others are under consideration.

In recent years China's democratic construction at the grass-roots level has achieved remarkable results. By the end of 1994 more than 100,000 urban neighborhood committees had been set up, and more than one million village committees had been elected by secret ballot in the countryside. These urban neighborhood committees and village committees are grass-roots mass self-government

organizations. They handle public affairs and public welfare, mediate disputes among people, help safeguard the social order and transmit opinions, demands and suggestions to the people's governments. A system of village meetings, where important things are decided by the villagers, has been set up in half the village committees. The masses of urban and rural people are organized in line with democratic principles, and they practise self-management, self-education, self-service and direct democracy. This is an important progress in China's socialist democratic political system.

The Administrative Procedural Law, put into effect on October 1, 1990, is an important law ensuring people's civil rights. It stipulates that citizens, legal persons, and other organizations may start legal proceedings against administrative organs and their staff when their legal rights and interests are infringed upon by specific administrative actions of these organs and persons. People consider the Administrative Procedural Law as a "law for people to lodge a complaint against officials."

To ensure implementation of the Administrative Procedural Law, the State Council issued a Notice on Implementing the Administrative Procedural Law and required that all departments under the State Council and local people's governments at different levels actively cooperate with people's courts to strictly enforce laws. The State Council also promulgated the Administrative Reconsideration Regulations as a complementary law and regulations for the implementation of the Administrative Procedural Law. Study classes for the Administrative Procedural Law have been organized by many administrative organs.

In accordance with the stipulations of this law, the system of social organizations supporting citizens to file suit and ensuring that citizens can lodge appeals have been established. The social organizations are legal representatives when they are entrusted, and citizens can exercise their right to lodge appeals with the support of the social organizations.

For the convenience of citizens, the Supreme People's Court has stipulated that if litigants have financial difficulties, their litigation costs may be paid later or partially, or be exempted.

According to statistics, from January 1990 to December 1994 people's courts at various levels accepted 167,882 cases, including first and second trials as well as trials and supervision of administrative cases, involving more than 40 administrative realms, such as public security and the reallocation of land. The majority of these cases were related to basic civil rights and some of them involved rights of the person and property rights. Among the plaintiffs were peasants, workers, and

intellectuals, and the defendants included departments of county and city governments and central and state organs. Since the implementation of the Administrative Procedural Law two-thirds of the cases have ended in a change of the original decision made by the administrative organs.

In order to help the citizens understand the law, gain knowledge of how to protect their legal rights and interests through legal procedure, and strengthen their concept of the legal system, various kinds of activities, such as performances, knowledge competitions and consultations by specialists, have been organized by relevant departments through TV, radio, newspapers and magazines.

In May 1994 the State Compensation Law was worked out. This law stipulates that if the legal rights and interests of citizens are infringed upon by state organs and their staff in exercising their functions and powers, the aggrieved persons have the right to get state compensation in accordance with the law. At present, compensation committees have been established in the intermediate people's courts and above, and they have started to accept compensation cases.

Freedom of speech, of the press, assembly, association, marching and demonstration is guaranteed. The development of the press and publishing has provided favorable conditions for ensuring citizens' freedom of speech and the press. Newspapers have increased in number, from 1,444 in 1990 to 2,202 in 1995 in China, and magazines have increased to 8,135 from 5,751. At the same time, radio stations have increased to 1,210 in 1995 from 635 in 1990, and TV stations to 980 from 509. At present, the number of cable TV stations has reached 1,200 and there are 54,084 ground satellite stations. People own 250 million TV sets and the population covered by television has risen to 88.3 percent today from 79.4 percent in 1990. Publishing houses increased to 514 in 1994 in China, an increase of 11 percent over 1990, and 103,836 book titles were published, an increase of 29.4 percent over 1990. China's media have over the years maintained close ties with the people and are geared to practical life, bringing their supervisory function into play. Through the media, the people freely express their opinions, put forward criticisms and suggestions, and discuss all kinds of questions related to the state and society. Many newspaper columns and radio and television programs are greatly welcomed by the people. The number of social organizations has also increased. By the end of April 1995, statistics showed that 1,737 national social organizations had been registered and established, an increase of 44.7 percent over 1990, and 200,000 social organizations at and above the county level, registered in departments of civil affairs, had been set up, an increase of 11.1 percent over 1990. These organizations decide on their own activities within the limits permitted by the Constitution and

law. The All-China Federation of Trade Unions, All-China Women's Federation and All-China Youth Federation are the three largest mass organizations with branches all over the country. They keep close contact with and unite women, youth and workers and staff, participate in state and local political activities, coordinate social and public affairs and safeguard the legal rights and interests of women, youth and workers and staff. They play a great role and enjoy high social prestige in China.

Freedom of religious belief in China is guaranteed by law. Normal activities of different religions can be carried out in China according to their rights prescribed by the Constitution and law. Buddhism and Taoism are comparatively widespread in China, but statistics of the number of their devotees are not available. There are now over 9,500 Buddhist temples and monasteries with about 170,000 monks and nuns in the country. There are over 6,000 Taoist priests and nuns who live in the temples, with more than 600 temples and monasteries open to the public. There are about 17 million Muslims and more than 26,000 mosques, about 4 million Catholics, including 2,700 clergymen, and 4,000 Catholic churches, about 6.5 million Christians or Protestants, including 18,000 missionaries, 8,000 churches and 20,000 simply equipped meeting places in China. China now has 2,000 religious social organizations and 48 religious schools and colleges. Religious scriptures, books and magazines are published by various religions. China's Constitution stipulates that the state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state. In order to ensure that citizens really enjoy the freedom of religious belief, religious bodies and religious affairs are not subject to any foreign domination.

III. Judicial Work in Safeguarding Human Rights

In recent years China has promulgated and put into effect the Police Law, the Public Procurators Law, the Judges Law, the Prison Law and a series of other laws. In addition, many other measures have been taken to further strengthen judicial work in safeguarding human rights.

"People's police work for the people." This is a popular saying among the Chinese people. In order to standardize the conduct of the people's police in safeguarding human rights, China promulgated and implemented the Police Law in February 1995. It stipulates that the police enforce the law strictly to effectively safeguard the security of the people and give timely help and assistance to citizens whose personal safety and that of their property are infringed upon; it strictly forbids the police to

unlawfully deprive citizens of or curtail their freedom of person; the police, while performing their duties, must accept the supervision of society and its citizens; citizens have the right to report to the department concerned and bring a charge against police who have acted against the law and discipline. As a result of implementing the law, relations between the police and the people have become closer and the departments concerned have received fewer accusatory letters and more commendatory letters. China today has 862,752 police, accounting for 7.4 persons per 10,000 of the total population, much lower than the figure of 20 persons per 10,000 in some major Western countries.

The Public Procurators Law and the Judges Law were promulgated in February 1995 and went into force in July of the same year. These two laws stipulate that public procurators and judges have the right, according to law, to independently exercise procuratorial power and judicial authority without interference from any administrative organs, social communities and individuals; they must base themselves on fact, take law as the criterion, handle a case impartially and be honest in performing their official duties in all judicial activities. These principles, set in the past, are now further standardized, specified and implemented more strictly. The law-enforcement level of the court and procuratorate has been raised remarkably.

The rapid development of the ranks of Chinese lawyers in recent years has reinforced the judicial guarantee of human rights. By the end of 1994 there were 83,619 lawyers in the country, almost double the 1990 figure and exceeding the target of 75,000 planned for 1995. There are now 6,419 law offices, an increase of 25 percent over the figure for 1993. Some foreign law firms have been allowed to set up agencies or offices in China. Presently Chinese lawyers are busy providing society with legal assistance. Legal assistance funds have been established in Beijing and other places, and legal assistance centers have been set up in Shanghai and Guangzhou to answer questions concerning the law from citizens and provide them with other legal services.

China is a country with a relatively low crime rate. At the end of 1994 China's prisons had a total of 1.286 million prisoners, or 10.7 persons per 10,000 of China's total population, which is much lower than the figure of 56.5 persons per 10,000 in some Western developed countries.

China's criminal law has set clear demarcations between crime and non-crime. Only those who have violated state law are dealt with according to law. Included in China's criminal law are crimes of counterrevolution, which refer to crimes that endanger state security and aim at overthrowing the political power of the country, namely, acts with the subjective goal of overthrowing the political power of the

country and acts that objectively endanger state security. Those who hold differing political views, but have committed no act endangering state security, have committed no crime.

Following the principle of combining punishment with reform and education with labor, Chinese prisons aim at reforming criminals and turning them into law-abiding citizens. The chief means to achieve this goal is education, including education in law, ethics, culture and technology. Meanwhile, prisoners are organized to participate in whatever labor they are capable of.

China protects, according to law, those rights of the prisoners that have not been taken away or curtailed. In December 1994 China promulgated and put into force the Prison Law, 20 of whose 78 articles are related to the protection of prisoners' rights. Article 7 in the General Provisions states clearly: "Prisoners have the right of immunity from insult to their dignity and from infringement on their personal security and legal property; they have the right of defense and the right of appeal, complaint and accusation as well as other rights that have not been taken away or curtailed by law." The Prison Law also stipulates specifically that prisoners have the right of immunity from corporal punishment and abuses, the right of appeal, the right of communication, the right of meeting visiting family members and relatives, the right to education, the right to rest, the right to receive remuneration for work, the right to labor protection and labor insurance, and the right to receive medical treatment; they enjoy equal rights with other citizens upon their release after completing their sentence term. In order to safeguard the proper rights of prisoners, the Prison Law sets strict and concrete demands on prison police. Article 14 lists all the offenses against the law that are prohibited while prison police perform their duties. Standardization of the conduct of prison police prevents infringement on the proper rights of prisoners.

China opposes the practice of forcing confessions and giving credence to them and strictly prohibits the use of cruel punishment in every link of the judicial work; it has adopted a series of laws in this regard. In 1988 China formally acceded to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Chinese procuratorial organs have set up special offices and stationed special personnel in prisons and detention houses to inspect and supervise as to whether prisoners are subject to cruel punishment or other abuses. Once such a case is found, it is investigated and seriously dealt with. In 1994 Chinese procuratorial organs placed 409 cases of extortion of confession on file for investigation and prosecution, and completed the investigation of 398 cases. Public

security officers, police and other people involved were punished, including meting out the death sentence.

China has achieved remarkable results in reforming criminals. In 1994 over 210,000 prisoners received graduation and completion of study certificates in culture and techniques from the special schools run by prisons. In the same year 282,000 prisoners were granted reduction of sentence terms and release on provisional parole, accounting for 21.96 percent of the total prisoners. In 1994 the national reconviction rate remained between 6 and 8 percent, a very low rate compared to that of other countries in the world. The reconviction rate in some Western countries stands between 20 and 30 percent, and sometimes as high as over 50 percent.

IV. The Right to Work of Citizens and the Rights and Interests of Worker

China has always attached importance to the protection of the right of citizens to work and the rights and interests of workers, regarding this as an important aspect of its efforts to safeguard human rights. The Labor Law of the People's Republic of China, adopted in July 1994 by the Standing Committee of the Eighth National People's Congress, fully and concretely states the basic rights of laborers granted by the Constitution. According to law, workers enjoy equal rights to employment, selection of profession, remuneration, rest and vacation, labor security and health protection, professional skill training, social insurance and welfare as well as other rights prescribed by law. The Labor Law stipulates that the state implement a minimum wage guarantee system and a paid annual vacation system, in addition to standards for work hours, labor security and health, with special protection for women workers, and standards for professional training.

When the Labor Law was promulgated, it stipulated that work hours not exceed eight hours a day or 44 hours a week on the average. In March 1995 the State Council issued a circular adopting the five-day work week nationwide, thus shortening the working hours of workers and staff to 40 hours a week. This is an amazing step taken by a developing country like China in protecting the rights and interests of laborers.

In order to implement the Labor Law, a labor contract system, a minimum-wage system and a labor supervision system have basically been established in the whole country. By August 1995 28 provinces, autonomous regions and municipalities directly under the central government had officially adopted minimum-wage standards for their respective localities. Governments at all levels have strengthened

supervision of labor security and health protection during work, attached great importance to the supervision and examination of implementation of the law in private enterprises and enterprises with foreign investment, and conducted timely investigation and dealt with enterprises and individuals who have violated the stipulations of the Labor Law and encroached upon the legal rights and interests of workers.

Employment is the direct embodiment of the citizens' right to work. With the support of people from all walks of life, remarkable results have been achieved in employment in the whole country over the past few years. From 1991 to 1994 arrangements were made for more than 29.21 million people to find jobs in China's cities and towns. The number of urban and rural employees in 1994 showed an increase of 47.3 million over the 1991 figure, with the unemployment rate in cities and towns remaining below 2.8 percent. This is no easy task for China, a country with a population of 1.2 billion and a still very low level of economic development.

Because of China's big population base, the contradiction of the supply of labor force exceeding the demand will exist for a very long time to come. By the end of 1994 China had 4.8 million unemployed in cities and towns. To solve this problem, the government has proposed and carried out the "reemployment project," with the emphasis on helping those who have been unemployed for more than six months to find jobs as soon as possible. At present, this project has been promoted throughout the country, and remarkable results have been achieved in Shanghai, Shenyang and other cities.

By the end of 1994 China had 25,000 employment agencies, which successfully dealt with 13.29 million person-times in helping people find employment or re-employment in 1994 alone. Professional skill training has developed, with 4,433 schools for training technicians and 2,600 employment training centers set up. China has already established an employment service system, with employment agencies, employment training, labor service, and enterprises based on the principle of save-oneself-by-production as its mainstay.

China's social insurance has also achieved outstanding results since 1991. In March 1995 the State Council issued the Circular Concerning the Deepening of Reform of the Endowment Insurance System for Workers and Staff of Enterprises. A basic form of endowment insurance that combines social overall planning with personal accounts has been established, thus further expanding the scale of endowment insurance. At the same time a mechanism has been adopted to adjust the basic pension regularly, so as to guarantee the basic livelihood of retirees from enterprises. In recent years the State Council has issued several documents to raise

the retirement pay of retirees. By the end of 1994 China had altogether 29.29 million retirees, whose retirement pay and retirement allowances averaged 82 percent of the average wage of workers and staff on the job. With regard to the unemployment insurance system, the State Council promulgated in 1993 the Insurance Regulations for Workers and Staff of State-Owned Enterprises Waiting for Employment. In China today 26 provinces, autonomous regions and municipalities directly under the central government have extended the coverage of the unemployment insurance program. By the end of 1994, the total number of workers and staff participating in the unemployment insurance program had reached 95 million throughout the country. Based on the principle of ensuring basic medical care for all laborers in cities and towns on the one hand, and economizing on medical expenses and lightening the burden of enterprises on the other, reform has been carried out in the medical insurance system. Reform measures have also been enacted in the system of insurance against injury at work and birth insurance system so as to better protect the rights and interests of the workers.

With the continuous growth of the national economy and the special attention of the government to protecting the rights and interests of workers, the average annual wage of workers and staff has increased year after year, from the average yearly wage of 2,140 yuan in 1990 to 4,538 yuan in 1994, an average annual increase of 6.4 percent in real wage after deducting price-rise factors.

Since 1991 the Chinese government has further consolidated the social guarantee for the rights and interests of the elderly. Today the governments of 28 provinces, autonomous regions and municipalities directly under the central government have enacted local regulations to safeguard the legal rights and interests of the aged. At the end of 1994 ten departments, including the State Planning Commission, the Ministry of Civil Affairs and the China National Committee on Aging, Jointly issued the Seven-Year Development Program for China's Old-Age Work, which comprehensively prescribes detailed stipulations for protecting the rights and interests of the elderly.

It has been a tradition for several thousand years in China's rural areas to "raise children to provide for old age." After New China was founded, a five-guarantee system was adopted for childless and helpless old folks, according to which they are provided with food, clothing, medical care, housing and burial expenses. In addition, many places have set up "houses of respect for the aged." Since 1991 the Ministry of Civil Affairs has been carrying out the work of rural endowment insurance on an experimental basis. Today, 1,500 counties (cities) have implemented old-age insurance in the rural areas and nearly 50 million people in the countryside have

joined the endowment insurance program. In future the life of old people in China's rural areas will be triple-guaranteed by the support of their children, social insurance and the five-guarantee program.

The Regulations for Rural Five-Guarantee Work, adopted by the State Council in 1994, enables the five-guarantee program to become a system. China is now in the process of establishing a five-guarantee system by combining collective support, state relief and the construction of homes of respect for the aged. Presently, 33,584 townships and towns in China have made overall plans for the five-guarantee work, accounting for 69 percent of China's total townships and towns. The number of old people on the five-guarantee programs supported by collectives has reached 2.73 million, accounting for 76.68 percent of the total number actually provided for. China's rural areas have about 40,000 homes of respect for the aged, housing altogether 560,000 old people.

V. The Right of Citizens to Education

China has put forward the principle of invigorating the nation by relying on science and education, making the best use of its limited financial resources to provide Chinese citizens as much as possible with a steadily increased right to education. An educational system based on a basically rational structure and with a quite complete range of subjects has initially taken shape. Under this system, basic education, vocational education, adult education and higher education are interconnected and developing in a coordinated way. By 1994 the country had altogether 683,000 primary schools with 128.2 million pupils, an increase of 4.7 percent over the 1990 figure; 82,000 regular middle schools with 49.817 million students, an 8.6 percent increase over the 1990 figure; 1,080 universities and colleges with 2.799 million students, a 35.7 percent increase over the 1990 figure; 1,172 schools of higher learning for adults with 2.352 million students, an increase of 41.1 percent over the 1990 figure; 18,700 secondary vocational schools of various grades and types with 9.125 million students, a 39.8 percent increase over the 1990 figure.

To better protect citizens' right to receiving an education, China in recent years has formulated and put into effect the Law on Compulsory Education, Regulations for the Work of Eliminating Illiteracy, Regulations of Education for the Disabled and other educational regulations. In March 1995 the Standing Committee of the National People's Congress adopted the Law of Education of the People's Republic of China. It prescribes in a comprehensive way citizens' right to education and restates the basic principle that "all citizens enjoy an equal right to education according to

law, regardless of ethnic status, race, sex, occupation, property status and religious belief." It also stipulates that the state will help develop education in areas inhabited by China's ethnic minorities, assist remote border regions and poor areas to develop education, and support and develop education for the disabled.

The Chinese government has always attached great importance to the development of basic education, which has developed at a comparatively rapid pace since the beginning of China's reform and opening to the outside world. By the end of 1994 China had popularized five-year or six-year primary school education in areas inhabited by over 90 percent of its population. The primary school enrollment rate among children of school age reached 98.7 percent in 1994, an increase of 0.9 percentage point over the 1990 figure, and 86.6 percent of primary school graduates entered junior middle schools, an increase of 12 percentage points over the 1990 figure. Nine-year compulsory education has basically been popularized in large and medium-sized cities and some economically developed regions.

In order to ensure that all citizens enjoy an equal right to education, regardless of sex, ethnic status and the economic conditions of their respective regions, the Chinese government has since 1990 adopted effective measures to steadily narrow the gap between them in receiving an education. According to the statistics of the State Education Commission, the difference in the enrollment rate between girls and boys dropped from 2.9 percentage points in 1991 to 1.3 percentage points in 1994; the difference in the enrollment rate between rural children and city children dropped from 2.5 percentage points in 1990 to 0.9 percentage point in 1994. With regard to the five ethnic minority autonomous regions of Guangxi, Xinjiang, Inner Mongolia, Tibet and Ningxia and the three provinces of Qinghai, Yunnan and Guizhou which have a comparatively large number of ethnic minorities, the difference in the average enrollment rate between their children and children of the country as a whole dropped from 2.5 percentage points in 1990 to 1 percentage point in 1994.

Owing to the uneven development of the economy and other historical reasons, China has long had a large number of illiterates. According to statistics, illiterates totalled 320 million in 1949 when the People's Republic of China was founded, with the illiteracy rate as high as 80 percent. Since then, the Chinese government has been making great efforts to carry out activities for the elimination of illiteracy, providing illiterates with all kinds of free literacy education. As a result, the total number of illiterates and the illiteracy rate have dropped greatly. By 1990 the number of illiterates among people above the age of 15 came down to 180 million, and the illiteracy rate dropped to 22.2 percent. In 1994 the number of China's total illiterates dropped to 150 million, and the illiteracy rate dropped to 17 percent; the

number of young and middle-aged illiterates decreased from 60 million to 35 million, Beijing, Tianjin and Shanghai and the provinces of Jilin, Heilongjiang, Liaoning and Guangdong have basically wiped out illiteracy among young and middle-aged people. Currently the Chinese government is taking all possible measures to basically popularize nine-year compulsory education throughout the country and eliminate illiteracy among young and middle-aged people by the end of this century.

The Chinese government has paid great attention to assisting poor areas to develop education. In 1991 the Chinese government established a help-the-poor education foundation, allocating every year since then 200 million yuan from state finances specially for the development of education in poor areas. In addition, 30 to 40 million yuan in education fees paid by enterprises directly under the central government are used exclusively for educational development in poor areas. Also devoted to the development of the nine-year compulsory education in 225 counties (banners) of 12 provinces (autonomous regions) are loans to the tune of US\$ 200 million from the World Bank. To make up for the insufficiency in state educational appropriations, the Chinese government has called on and organized the whole society to give support to the poor areas in developing their education; this endeavor is generally called the Hope Project. By the end of 1994 donations amounting to 350 million yuan had been collected, a back-to-school fund had been established for children in poor areas who had discontinued schooling, 749 Hope Primary Schools had been set up, and over one million children who had been forced to leave school because their families were too poor to support them had resumed their education. The success of China's Hope Project has won extensive praise from people in all circles both at home and abroad.

Over the past few years, while introducing a university admission charge system, the Chinese government has also taken various measures to provide university students from poor families with financial aid. In 1994 alone the government allocated 217 million yuan to be used exclusively for helping students with financial difficulties receive a higher education.

In order to help peasants in poor areas raise their scientific and cultural level, the Ministry of Culture in 1993 set up a cultural help-the-poor committee, which has initiated a Libraries for Villages Project. Since then 20,000 villages have been helped to build their own little libraries, with books of at least 100 types for each. The committee has also built about 100 satellite television receiving and rebroadcasting stations in the poor areas.

VI. Protecting the Legitimate Rights and Interests of Women and Children

To promote equality between men and women is a basic objective in China's social development. Since 1991, based on the legislative principle of equal rights for men and women and protection of women's special rights and interests, China has worked to reinforce the lawful protection of women's human rights. In 1992 China promulgated and put into effect the Law of the People's Republic of China on the Protection of Women's Rights and Interests. It stipulates in concrete terms all aspects of women's rights and interests, including rights and interests in politics, culture and education, labor, property, person, marriage and family. China has now established a legal system with the Constitution as its basis and the Law of the People's Republic of China on the Protection of Women's Rights and Interests as its main part; it includes some 10 legislations, more than 40 administrative laws and regulations and over 80 local laws and regulations guaranteeing women's rights and interests.

In August 1995 the Chinese government issued the Program for Chinese Women's Development (1995-2000), which makes clear that the main goal for Chinese women's development is to raise the quality of women in general and make sure that women enjoy all the rights they are entitled to by law. The program also lays down specific goals and related policies and measures.

Chinese women enjoy the same political rights as men. The extent of women's involvement in the management of state and social affairs has further increased in recent years. In 1993, 95 percent of women cast their votes during local elections for people's congresses. There are 626 women deputies to the Eighth National People's Congress, accounting for 21.03 percent of the total number of deputies. The ratio is high in the world. There are 19 women on the Standing Committee of the National People's Congress, accounting for 12.3 percent of all Standing Committee members and a 2 percentage point rise from the last congress. The ratio of women deputies in local people's congresses is higher than the last congress. The number of women holding leading positions in government departments has also risen. The number of women employed by the government has risen from 10.04 million in 1991 to 12.371 million in 1994. The ratio of women employed by the government has risen from 31.2 percent to 32.5 percent. In 1994, among those occupying high government positions were one woman State Councillor of the State Council, 16 women ministers or vice-ministers, 18 women provincial vice-governors, more than 300 women mayors or vice-mayors and 21,012 women judges.

Chinese women's economic, social and cultural rights are being more effectively guaranteed. The number of women employed now accounts for 44 percent of the

employed, higher than the world average of 34.5 percent. The number of women working in cities and towns has risen from 52.94 million in 1990 to 56.458 million in 1994. The ratio of women in the whole work force is 38 percent. About half the labor force in the countryside is made up by women. More and more women are taking more sophisticated jobs. According to statistics for 1993, 36.8 percent of all professional and technical personnel working in enterprises and institutions were women. About 35 percent, or 8.097 million, of China's scientists and technicians are women. This ratio is higher than that in many developed countries.

Chinese law stipulates that men and women doing the same job get the same pay, and working women receive special protection. Women receive special care during menstruation, pregnancy, maternity and breast-feeding. Working women who give birth are entitled to three months of maternity leave with pay. These laws have been strictly enforced for the past decades. In recent years women employees in some units have been given six months' paid maternity leave.

Women's right to education is further protected. The ratio of girls between seven and 11 attending school has risen from 80 percent in 1990 to 97.7 percent in 1994. The ratio of female students in middle school and in university rose from 42.2 and 33.7 percent to 44.3 and 34.5 percent respectively.

The state pays special attention to protecting women's rights in marriage and the family and guaranteeing according to law women's independence in marriage and equal rights between husband and wife, men and women in the family. Chinese women enjoy the same right of ownership of property and inheritance as men and equal rights in the management and decision-making of family affairs. According to a survey, in 58 percent of families in China, decisions concerning important family affairs are made by the husband and wife together. A wife abused by her husband or a daughter-in-law abused by her father- or mother-in-law is considered unacceptable offenses in society. The family violence common in some Western countries is relatively rare in China.

The state respects a woman's right to give birth and protects her health when giving birth. In China women have the right to family planning and the freedom to choose not to give birth. Relevant departments have the duty to provide couples at the child-bearing age with safe and effective contraceptives and techniques and ensure that women taking birthcontrol measures are safe and healthy. In recent years, as the economy has developed and society progressed, more and more women are making their own decisions about giving birth. Cases of women being discriminated against by their fathers- or mothers-in-law or estranged by their husbands because they are infertile or give birth to girls have declined steadily.

The family planning policy implemented by the state according to the Constitution represents the long-term interests of state and social development. It also meets the demands of women to raise the level of their health and family life. Women all over China have fully supported this policy. The birthcontrol rate of married women rose from 75 percent in 1990 to 83 percent in 1994, and in some areas it was above 90 percent. The birthrate dropped from 21.06 per 1,000 in 1990 to 17.7 per 1,000 in 1994. The natural population growth rate dropped from 14.39 per 1,000 to 11.21 per 1,000. Women's total birth-rate dropped from 2.31 to about 2.0. At the same time, the health level of women giving birth has risen considerably. Around 98 percent of urban women and 70 percent of rural women have prenatal examinations. The death rate of pregnant women or women giving birth dropped from 94.7 per 100,000 in 1989 to 67.3 per 100,000 in 1993.

China's family planning policy is a great contribution to the world's human rights. According to statistics issued by the UN's population foundation, the present world population is 5.7 billion. Without exercising control, it will reach 11.9 billion by the year 2050. The world will face the crisis of "population explosion." The family planning policy enabled China to postpone its "1.2 billion day" for nine years.

Children are the future of the country and society. In recent years, through legislative, judicial, administrative and other types of measures, the state has greatly improved children's conditions.

In September 1991 the Standing Committee of the National People's Congress passed the Law on the Protection of Minors of the People's Republic of China. It clearly stipulates that "the state ensures that personal, property and other legitimate rights of minors not be infringed." It also gives provisions on various principles guiding the protection of minors and the responsibilities of family, school, society and judicial institutions in this respect. As a result, the protection of children is now within the scope of law. In 1992 the State Council issued An Outline Program for Chinese Children's Development in the 1990s. It gives concrete stipulations on the main goals and measures for the development of Chinese children in this century.

To counter the criminal activities of kidnapping and selling women and children, which have recurred in some areas in recent years, judicial departments at various levels have dealt out severe punishment according to the Regulations on the Severe Punishment of Criminals Who Kidnap and Sell Women and Children passed in 1991 by the Standing Committee of the National People's Congress. Many criminals were brought to justice. Cases of kidnapping and selling people have declined since 1991, down 35.2 percent in 1992, 9 percent in 1993 and 27.3 percent in 1994.

To ensure the health of children, China has taken great steps to develop health care for women and children and improve the health-care level of kindergartens and nurseries. There are now nearly 450,000 kindergartens and nurseries all over the country. In big and medium-sized cities the demand for kindergartens and nurseries is basically met. There are 3,164 health-care institutions for women and children throughout China. To control and prevent infectious diseases, China has an immunity program for all children. In 1994 the rate of children inoculated against pertussis, diphtheria and tetanus was 92.76 percent. The rate of children inoculated with BCG, measles and polio vaccine was 93.96, 89.37 and 93.74 percent respectively. The rate of inoculated children in China is close to the average level of developed countries. The Chinese government has promised to wipe out polio in China. Since 1991 the infant mortality rate and that of children under five years of age have declined at an annual rate of 4.6 percent and 4.9 percent.

VII. Guarantee of Rights and Interests of Ethnic Minorities

There are 55 ethnic minorities in China. To guarantee the legitimate rights of ethnic minorities, China's Constitution and laws stipulate that all ethnic groups are equal. There are clear stipulations that help is to be extended to ethnic minorities and national autonomous areas for the development of their economy, culture and other undertakings and that the customs and habits of ethnic minorities are to be respected in social life. This is the fundamental reason that all ethnic groups in China have for a long time united closely, lived in harmony and helped one another.

The ethnic minorities' right to be represented in the highest organ of state power as well as in local organs of power at various levels has been continuously and specially guaranteed. Deputies to the Eighth National People's Congress include 439, or 14.7 percent, of ethnic minorities. This percentage is much higher than the percentage (8.04) of population of ethnic minorities in the country's total population. The state pays much attention to training and selecting cadres of ethnic minorities to work in governments at various levels. About 10.5 percent of all cadres at provincial or ministerial level are from ethnic minorities and 7.9 percent of cadres at prefectural or bureau level are from ethnic minorities.

China has instituted a system of regional autonomy in minority areas. In order to implement the Law on Regional National Autonomy, since 1991 China has formulated more than 20 regulations on regional national autonomy and some special regulations. This has further guaranteed autonomy in the national autonomous areas. In China the chairman of an autonomous region and the head of

an autonomous prefecture or autonomous county are invariably citizens of the ethnic group that exercises regional autonomy. Other members of the people's government of an autonomous region, autonomous prefecture or autonomous county are also to be made up, as far as conditions permit, by citizens of the ethnic group that exercises regional autonomy or citizens of other ethnic minorities in that area. The law stipulates that autonomous organs can apply for permission from higher state organs to make alterations in or desist from implementing resolutions, decisions, orders and instructions made by higher-level state organs if they are not in accordance with the situation in autonomous areas. The autonomous organs in national autonomous areas guarantee that citizens of all the local ethnic groups have the freedom to use and develop their own spoken and written languages and to maintain or reform their customs and habits, and, according to law, guarantee that citizens of all ethnic groups enjoy freedom in religious belief.

In recent years the state has continued to pay more attention to guaranteeing the rights and interests of ethnic minorities living in scattered communities. In November 1993, with the State Council's approval, the State Nationalities Affairs Commission promulgated Regulations on Administrative Work of Nationality Townships and Regulations on Urban Nationality Work. They give detailed provisions on how to guarantee the political, economic and cultural rights and interests of scattered ethnic minorities.

The state has always implemented a preferential policy for the economic development of areas where people of ethnic minorities live in compact communities, providing funds, technology and personnel aid. In December 1991 the State Council issued a document requesting governments at all levels to increase input to the autonomous areas and to speed up the aid scheme whereby economically developed areas give aid to ethnic minority areas. It required banks at all levels to give appropriate preferential treatment to autonomous areas in terms of loans for projects of investment in fixed assets. More funds and materials allocated for assisting poor areas should be directed to poor ethnic minority areas.

Aid provided by the state and developed areas to national autonomous areas has promoted their economic development. The total output value of industry and agriculture of autonomous areas in 1994 increased 73.8 percent over that of 1990, the agricultural output value increasing 28.1 percent, the industrial output value increasing 109.1 percent and railway lines open to traffic increasing 27.5 percent. The life of ethnic minorities has improved greatly. In 1990 the average yearly salary for workers and employees in autonomous areas was 2,040 yuan. It was 3,970 yuan

in 1994. In 1990 the average yearly income for peasants and herders was 546 yuan. It was 944 yuan in 1994.

Because of its high altitude, poor natural conditions and the dark rule of the feudal serf system for an extended period in the past, Tibet is comparatively backward economically and culturally, so the state has given special care to Tibet's development. In July 1994 the Central Government decided that the rest of China should help Tibet with 62 construction projects with an estimated investment of 2.38 billion yuan. The projects include mainly infrastructure, such as water supply, electricity, roads, power, telecommunications, schools and hospitals. The purpose is to lay a good foundation for the full-fledged development of Tibet. More than 40 projects have been completed and handed over for use. Actual investment has risen to over 3 billion yuan. Completion of these projects has vigorously promoted economic development in Tibet, improved the production and living conditions of Tibetans and raised their standard of living.

Because of historical and geographic reasons, there is still a big gap between the ethnic minority areas and inland and coastal areas in terms of economic and social development. The Chinese government has made great efforts to narrow the gap and has achieved obvious results. It will continue its efforts to bring about a change for the better in backward minority areas.

The Chinese government has always respected and valued the traditional culture of ethnic minorities. It has allocated large sums of money for the protection and maintenance of historical relics and sites of ethnic minorities. Between 1989 and 1994 the government invested 53 million yuan to completely renovate the world-famous Potala Palace in Tibet and finished 111 projects. This is the biggest renovation of the Potala Palace since it was constructed early in the Qing Dynasty in the mid-17th century. In 1991 the government invested more than 30 million yuan and provided manpower and material for the renovation of the Kumbum Monastery, an establishment of Tibetan Buddhism in Qinghai.

The government makes great efforts to nurture and develop the culture and art of ethnic minorities. In March 1992 the third China Art Festival was held in Kunming, Yunnan Province, with 56 ethnic groups participating. In January 1995 a music and dance invitation performance of 56 ethnic groups was held in Shanghai, promoting the development and prosperity of national music and dance. With government support, a number of cultural and artistic troupes of ethnic minorities have visited foreign countries.

The government has always respected and guaranteed ethnic minorities' right to use and develop their own spoken and written languages. In the performance of their

functions the autonomous organs in autonomous areas use one or several local languages according to the regulations of autonomy set by the autonomous areas. Broadcasting, television, cinema, books, newspapers and magazines in autonomous areas use one or several local languages. On June 19, 1991, the State Council approved the Circular on the Report Regarding Further Improving Work on the Spoken and Written Languages of Ethnic Minorities submitted by the State Nationalities Affairs Commission and referred it to those concerned. The circular demanded strengthening the formulation of laws governing the use of native languages, standardizing the languages and information processing of the various ethnic groups, and promoting translation, publishing, education, news, broadcasting, television, films, the collating of ancient books, academic research, cooperation and exchanges in native languages and the training of personnel.

Since 1991, with the support of the government, the traditional medical sciences and pharmacies of ethnic minorities have been enriched and developed. More and more people are now engaged in Tibetan, Mongolian, Uygur, Kazak, and Dai medical science and pharmacy--over 6,000 to date. There are over 500 hospitals and folk clinics of medicine of ethnic minorities.

Since the Chinese government respects and guarantees all the rights and interests ethnic minorities are entitled to enjoy under the law, and since it pays much attention to and supports the political, economic and cultural development of autonomous areas, in China's minority areas today the political situation is stable, the economy and culture are developing and the life of ethnic minorities is improving every year. All 56 ethnic groups in China live in harmony, are united and friendly to one another, and support and help one another.

VIII. Guarantee of the Rights and Interests of the Disabled

China has all along attached importance to guaranteeing the various rights and interests of the disabled. On the one hand, China has adopted various measures to ensure that the disabled enjoy equal rights with other citizens and to protect their rights from infringement; on the other hand, China has adopted special support measures to help and promote the disabled to actually and equally participate in social life and share social material and cultural achievements by primarily setting up a guarantee system of human rights for the disabled. In the past few years, along with the sustained, rapid and healthy development of China's economy, China's guarantee system of human rights for the disabled has been perfected step by step.

In December 1990 the Standing Committee of the National People's Congress adopted the Law of the People's Republic of China on the Protection of Disabled Persons, which came into force in May 1991. Hence China has a special law guaranteeing the disabled's human rights. To strengthen the work guaranteeing human rights for the disabled, the State Council founded the State Coordination Committee for Work on the Disabled, consisting of 33 commissions and ministries and the China Disabled Persons' Federation. Each province, autonomous region and centrally administered municipality and each prefecture, city and county has also founded a coordination organ for work on the disabled under the leadership of local governments at different level.

To help the disabled recover maximum health is an important prerequisite for them to enjoy extensive human rights. By the end of 1994 China had performed 1.232 million cataract operations, rectified 417,000 people/time of polio sequelae and trained 57,000 deaf children in hearing and speech, Chinese governments at all levels have set up 6,558 community rehabilitation centers. In addition, China has founded 574 poor-eyesight rehabilitation centers, providing more than 20,000 poor-sighted people with sight aids, and established 463 rehabilitation centers for mentally retarded children, which have trained 4,060 mentally retarded children and over 30,000 parents and rehabilitation instructors in grass-roots units.

China pays particular attention to protecting the disabled's rights to labor and employment. The Labor Law of the People's Republic of China, Regulations for State-Owned Enterprises for Changes in Operating Mechanisms, and other laws and regulations all include specific regulations guaranteeing the disabled's rights to labor and employment. Twenty-seven provinces, autonomous regions and centrally administered municipalities in China have formulated local legislation specifying that the proportion of disabled people among total employees of government organs, enterprises and institutions should not be lower than 1.5 percent. By the end of 1994 the number of welfare enterprises mainly employing the disabled had reached 60,000 in China. Over 70 percent of disabled persons with labor abilities in cities and towns above the county level have been employed.

To let disabled persons enjoy the right to receive education is work on which the Chinese government has expended great effort in recent years. The Chinese government has set up special-education schools and classes for blind, deaf and mentally retarded children. By the end of 1994 China had set up 1,241 special-education schools and 5,301 special-education classes for the disabled, and the number of blind, deaf and mentally retarded students had reached 210,000. The number of special schools, special classes and disabled students attending these

special schools and classes increased by 224 percent, 99 percent and 416 percent respectively over the 1990 figures. There are 370 vocational education and training centers for disabled persons in China. In 1994 alone 97,000 people/time of handicapped persons were trained. In China thousands of disabled students enter colleges and universities every year.

The spiritual life of the disabled in China has become rich and varied. In recent years all localities in China have held various performances, sports contests, and other cultural activities, such as calligraphy, painting, photography and philately, for the disabled. In September 1994 the Chinese government held the Sixth Far East and South Pacific Games for the Disabled in Beijing. Over 2,000 athletes from 42 countries and regions attended the games. To run the games well, the Chinese government poured huge human, material and financial resources into them and organized more than 30,000 volunteers to serve the handicapped friends from other countries. UN Secretary-General Boutros Boutros-Ghali, the heads of 13 states or governments and the chairman of the International Olympic Committee for the Disabled sent congratulatory telegrams to China, speaking highly of the efforts of the Chinese government and people for the cause of disabled people.

In recent years the Chinese government and various circles in the society have done a great deal of work to create a favorable social environment for people to understand, respect, care for and help disabled persons. On National Helping-the-Disabled Day, legally set in May every year, the broad masses of the people all over the country actively participate in activities to help the disabled, strengthening their understanding of and respect for the disabled. Every year over 30 million children take part in Young Pioneers Helping the Disabled activities, which have been carried out for eight years running. Many moving deeds of helping the aged and disabled have emerged. Many hospitals in large and medium-sized cities have conducted activities to show love to disabled orphans. By performing operations on the disabled, they have helped many disabled orphans recover their health.

To help the disabled participate in social life, China has worked out and implemented Standards for the Design of Urban Roads and Buildings for the Disabled's Convenience, which require all localities to build obstacle-free structures in accordance with actual conditions and economic development in China when constructing municipal works and various buildings. The past few years have witnessed a great increase in various special installations and obstacle-free structures in Beijing, Shanghai, Tianjin, Guangzhou, Shenyang, Shenzhen and other large cities.

IX. Developing the Study of Human Rights and Popularizing the Knowledge of Human Rights

In the process of advancing the cause of human rights in an all-round way, China has attached great importance not only to social development and reinforcement of the guarantee of laws, systems and materials on human rights, but also to the theoretical study, publicity and popularization of human rights.

In the past few years Chinese scholars have been very active in the study of human rights theories. A professional research force consisting of scholars and experts from institutions of higher learning and research institutes all over the country has been formed. The Chinese Society for the Study of Human Rights and other national academic bodies have been set up one after another. Some institutions of higher learning and research bodies have set up human rights research centers and human rights teaching and research offices or research offices. Meanwhile, a large number of special human rights bodies for the study of the human rights of women, children and the disabled have emerged. According to incomplete statistics, since 1991 China has held over a dozen largescale national theoretical symposiums on human rights and over a hundred discussions, forums and reports on human rights. Delegations sent by the Chinese Society for the Study of Human Rights attended the World Human Rights Conference held in Bangkok and Vienna in 1993 and the UN World Conference on Women held in Beijing in 1995, at which the Chinese delegates conducted exchanges with human rights experts and organizations from all over the world.

The Chinese government actively supports and aids financially the study of human rights. The research subjects aided financially by the State Social Science Fund, the China Social Science Fund and the Youth Social Science Fund include a certain number of subjects on human rights. Every year a group of subjects on human rights win financial aid from the State Education Commission, the Chinese Academy of Social Sciences and local governments and achieve results. In addition, the China Human Rights Research Fund set up by various social circles collects funds and gives financial aids to research activities on human rights.

In light of the current world situation and China's practice, Chinese scholars have made a deep study of the issue of human rights in various aspects and published a large number of books and theses expressing original ideas. In recent years nearly a hundred academic books on human rights have been published. Over a thousand theses on human rights have been published in various newspapers and magazines. The research achievements of academic circles have benefited the formation of state

policies on human rights and exerted a favorable influence in strengthening the people's sense of human rights and promoting social development.

Chinese academic circles have also translated and published a large number of foreign books on human rights and compiled systematic, comprehensive and complete research data on human rights. China has published the General List of the World Conventions and Laws on Human Rights, Research Data Series on Human Rights, International Human Rights Documents and International Human Rights Organizations and many other books, totaling more than 10 million words. These books not only collect, sort out and introduce various ancient and modern, Chinese and foreign theories and ideologies on human rights, but also collect the declarations, conventions, agreements, resolutions and constitutional documents on human rights of all countries in the world and international societies.

China pays great attention to the popularization of knowledge of human rights. In recent years the Information Office of the State Council of the People's Republic of China has issued in succession Human Rights in China, Tibet--Its Ownership and Human Rights Situation, Criminal Reform in China, The Situation of Chinese Women and other documents. All circles in the society started extensive discussions on these documents. Publishing circles have published various study information and popular literature to introduce the origin and historical evolution of human rights and expound on the current state of human rights in the international community and China's basic position on the issue of human rights. Broadcasting stations, TV stations, newspapers and magazines have started special programs and columns, which extensively propagate and heatedly discuss the issue of human rights. Some institutions of higher learning, research bodies, social organizations and relevant government departments throughout the country have run study groups to popularize basic knowledge of human rights.

China closely integrates publicity and education on human rights with the state's construction of a legal system. When the Law on the Protection of Women's Rights and Interests, the Law on the Protection of Minors, the Law on the Protection of Disabled Persons, the Labor Law, the Law of Administrative Procedure and the Compensation Law were promulgated and implemented, China started publicity and education activities focused on strengthening citizens' consciousness of rights and laws. At present publicity and education on human rights have been included in national education and vocational training. Almost all institutions of higher learning and training organizations hold special lectures on human rights, and some universities have a human rights course to systematically teach theories of human rights. The widespread human rights publicity and education activities have

improved all citizens' ability, quality and level in exercising and enjoying human rights according to law and strengthened their sense of being masters of their own affairs as well as a sense of responsibility, thus creating a favorable environment of public opinion and social conditions for the cause of human rights.

X. Working Hard to Promote the Healthy Development of International Human Rights Activities

China respects the purposes and principles of the Charter of the United Nations related to the promotion of human rights and fundamental freedoms. In recent years China has, as always, actively supported and participated in international activities in the human rights field and has made new efforts to promote the healthy development of international human rights since the cold war.

In April 1994 Qian Qichen, Vice-Premier and concurrently Minister of Foreign Affairs of the Chinese government, reiterated while meeting with the former UN Secretary-General Kurt Waldheim, "China respects the Universal Declaration of Human Rights, the Proclamation of Teheran, the Declaration on the Right to Development and other international documents related to human rights" and "will, as always, make a joint effort with the international community to further strengthen international cooperation in the sphere of human rights."

China takes an active part in UN activities in the human rights field. In recent years China has consecutively been reelected a member of the UN Human Rights Commission and sends a delegation to the commission's annual session. The human rights experts recommended by China have continually been elected members of the Subcommission on Prevention of Discrimination and Protection of Minorities. China sends observers to the annual session held by the subcommission. In addition, China has successively been elected a member of the UN Commission on the Status of Women, and Chinese experts have continually been elected members of the UN Commission on the Elimination of Discrimination Against Women. China has many times sent delegations or officials to attend various conferences on human rights sponsored by the United Nations. In the aforementioned bodies and sessions China always conscientiously performs its duty, actively participates in the examination and discussion of subjects on human rights, and elaborates its views, making its contributions to constantly enriching the connotation of human rights and promoting universal respect for human rights.

With an active and constructive attitude China took part in the World Conference on Human Rights held in Vienna in 1993. From beginning to end, China participated in

the preparatory work of the conference, attended the four preparatory meetings held by the United Nations and the Asian Regional Preparatory Meeting, and served as vice-chairman of the First Preparatory Meeting, the Asian Regional Preparatory Meeting and the World Conference on Human Rights, thus playing an important role in the conference's preparation and success. At the Asian Regional Preparatory Meeting China, along with other Asian countries, made an active effort to reach agreement on the Bangkok Declaration and systematically elaborate the basic position of the Asian countries on human rights. During the World Conference on Human Rights China actively made clear its position and frankly and sincerely exchanged opinions with the countries attending the conference. Together with other countries, China resolutely resisted and opposed the rude and unreasonable attitudes and actions of a small number of Western countries that provoked confrontation and forced their views on others, trying to hinder the smooth progress of the conference. During consultations over the conference's final documents the Chinese government delegation put forward many constructive plans and suggestions and handled and coordinated the problems and contradictions that occurred during the drafting of documents on the basis of adhering to principle and, with a flexible and cooperative attitude, taking the situation as a whole into account, thus helping all countries to reach unanimity through consultation and achieve the smooth adoption of the Vienna Declaration and Program of Action.

China always supports the efforts of the United Nations to improve the status of women and promote equality between men and women. China successfully held the UN Fourth World Conference on Women and the '95 Nongovernmental Organizations Forum in Beijing in September 1995, thus contributing to the progress of the world's women and to the realization of women's human rights. It was the largest international conference since the founding of the United Nations. More than 46,000 people from 197 countries and regions gathered at Beijing and heatedly discussed various subjects concerning women with the theme of "equality, development and peace" as the core. Chen Muhua, head of the Chinese government delegation and Vice-Chairwoman of the Standing Committee of the National People's Congress, was elected chairwoman of the conference. The Chinese delegation took an active part in the discussion of various subjects during the conference and expounded its opinions on the strategy to improve the status of women and promote equality between men and women and on some important international issues, making its own contributions to the adoption at the conference of the Beijing Declaration and the Program for Action, of important historical significance. The Chinese government performed its duties as the host country in

great earnest, actively cooperated with the UN organizations, all governments and the nongovernmental organizations concerned, put in huge human, material and financial resources, and mobilized people all over the country and women from all walks of life to make tremendous efforts for the preparation and convening of the conference, to guarantee the great success of the conference. Hence China won popular praise from the international community. UN Under-Secretary-General Kitani said that the conference, which laid the foundation for a new era of relations between China and the United Nations, was a milestone in the UN women's history. Up to now China has ratified and acceded to 15 international human rights conventions, including the four Geneva Conventions of August 12, 1949, and their two Additional Protocols, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Suppression and Punishment of the Crimes of Apartheid, the Convention on the Elimination of All Forms of Discrimination Against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention Relating to the Status of Refugees, the Protocol Relating to the Status of Refugees, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Children and the Convention Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value. The Chinese government has earnestly performed its obligations prescribed in the conventions it has acceded to, strictly implemented the stipulations of the conventions through legislative, judicial and administrative measures and submitted reports on implementation of the related conventions on time.

In accordance with the purposes and principles of the Charter of the United Nations, China has extensively conducted cooperation and exchanges in the international human rights field. The Chinese government actively cooperates with the United Nations. As to various letters and documents forwarded to China by the UN Center for Human Rights and special reports, the Chinese government has made serious and responsible investigations and given timely replies by elaborating facts, views and opinions.

It is normal for countries to have a different understanding and practice of human rights owing to varied historical, social, economic and cultural conditions. To strengthen mutual understanding and cooperation among countries in terms of human rights, China actively advocates and holds dialogues and exchanges in the sphere of human rights. In recent years, when meeting heads of foreign states and governments and relevant personages, Chinese leaders have held constructive discussions with them on the issue of human rights. China has conducted multi-

round dialogues with many Western countries on the issue of human rights and has invited human rights officials and experts from many countries to visit China. China has also sent delegations to some countries to exchange opinions and views on issues of international human rights.

China has supported the United Nations in actively promoting the healthy development of activities in the international human rights field since the cold war in accordance with the purposes and principles prescribed by the Charter of the United Nations. Since the end of the cold war extensive and profound changes have taken place in the international situation. The people in the world, especially the people in developing countries, eagerly hope that international human rights will break away from the shadow of political confrontations of the cold war and follow the correct road of equal cooperation. However, some large Western countries stubbornly adhere to the modes of thinking of the cold war period to inject politics and ideology into the issue of human rights. On the international stage they take human rights as a means to compel developing countries to submit and a means to pursue hegemony and power politics, encouraging political confrontations in the human rights field. In view of this abnormal phenomenon in the international human rights field, China upholds principle and makes unremitting efforts to promote human rights, safeguard sovereignty and oppose hegemony, together with vast numbers of developing countries.

In the last few years the United States and some other Western countries have made unwarranted charges against the internal affairs of some developing countries and put various pressures on them at some international conferences. China has spoken out from a sense of justice, resolutely resisted and opposed their acts poisoning the international cooperative atmosphere in the human rights field, and supported the struggles of developing countries to safeguard their own rights and interests.

Since 1990 the United States and some other Western countries, disregarding China's political stability, economic development, social progress, daily perfection of democracy and the legal system and constant improvement of people's living standards, have concocted five anti-China proposals, wantonly interfering in China's internal affairs by trying to change China's development path and social system through sabotaging its stability and preventing it from going forward. They have gone everywhere to sell their ideas and impose pressure from various aspects, so as to reach their sinister political purposes. However, under the resolute opposition and resistance of China, the vast number of developing countries in Asia, Africa, and Latin America, and other countries that support justice, all five anti-China plots of the West have failed. It is a victory not only for China, but also for the vast number of

developing countries and international justice forces in defending the purposes and principles of the Charter of the United Nations.

China considers that the realization of human rights cannot be separated from world peace and development. Peace and development are two major subjects in the current world, as well as indispensable prerequisites for the universal realization of human rights and basic freedoms. Without a peaceful and safe international environment and without a just and reasonable international economic order, it will be impossible to realize extensive human rights. So long as the international community integrates the promotion of human rights with defense of world peace and the accelerated progress of mankind and advances them in a systematic way, it can make sustained and effective progress.

At present the world is in a historical era when a new century is coming and old world patterns are being replaced by new ones. What kind of world will enter the 21st century is an important issue of great concern to the international community. Since the end of the cold war some positive changes have taken place in international relations; meanwhile, many regional conflicts and complex and profound contradictions have broken out. Hegemony, power politics and unfair economic order still exist, imperiling world peace and development and hindering the realization of human rights and basic freedoms. China is willing, together with the international community, to make continual, unremitting efforts to bring a world of peace, stability, economic development and universally enjoyed human rights into the 21st century.