

## **Discrimination Against Rural Residents in China: A Report for China's 3<sup>rd</sup> UPR**

1. China, a party to the International Covenant on Economic, Social and Cultural Rights since 2001, has often conflated achievements in economic development with progress in equal protection of social and economic rights. Recognizing China's achievements in economic development, the Special Rapporteur on Extreme Poverty and Human Rights also raised concerns about the high levels of inequality and the lack of meaningful accountability mechanisms for the full realization of economic rights in a report issued after his August 2016 visit in China.<sup>1</sup> The Committee on Economic, Social, and Cultural Rights (CESCR) expressed concern in 2014 over large disparities in living standards among different regions and between urban and rural areas.<sup>2</sup>
2. In this report, we find persistent discrimination against rural residents, a failure of the Chinese government to protect equal enjoyment of economic and social rights. In particular, the "household registration" system, which restricts access to medical care, pension, education, and employment opportunities, continues to sustain discriminatory policies and practices against rural residents.
3. During the 2013 UPR, China accepted all 29 recommendations concerning equal protection of basic social benefits and services for rural and urban residents: 186.56 (South Africa), 74 (Togo), 75 (Bhutan), 76 (Ecuador), 84 (Central African Republic), 97 (Mali), 135 (Egypt), 174 (Iran), 175 (State of Palestine), 178 (Algeria), 179 (Bulgaria), 180 (Angola), 182 (Brunei Darussalam), 183 (Russia), 184 (Niger), 185 (Democratic People's Republic of Korea), 186 (Congo), 187 (Azerbaijan), 188 (Mauritius), 189 (Malaysia), 190 (Eritrea), 191 (Morocco), 192 (Mozambique), 193 (Serbia), 194 (Cambodia), 198 (Bolivia) 244 (Namibia), 245 (Yemen), and 247 (Côte d'Ivoire). These countries recommended China to strengthen the provision of public services and benefits for groups vulnerable to discrimination; alleviate rural-urban disparities; and combat poverty. However, our assessment shows that the government has only *partially implemented* 10 of these recommendations – 186.76, 97, 174, 182, 184, 186, 188, 192, 193 & 198, and it has *not implemented* the other 19.<sup>3</sup>
4. We urge governments of state parties ask China during this year's UPR to:

- Abolish the discriminatory household registration (*hukou*) system and ensure all citizens, whether rural or urban, equal access to health care, employment, and other social services and benefits in line with principles of non-discrimination;
- Protect the equal rights of migrant laborers from rural areas and their families, as provided to urban residents, including the rights to education, healthcare, housing, and other social security benefits and services;
- Implement effective measures and programs of poverty alleviation in remote rural and ethnic minority areas, in order to provide socioeconomic services and benefits to the most marginalized population groups.

### ***Limited Reform of the Discriminatory “Household Registration” Against Rural Migrants***

5. A major pillar of the sustained and systemic discrimination in China against rural residents is the “household registration” (*hukou*) system. It strictly limits access to social services and social economic rights protection to registered residences in specific locations. The system discriminates against certain social groups, especially rural residents, by enforcing segregated legal registration of residents into either rural or urban households. An individual’s household registration status determines his or her entitlement to government subsidies, social safety-net insurances or benefits, and public services.<sup>4</sup>
6. In concluding its 2014 review of China, CESCR expressed regret about inadequate protections of rights guaranteed under the International Covenant on Economic, Social and Cultural Rights partly due to the defects of China’s *hukou* system; the Committee observed that “the State party does not have a comprehensive anti-discrimination law that protects all marginalized and disadvantaged individuals and groups in their enjoyment of economic, social and cultural rights.”<sup>5</sup>
7. Internal migrants—specifically, those who move from rural areas to cities for work—encounter acute discrimination under the household registration system. According to China’s statistics bureau, in 2016, there were an estimated 281 million rural migrant workers, mostly working in manufacturing, construction, and service industries in urban areas.<sup>6</sup> Migrant workers and their families face tremendous obstacles from obtaining permits for urban residency, which is required for them to gain access to government subsidized services and benefits provided exclusively to

urban residents, including health care, education, housing, pension and employment opportunities.<sup>7</sup>

8. The large-scale forced eviction of migrant workers from Beijing in 2017 provided a window into China's rural-urban segregation and state-sanctioned discrimination against rural migrants. A deadly fire killed 19 migrants and their children on November 18, 2017. It set in motion a police-enforced mass eviction to throw out hundreds of thousand migrant workers from shantytown buildings into the freezing streets in the outskirts of Beijing.<sup>8</sup> These workers now face eviction from urban centers, as unwanted "low-end population." Government authorities in cities like Beijing undertake "safety" campaigns to evict residents and demolish sub-standard buildings, but the government has failed to address the underlying causes that force people to live in such dangerous conditions.
9. Without access to subsidized housing, which is available to urban residents with jobs as civil servant or employees in state enterprises, migrant workers can't afford homes in mega cities where jobs are concentrated. About 60% of migrants in Chinese cities rent from private landlords as of 2016.<sup>9</sup> Most of them end up in low-quality or poorly-constructed buildings that would not pass safety inspections. The migrants' living quarters tend to be overcrowded, noisy, in damp basements, with limited air flow and unhealthy sanitation facilities. A 2016 study found approximately 1 million people in Beijing live in underground apartments; and nearly 40% of all migrants live in accommodation between 5-15 square meters (50-160 square feet) in size.<sup>10</sup>
10. In 2015, CESCR expressed concerns that migrant workers, "particularly those who lack household registration, continue to be de facto discriminated against in the fields of employment, social security, health care and education," and expressed alarm "about the significant persistence of disparities between the urban and rural populations and among rural-to-urban migrant workers, in relation to access to and the quality and amount of benefits."<sup>11</sup>
11. The government has taken some limited steps towards reforming the *hukou* system. The State Council laid out guidelines in 2014 for some rural migrants to obtain urban household registration by 2020.<sup>12</sup> However, concerns remain about the potential effectiveness of the proposed changes. Under the plan, the number of migrants who would obtain local residency by 2020 is estimated at 100 million, but that number only accounts for about one-third of China's total migrant population.<sup>13</sup> This gap will persist beyond 2020 partly because the government is taking "gradual" approach; the policy will first be implemented in smaller cities, even though the vast majority of

migrants work and live in mega municipalities.<sup>14</sup> The State Council plan also does not guarantee that individuals, who have never obtained any *hukou* registration, urban or rural—mostly due to being born “out-of-quota” or out of wedlock in violation of family planning law—can ever get legally recognized residency status, meaning that such individuals will continue to be excluded from access to social security benefits and public services.<sup>15</sup>

12. A 2015 State Council regulation would allow migrant workers to apply for urban *hukou* registration in the city where they live and work, but only after they have obtained a temporary resident permit and fulfilled numerous other requirements, which involves paying huge fees.<sup>16</sup>
13. Migrant workers face huge obstacles when they seek urban residency registration even after they have obtained temporary residential permits. Major cities like Beijing and Shanghai have adopted a stringent point-accumulation system that awards high points for having higher education, advanced professional and technical skills, and official awards from government organs. Permit holders need to pay into social and employment insurance programs for seven consecutive years in Beijing and have no criminal record, among other requirements, before they become eligible for residency registration. Effective January 2017 to the end of 2019, Beijing resident permit holders need to fulfill four criteria and accumulate enough “points” in order to qualify for a Beijing *hukou*.<sup>17</sup> In such places, the criteria for obtaining urban residency registration is highly selective; registration is restricted to so-called “desirable” and “suitable” migrants, which excludes the majority of migrant workers.<sup>18</sup>
14. A proposed provision in the draft “Anti-Discrimination Employment Law”—to prohibit considering household registration status in recruitment and hiring—offers potentially positive changes to the discrimination against migrants workers.<sup>19</sup> Though the proposal has been stagnant since 2008, there has been a new effort in 2016 to push it through the legislative process.<sup>20</sup> If this legislation were adopted, employment discrimination against migrants would be illegal. This change should also help to fill a void in China’s Labor Law and Promotion of Employment Law, neither of which clearly prohibits employment discrimination against rural registration holders.
15. Considering these gradual but still inadequate measures, we conclude that the government has only *partially implemented* Iran’s recommendation to “increase its effort to address the issues of rural and urban migrant workers and their families in a more effective way.”

### ***Reform of Discriminatory Medical Insurance & Pension Systems Long Overdue***

16. In China's 2012-2015 National Human Rights Action Plan (NHRAP), the government stated that it would "...promote the equal coverage of the social relief system in both rural and urban areas to improve the social security level" and reform "the basic medical insurance system to make medical insurance basically cover both rural and urban residents" as well as "the old-age social security system that covers both urban and rural residents."<sup>21</sup> The government reported in its 2016 assessment of the NHRAP that it had achieved a 95 percent rate of participation in basic medical insurance coverage.<sup>22</sup> However, despite these claims of achievements, which are not independently verified, the system remains largely unchanged today and discriminatory against rural residents.

### *Medical Insurance*

17. Under the *hukou* system, rural residents have been eligible for much lower levels of health insurance coverage—with practically no government or employment contribution—than that offered to urban residents, especially government employees.<sup>23</sup> Severe underfunding by the government of the social insurance system has forced China's urban poor and rural residents to rely heavily on their personal savings to cover medical expenses and old-age care.<sup>24</sup> According to a 2015 World Bank report, China's population in poor rural areas have little access to the country's health care infrastructure, even as the government has put forth programs to improve such conditions in the countryside.<sup>25</sup> Limited data released by the government in 2016 showed that Chinese employers largely failed to comply with China's Labor Contract Law and Social Insurance Law in providing insurances to rural migrant workers such that these workers cannot afford to enroll in basic insurance programs.<sup>26</sup> By 2015, four years after the Social Insurance Law went into effect, on average, only 20 percent of migrant workers were enrolled in programs for a basic pension, 19 percent in medical insurance, 15 percent in unemployment insurance, and 27 percent in work-related injury insurance.<sup>27</sup>

18. In a move to narrow the gaps of urban residents with medical insurance and rural residents including migrants without medical insurance, in January 2016, the government announced the decision to create the "Unified Basic Medical Insurance System for Urban and Rural Residents." This system could potentially provide equitable payment standards and scope of medical insurance coverage for all Chinese citizens.<sup>28</sup> It is too early to tell whether this system has been implemented successfully, but it would partially address the problem of systemic discrimination against rural residents in terms of the protection for their right to health.

19. As China's aging population has grown and medical care become costlier at the same time, the country has experienced a decline in the number of workers paying into social security. This general trend due to demographic changes has more serious consequences for rural residents and the urban poor. The new medical insurance system, which promised to merge the urban and rural divides under the previous system, could potentially shrink the widening insurance funding gap.<sup>29</sup>
20. Chinese academics have pointed out that the new medical insurance system's efficacy hinges on several factors.<sup>30</sup> First, the central government must monitor and assess the system's implementation, since the insurance schemes will be run on decentralized local levels. Second, the system must prioritize benefitting the poor in both urban and rural areas, since they are more likely to experience "catastrophic health spending"—medical costs so high that they lead to extreme poverty. Third, the system should provide for "consistent" quality and effectiveness of health services, with an emphasis on developing rural health care delivery. Finally, benefits also should come with the option to make them "portable," allowing rural-to-urban migrants to use their health insurance in the cities, often in other provinces, where they find work.

### *Inequitable Pensions Systems*

21. The government responded to Mali's UPR recommendation (186.97) that China "continue improving the pension system covering urban and rural areas" with the claim that it "accepted and already implemented" such improvements. However, this recommendation has only been *partially implemented* as rural-urban gaps in pensions and discrimination in the pension-system have persisted.
22. Jobs concentrated in urban China, such as those in the civil service or large privately-owned or state-run corporations, are those where employees receive higher government pensions and company contributions to retirement savings than jobs found in rural areas, such as small businesses or farming. Consequently, pensions for urban residents have been much larger than for those retired from farming or small businesses.
23. An academic survey published in 2016 in China found that retirees from government and state-owned enterprises receive pensions that are, on average, 22.5 times higher than rural retirees; civil servants and state enterprises retirees receive on average 3,174.69 RMB (approx. \$470 USD) per month per person, and all urban retirees receive on average 1,387.20 RMB (approx. \$200 USD), while rural retirees receive only on average 141.21 RMB (approx. \$20 USD) per month.<sup>31</sup>

### ***Income Inequality & Disparities in Access to Poverty Relief***

24. In the past few decades, the Chinese government has significantly rolled back state control over the economy and allowed market forces and private enterprises to play a more important role in the country's economic growth. Consequently, many people have worked their way out of poverty. In this sense, the government has *partially implemented* recommendations by Mauritius (186.188) and Serbia (186.193), namely, to eradicate poverty and bridge rural-urban gaps.
25. China's main strategy to alleviate poverty—prioritizing rapid urbanization and industrial development in cities—has increased urban-rural income disparities. Vulnerable population groups (the elderly, children, persons with disability, women), most of them living in remote, rural, and ethnic minority regions, have been “left behind” by this economic growth, and are disproportionately affected by poverty.<sup>32</sup> In March 2015, the Chinese Premier acknowledged that over 200 million Chinese—or about 15 percent of the country's total population – lived under the poverty line of \$1.90 USD per day, set in 2015 by the World Bank, while the official poverty line set by the Chinese government in 2011 seems to remain today at 2,300 RMB (USD \$363) per person per year, or about \$1 USD a day.<sup>33</sup> One estimate put the number of Chinese living under the official Chinese poverty line at 128 million in 2017.<sup>34</sup> According to government data, 30.46 million rural Chinese live under poverty by the end of 2017, and it is unclear, due to lack of available data, whether the “rural poor” includes rural migrant workers who live in cities, or how many urban Chinese live under poverty.<sup>35</sup>
26. While the Chinese government has promised to unify urban and rural standards for subsidies provided to low-income families, the localized programs have remained largely discriminatory against rural residents. According to a State media report, several Chinese municipalities (which include rural residents in their surrounding countryside) have taken steps to address this problem by providing approximately the same level of subsidies to both urban and rural low-income families (*dibao*).<sup>36</sup> Yet, more than 20 other cities continue to maintain a disparity between urban and rural subsidies for low-income families. For instance, in Tianjin Municipality, a rural low-income resident would receive 540 RMB (approx. \$80 USD) per month, while an urban resident receives at least 705 RMB (approx. \$100 USD) per month, or 165 RMB more than the rural resident; in the city of Zhengzhou, the difference in subsidy between rural and urban resident is 230 RMB (approx. \$33 USD), with rural residents receiving 290 RMB (approx. \$43 USD) compared to the 520 RMB (approx. \$77 USD) per month that urban residents receive. (Rates as of July 1, 2015).<sup>37</sup>

27. The income disparity gap in China remains severe, even as the index of inequality in income distribution has gradually decreased from a peak level in 2008.<sup>38</sup> A Chinese official put China's Gini co-efficiency decrease from 0.474 in 2012 to 0.465 in 2016.<sup>39</sup> According to a 2013 World Bank report, China is among the 25 percent least equal countries in the world.<sup>40</sup> Government statistics released in 2017 showed that 20% of the population own more than 45% of the wealth in China, and urban residents' income per capital is 2.7 times that of rural residents.<sup>41</sup>

### ***Double Discriminations Against Members of Rural Ethnic Minorities***

28. Members of China's ethnic minority populations in remote rural regions are also victims of the discriminatory *hukou* system and regional disparities in economic development, while their traditional livelihoods and cultures continue to come under threat. The household registration system has erected serious barriers for rural ethnic minorities to look for work in Han-majority cities in China's most developed eastern coastal regions, while at home there is a lack of opportunities and poverty is acute.

29. In one example, there is reportedly grinding poverty in the remote mountainous areas in southwest China that hold a significant concentration of the ethnic Yi minority.<sup>42</sup> Compounded problems, such as neglected schools, lack of healthcare access, inadequate transportation infrastructure, underfunded relief programs, drug addiction, and drug trafficking, are both consequences of and contributors to extreme poverty in these areas.<sup>43</sup> State media rarely covers stories depicting such conditions. An independent Chinese journalist interviewed for this report told us that government officials prevented his team from reporting on conditions in the region.<sup>44</sup>

30. The Chinese government has implemented discriminatory policies against ethnic Tibetans and Uyghurs by blocking members of these groups from obtaining employment opportunities in Han majority regions. For example, authorities issued instructions to companies to refuse job applicants who hold household registration in the autonomous regions of Tibet and Xinjiang.<sup>45</sup> In the Tibet Autonomous Region (TAR), Han Chinese have benefitted from government policies enforced since 2008, allowing them to acquire local residency and invest in business ventures and obtain loans.<sup>46</sup> Tibetans in the TAR continue to experience de-facto discrimination in obtaining civil servants jobs, as Tibetans are not allowed to take the civil service exam in the Tibetan language, and consequently some of them miss out on benefits and social security protections that come with such jobs.<sup>47</sup>



31. In surveys conducted by a local group, some government agencies in the Xinjiang Autonomous Region specified that the advertised job openings were open only to persons of specific ethnicity. Some advertisements specified that only Han people could apply for public servant positions in national security, Internet surveillance, or government archives.<sup>48</sup> Xinjiang government job advertisements for positions in the public security sector specifically exclude anyone who opposed “unity of motherland” or participated in “ethnic separatist or unlawful religious activities.”<sup>49</sup>
32. China has therefore not implemented recommendations by Togo (74), Bhutan (75), Russia (183), Palestine (175), and Morocco (191), asking China to protect and raise the standard of living for the most vulnerable and marginalized population groups in society, especially people living in remote rural ethnic minority areas.

### ***Concerning Disproportionality of Rural and Female Suicide Rates***

33. A disturbing reality in China is the high rates of suicide among the elderly, particularly in rural areas. Overall, China’s elderly commit suicide more often than their counterparts in other countries. Rural elderly in China are far more likely to take their own lives than elderly urban residents. In the past two decades, the suicide rate of Chinese elderly increased five-fold in rural areas, according to one study conducted by Chinese academics.<sup>50</sup> Contributing factors are believed to include debilitating illnesses and anguish about life in rural desolation and destitution, as their family support structure collapsed due to their adult children’s migration to cities for work.<sup>51</sup>
34. According to the World Health Organization’s 2015 data, China remains the only country in the world where the female suicide rate is higher than male suicide rate, and media reported in 2016 that the overall suicide rate is four to five times higher in rural areas compared to urban ones.<sup>52</sup> The WHO puts the 2015 overall suicide rate in China at 6.1 per 100,000 people (a drop compared to the rates in the 1990s); the male suicide rate was 8.7, the female rate was 11.5 per 100,000. A tragic case of this little-known reality made headlines in 2016 after a rural woman in an impoverished region of Gansu Province killed her four children, all under seven years of age, and then committed suicide.<sup>53</sup> Local government officials had reportedly stripped the mother of low-income subsidies in 2014 and the family apparently lacked any medical insurance.<sup>54</sup> Academics and observers contributed the causes to poverty, discrimination, social isolation, and impoverished spiritual life.<sup>55</sup>

### ***Government Persecution of Social-Economic Rights Defenders***

35. The Chinese government has never stopped persecuting social-economic rights defenders. In the past few years, the government has targeted defenders who advocated for labor rights, equal rights to education, housing, and health.
36. In late 2016, Guangdong authorities convicted four labor organizers at an NGO for assisting migrant workers to protect their rights through collect bargaining (since China bars workers from forming independent union). In November 2016, Hubei authorities detained Liu Feiyue (刘飞跃), director of Civil Rights & Livelihood Watch, an NGO focusing on advocating for equal social economic rights. Housing rights activists Ni Yulan (倪玉兰) and Jia Lingmin (贾灵敏), land rights activists Su Changlan (苏昌兰) and Zhou Decai (周德才), labor rights activists Liu Shaoming (刘少明) and Xing Shiku (邢世库), and disability rights activist Zhou Weilin (周维林) for example, have faced repeated harassment and persecution and some of them remain in prison.<sup>56</sup>

## Notes:

<sup>1</sup> Office of the High Commissioner on Human Rights (OHCHR), “End-of-mission statement on China by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights,” August 23, 2016, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20402&LangID=E>.

<sup>2</sup> Committee on Economic, Social and Cultural Rights (CESCR), Concluding observations on the second periodic report of China, including Hong Kong, China, and Macao, China, CESCR/E/C.12/CHN/CO/2, June 2014, para. 28.

<sup>3</sup> We consider the following recommendations to be “poor,” since they urge China to “maintain” protection or “continue” to improve in areas where prior progress has not been clearly evident (135 – Egypt, 183 – Russian Federation, 185 – Democratic People’s Republic of Korea, 187 – Azerbaijan, 196 – Serbia, 244 – Namibia, 245 – Yemen, 247 – Côte d’Ivoire).

<sup>4</sup> *People’s Daily*, “NPC Standing Committee Member: Urban and Rural Hukou Have Over 60 Kinds of Unequal Benefits” (全国人大常委委员:城乡户籍有 60 多种不平等福利), February 25, 2013, <http://fangtan.people.com.cn/n/2013/0225/c147550-20593215.html>.

<sup>5</sup> CESCR, Concluding observations on the second periodic report of China, para. 14.

<sup>6</sup> China State Statistic Bureau, “2016 Investigation Report on Rural Migrant Labor” (2016 年农民工监测调查报告), April 28, 2017, [http://www.stats.gov.cn/tjsj/zxfb/201704/t20170428\\_1489334.html](http://www.stats.gov.cn/tjsj/zxfb/201704/t20170428_1489334.html)

<sup>7</sup> CHRDR, Report Submitted to UN Committee on Economic, Social and Cultural Rights, April 2014, paras. 20-22, <https://www.nchrd.org/2014/04/report-submitted-by-the-network-of-chinese-human-rights-defenders-a-coalition-of-ngos-to-the-committee-on-economic-social-and-cultural-rights-for-its-review-at-the-52nd-session-of-the-second-report/>.

<sup>8</sup> CHRDR, From Forced Evictions of Migrant Workers to Abused Children: Violations of Social & Economic Rights in China Refute the “China Development Model,” December 7, 2017, <https://www.nchrd.org/2017/12/from-forced-evictions-of-migrant-workers-to-abused-children-violations-of-social-economic-rights-in-china-refute-the-china-development-model/>

<sup>9</sup> Chinese migrant workers earn an average salary of 3,275 RMB (\$495 USD) a month, while the average rent in Beijing is 4,350 RMB (\$650 USD) per month. Ibid, China State Statistic Bureau, “2016 Investigation Report on Rural Migrant Labor.”

<sup>10</sup> Annette M.Kim, “The extreme primacy of location: Beijing's underground rental housing market,” *Cities*, Volume 52, March 2016, Pages 148-158. <https://www.sciencedirect.com/science/article/pii/S0264275115300196>

<sup>11</sup> CESCR, Concluding observations on the second periodic report of China, paras. 15, 24.

<sup>12</sup> State Council, “State Council Opinion on Advancing Reform for Household Registration System” (国务院关于进一步推进户籍制度改革的意见), July 2014, [http://www.gov.cn/zhengce/content/2014-07/30/content\\_8944.htm](http://www.gov.cn/zhengce/content/2014-07/30/content_8944.htm).

<sup>13</sup> State Council, “State Council Opinion on Advancing Reform for Household Registration System.” The 2010 National Census, the last available official statistics, said there were 261 million rural residents living in urban areas, and that number is assumed to have increased in the past six years. National Bureau of Statistics, “2010 6<sup>th</sup> National Census Main Points Announcement” (2010 年第六次全国人口普查主要数据公报), April 28, 2011, [http://www.stats.gov.cn/tjsj/tjgb/rkpcqb/gqrkpcqb/201104/t20110428\\_30327.html](http://www.stats.gov.cn/tjsj/tjgb/rkpcqb/gqrkpcqb/201104/t20110428_30327.html).

<sup>14</sup> Shannon Tiezzi, “China’s Plan for ‘Orderly’ Hukou Reform,” *The Diplomat*, February 3, 2016, <http://thediplomat.com/2016/02/chinas-plan-for-orderly-hukou-reform/>; Zhou Tian, “State Council Releases Hukou Reform Proposal,” *Caixin*, December 5, 2014, <http://english.caixin.com/2014-12-05/100759833.html>.

<sup>15</sup> For more background information on the “household registration” system, see: CHRDR, Report Submitted to UN Committee on Economic, Social and Cultural Rights, paras. 20-22; Beijing Yirenping Center, Appendix 2: End Discriminatory Household Registration System (Hukou), April 2014, <https://www.nchr.org/2014/04/appendix-2-to-chrd-coalition-ngos-report-submitted-to-cescr-april-2014/>.

<sup>16</sup> It is up to municipal governments to define and establish “progressive access” to benefits available to urban residents, such as employment support, housing, pension services, and social welfare. State Council, “Resident Permit Provisional Regulations” (居住证暂行条例), Order No. 663, December 12, 2015, [http://www.gov.cn/zhengce/content/2015-12/12/content\\_10398.htm](http://www.gov.cn/zhengce/content/2015-12/12/content_10398.htm).

<sup>17</sup> Beijing People’s Government General Office, “Measures for Administration of Point-Accumulation Hukou in Beijing (Provisional)” (北京市积分落户管理办法(试行)), August 2016, <http://zhengce.beijing.gov.cn/library/192/33/50/46/438657/79206/>; For Shanghai permit holders, in addition to scoring at least 120 points, they must not have violated any national or municipal birth control policies. *People’s Daily*, “Differences in Point-Accumulation Systems: How to ‘Get Hukou’ in Beijing, Shanghai, Guangzhou, and Shenzhen?” (积分落户办法有差异：怎样“落定”北上广深?), August 17, 2016, <http://politics.people.com.cn/n1/2016/0817/c1001-28642920.html>.

<sup>18</sup> Beijing Municipal People’s Government General Office, “Measures for Administration of Point-Accumulation Hukou in Beijing (Provisional):” *People’s Daily*, “Differences in Point-Accumulation Systems: How to ‘Get Hukou’ in Beijing, Shanghai, Guangzhou, and Shenzhen?”.

<sup>19</sup> Employment Anti-Discrimination Law of the People’s Republic of China (Proposal Draft by Experts) (中华人民共和国反就业歧视法(专家建议稿)), 2016 draft (uploaded by CHRDR), <https://www.nchr.org/wp-content/uploads/2016/11/Employment-Anti-Discrimination-Law-of-the-People%E2%80%99s-Republic-of-China-Proposal-Draft-by-Experts2016.pdf>.

<sup>20</sup> The proposal was submitted by National People’s Congress (NPC) representatives after initial consultation started in 2008, and has since been approved for further drafting and consultation with relevant departments. Luo Jingwen (罗静雯), “NPC Deputy Sun Xiaomei: Speed Up Adoption of ‘Employment Anti-Discrimination Law’ To Ensure Equal Employment for Everyone” (人大代表孙晓梅：抓紧制定《反就业歧视法》确保每个人平等就业), *Chongqing Daily*, March 16, 2016, [http://cq.cqnews.net/html/2016-03/16/content\\_36531225.htm](http://cq.cqnews.net/html/2016-03/16/content_36531225.htm)

<sup>21</sup> Information Office of the State Council of the People’s Republic of China, National Human Rights Action Plan (2012-2015), Chap. I Sec. 3, Chap. III, Sec. 4, <http://www.china-un.ch/eng/rqrd/jbclt953936.htm>.

<sup>22</sup> Information Office of the State Council, Assessment Report on the Implementation of the National Human Rights Action Plan of China (2012-2015), June 2016, Chap. II, Sec. 3, [http://english.gov.cn/archive/white\\_paper/2016/06/15/content\\_281475372197438.htm](http://english.gov.cn/archive/white_paper/2016/06/15/content_281475372197438.htm).

<sup>23</sup> CHRDR, Report Submitted to UN Committee on Economic, Social and Cultural Rights, para. 20.

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<sup>44</sup> Local officials blocked the team of reporters from entering the area and confiscated some of their equipment. Eventually, authorities allowed them to leave and returned their equipment only after the reporters, at the officials' order, destroyed notes and photos from interviews they had conducted. Interview with a Chinese journalist, September 2016.

<sup>45</sup> CHRD, Report Submitted to UN Committee on Economic, Social and Cultural Rights, para. 7.

<sup>46</sup> Since 2008, authorities have recruited Han veteran military servicemen to work in law enforcement and state enterprises in the TAR, effectively excluding Tibetans from such jobs. The Chinese government also has implemented policies to restrict Tibetans' use of grasslands and forcibly displaced tens of thousands of Tibetans who have historically relied on such land to pursue a traditional lifestyle. Once forced into more urban areas, these Tibetans lack the work skills to find employment while being deprived of their culture, religion, diet, and way of life. CHRD, Report Submitted to UN Committee on Economic, Social and Cultural Rights, paras. 13, 42.

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<sup>48</sup> The survey collected 30 job advertisements in 2017 and found 7 specified requirements about ethnicity. For protecting their security, we keep the name of the group confidential.

<sup>49</sup> 2017 Xinjiang Uyghur Autonomous Region Public Exam Open to Society Test for Public Servants, Staff, People's Police Brief Guide (2017 年新疆维吾尔自治区面向社会公开考试录用公务员、工作人员简章, 人民警察报考说明, <http://www.xjrs.gov.cn/zwgk/tzgg/201703/t8a4ac7025ad9f92b015ae6c70c050379.html>

<sup>50</sup> An 80-year-old man in China today remains eight times more likely to take his own life than the average Chinese citizen. Those 80 and over are three times more prone to suicide than are Canadians the same age, and more likely to kill themselves than their counterparts in either Japan or Taiwan. Researchers at Wuhan University conducted a study of 40 villages in 11 provinces, and found that over the course of the past two decades, the rural-elderly suicide rate had risen from 100 per 100,000 to 500 per 100,000, and now stands at roughly 50 times that of the general population. Nathan Vanderklippe, "How China's rural elderly are being left behind and taking their lives," March 26, 2016, *Globe and Mail*, <http://www.theglobeandmail.com/news/world/how-chinas-rural-elderly-are-being-left-behind-and-taking-theirlives/article29179579/>.

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