**Committee on the Elimination of Discrimination Against Women**

**The Rights Practice Submission**

1st February 2021

CEDAW Adoption of List of Issues: China

Session 80 March 2021

*The Rights Practice is an independent human rights organisation with a focus on China. Recent reports have addressed the use of the death penalty[[1]](#footnote-1) and gender-based violence in the Xinjiang Uyghur Autonomous Region (XUAR)[[2]](#footnote-2).*

**Article 2**

Are there complaints procedures if women or men allege that they have been raped when in any kind of detention facility including prison, pre-trial detention centres or “vocational education and training centres”, such as those established in the Xinjiang Uyghur Autonomous Region (XUAR)? How many allegations of rape in detention facilities have been received and investigated? What were the outcomes of the investigations, if any?

How many women have been required to attend compulsory, residential “vocational education and training centres” in XUAR between 2016-20? Please disaggregate the data by the women’s educational background and ethnicity.

The State Party introduced a policy of compulsory homestays, “becoming family”, in XUAR with officials required to visit, and sometimes stay overnight, in Uyghur homes. This policy discriminates against Uyghur women and places women and girls at risk of sexual violence. What is the legal basis for this policy? How does the State safeguard women and girls from the risk of any form of violence?

In the reporting period, how many women in China were sentenced to death with immediate execution? And how many were given a suspended death sentence? Of women given any kind of death sentence, how many convictions were for murder of a husband or intimate partner? And how many women were given the death sentence for drug-related offences?

**Article 5**

What efforts is the state taking to eliminate prejudice and discrimination towards women who identify as LGBTQI?

Does the state disaggregate data on discrimination against women by ethnicity?

**Article 7**

Please provide data on the trends of Uyghur and Kazakh women holding public office and performing public functions since 2016.

How many registered Chinese NGOs, not affiliated to the Women’s Federation at any level, are focussed on women’s rights?

Are women allowed to establish independent civil society organisations without official approval?

Following the introduction of the Overseas NGO Management Law in 2017, how many overseas NGOs focussing on women’s rights are registered in China?

**Articles 10 and 11**

Do measures to prevent discrimination in access to education and employment include discrimination based on sexual orientation? Please provide details of how discrimination on grounds of sexual orientation is prohibited by law.

Please provide details of the legal basis under which Uyghur women are required to work in factories. How does the state protect Uyghur women’s right to free choice of profession and employment?

**Article 12**

Please provide details of how Uyghur and other ethnic minority women’s right to health is protected when they are detained in the “vocational education and training centres” established in the XUAR.

**Article 14**

Please provide data on the proportion of girls from rural areas who complete compulsory education? Who attend high school? Who attend university?

What are the main obstacles to girls from rural areas attending university and what measures are being taken to address this form of discrimination?

What policies are in place to protect girls from sexual harassment and violence when they are left behind in villages following their parents’ employment in urban areas?

**Article 16**

Does the State Party have plans to introduce the right to marriage among LGBTQI couples?

Please provide data disaggregated by province or autonomous region, by ethnicity and by age on the sterilisation of women.

Please provide full details of the official family planning policy in the Xinjiang Uyghur Autonomous Region.

There are allegations by Chinese Uyghurs and Kazakhs that they have been forced to have abortions. Please provide details of the law that allows state officials to require women to have an abortion. [[3]](#footnote-3)

1. The Rights Practice, October 2020. ‘Respect for Minimum Standards? Report on the Death Penalty in China’. https://www.rights-practice.org/news/respect-for-minimum-standards-report-on-the-death-penalty-in-china [↑](#footnote-ref-1)
2. The Rights Practice, November 2020. ‘Invisible Pain: Sexual and gender-based violence in Xinjiang’. https://www.rights-practice.org/news/invisible-pain [↑](#footnote-ref-2)
3. See for example, <https://www.independent.co.uk/news/world/asia/china-uighur-xinjiang-forced-abortion-imprisonment-beijing-xi-kazakhstan-b1072127.html> or The Rights Practice report, ‘Invisible Pain’. https://www.rights-practice.org/news/invisible-pain [↑](#footnote-ref-3)