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**Core document forming part of the reports  
of States parties  
CHINA**

**AddENDUM**

**TO part three OF THE CORE DOCUMENT OF THE People's Republic of  
China  
macaO special administrative region OF THE People's Republic of China**

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## INTRODUCTION

1. The present document is an update in the form of an addendum to Part III of the Core Document of the People's Republic of China (HRI/CORE/1/Add.21/Rev.2.), submitted by China in relation to its Macao Special Administrative Region (MSAR) on 30 December 2000. It covers the period until December 2009. However, as censuses are taken every 10 years and by-censuses every 5 years (the most recent census and by-census took place in 2001 and 2006, respectively) and the annual statistics from 2009 are not yet fully available, some of the data herein provided refers to existing estimates.

### I. GENERAL INFORMATION ABOUT THE MSAR

#### a. geographical, demographic, social, economic and cultural characteristics

##### 1. Geographical indicators

2. The MSAR, part of the territory of China, lies on the South-eastern coast of China, in the Pearl River Delta. It consists of the Macao Peninsula and the islands of Taipa and Coloane. Due to land reclamation along its coastline, the MSAR's total surface area has grown from around 23.8 km<sup>2</sup> in 2000 to 29.5 km<sup>2</sup> in the end of 2009.

##### 2. Demographic indicators

###### a. *General information*

3. The MSAR's estimated resident population as at 31 December 2009 was 542,200. The By-census 2006 (in which the indicated total was 502,113), in comparison with the Census 2001, showed the acceleration in population growth, with an average annual growth of 2.9%. More recent estimations indicate that the annual growth of the population was 4.6% in 2005, 5.8% in 2006, 4.7% in 2007, 2% in 2008 and -1.3% in 2009.

4. In fact, the rates of natural increase for 2005, 2006, 2007, 2008 and 2009 were 4.3‰, 5‰, 5.7‰, 5.4‰ and 5.7‰, respectively. However, data on migratory flow (including immigrants from mainland of China, persons authorized to reside, non-resident workers and emigrants), the other factor determining population growth, indicated a net migration of -10,100 in 2009, on account of a significant outflow of non-resident workers.

5. At the end of 2009, the estimated population density was 18,400 per km<sup>2</sup>.

###### b. *Place of birth, ethnicity and usual language*

6. With respect to the place of birth, results of the By-census 2006 showed that 47% of the resident population were born in mainland of China, 42.5% in Macao, 3.7% in Hong Kong, 2% in the Philippines and 0.3% in Portugal. Compared with the Census 2001, the proportion of residents born in Macao declined whereas the proportion of those born in other places increased.

7. As to population distribution by ethnicity and spoken language, still according to the By-census 2006, the majority (94.3%) of the population was of only Chinese ethnicity, which decreased by 1.4 percentage points over 2001. Those of Portuguese ethnicity accounted for 1.6%, which fell by 0.2 percentage point over the same period of time. Among the resident population aged 3 and above, 85.7% spoke mostly Cantonese at home, 3.2% spoke Mandarin, 6.7% spoke other Chinese dialects, 1.5% spoke English, 0.6% spoke Portuguese and 2.3% spoke other languages.

###### c. *Gender and age structure of the population and dependency ratios*

8. As regards the gender structure, according to the results of the By-census 2006, 48.8% of the resident population were male and 51.2% were female. The higher ratio of the female population was considered to be due to the fact that the majority of legal immigrants and persons authorized to reside were female. The last population estimates indicate that, among the resident population in 2009, 48.2% were male and 51.8% were female.

9. In terms of age structure, the By-census 2006 showed a decline in fertility rate that brought the proportion of the youth population (aged 0-14) down significantly by nearly 20%, from 20.6% in 2001 to 15.2% in 2006. As to the elderly population (aged 65 and over), although an increment was recorded at the time, the rate of increase was lower than that of the population growth; as a result, the proportion of the elderly population dropped slightly, from 7.3% in 2001 to 7% in 2006. The By-census 2006 also showed that the influx of immigrants and expatriates contributed to an increment in the number of the adult population (aged 15-64), thus reducing the proportion of elderly population and the elderly dependency ratio to 9.1%. At the time, the child dependency ratio, the overall dependency ratio and the ageing ratio were 19.6%, 28.6%, and 46.3%, respectively.

10. According to subsequent population estimates, the proportion of youth population was 13.5% in 2007, 12.8% in 2008, and 12.7% in 2009. In those same years, the adult population accounted for 79.5%, 80.0% and 79.5% of the total, respectively, and the elderly population took up 7.1%, 7.2% and 7.7%, respectively.

11. The youth dependency ratio was 17% in 2007, 16.1% in 2008 and 16% in 2009. The elderly dependency ratio was 8.9% in 2007, 9% in 2008 and 9.7% in 2009. The overall dependency ratio was 25.9 % in 2007, 25.1 % in 2008 and 25.7 % in 2009. The ageing ratio was 52.4% in 2007, 56.2% in 2008 and 60.3% in 2009.

#### ***d. Disability***

12. Information on the MSAR's population with disabilities was collected for the first time for the Census 2001. It was sought again for the By-census 2006. However, different methods and criteria were used in these two operations. In the Census 2001, a "self reporting" method was used. The respondents were asked to identify whether any of their household member(s) suffered from physical, mental and/or emotional conditions. In the By-census 2006, the method to collect information was revised and the criteria used were: (i) as a result of one's physical, mental or emotional condition that even with the help of auxiliary equipment, one still requires assistance from others in order to move around, communicate with others, take care of oneself and perform other daily activities; (ii) the type of impairment affecting the individual had been lasting continuously for not less than 6 months. Thus, the term "person with a disability" should be here understood in this latter sense.

13. According to the By-census 2006, the number of persons with a disability totalled 8,298, corresponding to 1.7% of the total resident population. Among them, 42.8% were male and 57.2% were female.

14. Analysed by age group, persons with a disability accounted for 0.4% of the resident population aged 0-14 and 0.8% of those aged 15-64, while for the elderly population aged 65 and above, the respective proportion reached 13.4%.

15. Analysed by type of disability, 38.1% had chronic illnesses, 23.3% had physical impairment (limbs or trunk), 12.3% had visual impairment, 11.9% had hearing impairment and 10.1% suffered from mental debility, 8.8% suffered from

psychiatric conditions, 7.8% had speech difficulties, 4.4% suffered from complete deafness, 2.9% had blindness, 2.4% had had speech impairment, 1.7% suffered from Autism, 20.6% had other disabilities and the remaining was unknown (individuals with more than one type of disability were counted repeatedly). Congenital disability accounted for 7.8% of the total population with a disability. Furthermore, 65.8% of them had one type of disability, 23.2% had two and 9.4% had three or more types of disabilities (the remaining was unknown).

16. The majority of the persons with a disability (85%) lived in domestic living quarters; among them, 13.7% lived alone. Meanwhile, 15% lived in collective living quarters such as institutions. Results also showed that 69.7% of those with a disability had used or were using services for persons with disabilities, such as health rehabilitation services, special education services, financial/in-kind assistance, *etc.* that were provided by the Government or social service organizations.

#### ***e. Birth and mortality rates***

17. The crude birth rate was of 7.8‰ in 2005, 8.1‰ in 2006, 8.6‰ in 2007, 8.5‰ in 2008 and 8.8‰ in 2009.

18. The crude mortality rate was 3.4‰ in 2005, 3.1‰ in 2006, 2.9‰ in 2007, 3.2‰ in 2008 and 3.1‰ in 2009.

#### ***f. Life expectancy***

19. The average life expectancy at birth was 81.5 years in 2003/2006, 82 years in 2004/2007, 82.1 years in 2005/2008 and 82.4 in 2006/2009 (the latter being a provisional value).

#### ***g. Fertility rates***

20. The total fertility rate was 0.91‰ in 2005, 0.95‰ in 2006, 0.99‰ in 2007, 0.96‰ in 2008, and 0.99‰ in 2009.

#### ***h. Household size***

21. Results from the By-census 2006 revealed that the number of households in the MSAR totalled 159,412, up by 18.1% over the Census 2001. Households with less than 4 members accounted for 59.3% of the total, an increase of 3.7 percentage points over 2001. The average household size was 3 persons, corresponding to a decrease of 0.14 compared with 3.14 persons in 2001, indicating the tendency towards smaller household. Furthermore, the number of households per living quarter also presented a decreasing tendency. The phenomenon of multi-household per living quarter became a rare scenario; in fact, the majority of the living quarters (96.8%) comprised only one household.

22. According to more recent data, the average household size was 2.93 in 2007, 2.88 in 2008 and 2.86 in 2009. An analysis by household size revealed that the relative importance of 1 to 3-person households rose from 55.9% in 2002/2003 to 59.3% in 2007/2008, with that of 2-person households increased by 1.7 percentage points over the last 5 years, while the proportion of 4-person households dropped notably by 4.1 percentage points to 24.7%. Although the average household size shrank from that of 5 years ago, the average number of economically active person per household rose from 1.65 in 2002/2003 to 1.88 in 2007/2008.

23. The By-census 2006 indicated that the proportion of single-parent households was 3.06% and the proportion of households headed by women was 29%.

### **3. Social and cultural indicators**

#### ***a. Share of household consumption expenditures***

24. The household's bi-weekly consumption expenditure amounted to MOP 5,049 in 2002/2003 and to MOP 8,827 in 2007/2008, of which the relative importance of the expenses on food and non-alcoholic beverages (27.9% and 27.4% of the total, respectively) and housing, water, electricity, gas and other fuels (19.5% and 20.5%, respectively) accounted for 47.9% of total consumption expenditure, similar to the 47.4% in 2002/2003. In the same period, the share of consumption expenditure on healthcare was 3% and 2.3%, and on education 9.6% and 8.9%, respectively (both decreased by 0.7 percentage points).

**b. Gini coefficient**

25. The Gini coefficient was 0.44 for the period 2002/2003 and 0.38 for the period 2007/2008.

**c. Prevalence of underweight children under five years of age**

26. The only available data is on low birth weight (<2500g) per annual number of live births, which was 6.4% in 2002, 2003 and 2005, 6.7% in 2004, 7.1% in 2006, 6.9% in 2007 and 7.4% in 2008.

**d. Infant and maternal mortality rates**

27. In 2005, 2006, 2007, 2008 and 2009, the infant mortality rate was 3.3‰, 2.7‰, 2.4‰, 3.2‰ and 2.1‰ per live births, respectively. In those same years, the rate for maternal mortality per 1,000 live births equalled an absolute value of 0.

**e. Rates of infection of HIV/AIDS and major communicable diseases**

28. The rate of infection of HIV/AIDS (to end-year population) was 0.66‰ in 2005, 0.67‰ in 2006, 0.68‰ in 2007, 0.70‰ in 2008 and 0.74‰ in 2009, while the rate of communicable diseases was 5.16‰ in 2005, 7.88‰ in 2006, 4.39‰ in 2007, 5.91‰ in 2008 and 15.69‰ in 2009.

**f. Prevalence of major communicable diseases and immunization rates**

29. Cases of major communicable diseases are relatively low and immunization coverage rates are high, as showed in the following tables:

<i>Incidence rate (1/100,000) of communicable diseases</i>						
<b>ICD-10</b>	<b>Disease</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
A06.0	Acute amoebic dysentery	0.00	0.19	0.00	0.36	0.00
B17.0	Acute delta infection of Hep B carrier	0.00	0.19	0.00	0.00	0.00
B15.0-9	Acute hepatitis A	0.83	0.39	1.49	0.91	1.66
B16.1-9	Acute hepatitis B	4.75	2.53	2.97	2.55	4.06
B17.1	Acute hepatitis C(4)	7.23	5.65	3.35	4.37	1.11
B17.2	Acute Hepatitis E	1.86	0.19	0.19	0.55	1.84
A80	Acute poliomyelitis	0.00	0.00	0.00	0.00	0.00
A60	Anogenital herpes viral	1.45	0.19	0.00	2.55	0.37
Z21	Asymptomatic HIV infection	4.75	5.06	3.53	4.01	3.14
A05.0-9	Bacterial Food-borne intoxication	12.80	7.40	6.88	2.37	15.49
A00	Cholera	0.00	0.00	0.00	0.00	0.00
P35.0	Congenital rubella syndrome	0.00	0.00	0.00	0.00	0.00
A90	Dengue fever	0.00	0.39	1.49	0.55	0.74
A91	Dengue haemorrhagic fever	0.00	0.00	0.00	0.00	0.00

A36	Diphtheria	0.00	0.00	0.00	0.00	0.00
B08.4-5	Enteroviral infections	45.01	199.26	26.76	149.67	309.48
A54	Gonococcal infections	6.61	6.43	3.90	5.10	1.66
G00.0	Haemophilus meningitis	0.00	0.00	0.00	0.00	0.00
B20-B24	HIV	0.00	0.39	0.74	1.09	0.92
A83.0	Japanese encephalitis	0.00	0.00	0.00	0.00	0.00
A48.1	Legionnaires disease	0.00	0.00	0.00	0.00	0.00
A30	Leprosy	0.00	0.00	0.00	0.18	0.00
B50-B54	Malaria	0.00	0.00	0.00	0.00	0.00
B05	Measles	0.00	0.39	0.00	0.73	0.00
A39.0	Meningococcal meningitis	0.00	0.00	0.00	0.00	0.00
B26	Mumps	17.55	12.86	10.04	18.03	13.09
A34	Obstetrical tetanus	0.00	0.00	0.00	0.00	0.00
A06.1-9	Other Amoebiasis	0.00	0.19	0.19	0.00	0.18
A55-A64	Other sexually transmitted disease (not include A59, A60)	0.00	0.00	0.00	0.55	0.37
A35	Other tetanus	0.00	0.00	0.00	0.00	0.00
A17-19	Other tuberculosis	6.81	5.84	3.53	6.37	7.93
J10x	Pandemic Influenza 2009	0.00	0.00	0.00	0.00	646.26
A01.1-4	Paratyphoid fever	0.62	0.19	0.19	0.00	0.92
A20	Plague	0.00	0.00	0.00	0.00	0.00
A15-A16	Pulmonary tuberculosis	78.46	79.86	70.99	69.74	60.68
A82	Rabies	0.00	0.00	0.00	0.00	0.00
A08.0	Rotaviral enteritis	0.00	0.00	8.18	50.07	42.97
B06	Rubella (German measles)	0.21	1.36	0.74	1.64	2.95
A02.0-9	Salmonella infections	15.49	22.40	4.65	7.10	8.67
B97.2	SARS	0.00	0.00	0.00	0.00	0.00
A38	Scarlet fever	6.61	4.09	1.12	2.73	4.24
A03.0-9	Shigellosis	0.00	0.00	0.56	0.18	0.18
A50-A53	Syphilis	1.24	1.56	1.86	11.29	13.46
A33	Tetanus neonatorum	0.00	0.00	0.00	0.00	0.00
A71	Trachoma	0.00	0.00	0.00	0.00	0.00
A59	Trichomoniasis	0.00	0.00	0.19	0.00	0.00
A01.0	Typhoid fever	0.41	0.00	0.00	0.36	0.18
B01	Varicella (chickenpox)	291.35	402.42	259.80	168.97	119.70
A37	Whooping cough	0.00	0.00	0.00	0.36	0.00
A95	Yellow fever	0.00	0.00	0.00	0.00	0.00

Source: Health Bureau

(%)					
Vaccines	2005	2006	2007	2008	2009
BCG 1 <sup>st</sup> dose	98.0	99.0	99.7	99.6	99.8
Diphtheria, tetanus, pertusis 3 <sup>rd</sup> dose	88.9	90.1	90.2	91.3	91.8
Polio 3 <sup>rd</sup> dose	88.8	90.1	90.0	90.8	91.8
Hepatitis B 3 <sup>rd</sup> dose	87.2	89.7	90.0	91.3	92.0
Measles containing vaccine 1 <sup>st</sup> dose	90.9	90.3	89.9	89.7	90.8
Measles containing vaccine 2 <sup>nd</sup> dose	82.8	84.9	87.2	87.2	88.1
Haemophilus influenza type b 3 <sup>rd</sup> dose	–	–	–	80.6	90.4
Varicella 1 <sup>st</sup> dose					89.5

Source: Health Bureau

### g. Ten major underlying causes of death

30. From 2005 to 2009, the ten major underlying causes of death were:



(No.)					
<i>Underlying causes of death</i>	<i>ICD-9</i>		<i>ICD-10</i>		
	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
<i>Essential (primary) hypertension</i>	176 <sup>(1)</sup>	168 <sup>(1)</sup>	143 <sup>(1)</sup>	175 <sup>(1)</sup>	166 <sup>(1)</sup>
<i>Malignant neoplasm of trachea, bronchus and lung</i>	119 <sup>(2)</sup>	124 <sup>(2)</sup>	117 <sup>(2)</sup>	143 <sup>(2)</sup>	142 <sup>(2)</sup>
<i>Pneumonia, organism unspecified</i>	95 <sup>(3)</sup>	85 <sup>(3)</sup>	93 <sup>(3)</sup>	110 <sup>(3)</sup>	109 <sup>(3)</sup>
<i>Malignant neoplasm of liver and intrahepatic bile ducts</i>	58 <sup>(5)</sup>	62 <sup>(5)</sup>	62 <sup>(4)</sup>	62 <sup>(5)</sup>	70 <sup>(4)</sup>
<i>Chronic airways obstruction, not elsewhere classified</i>	46 <sup>(6)</sup>	49 <sup>(6)</sup>			
<i>Non-insulin-dependent diabetes mellitus</i>	77 <sup>(4)</sup>	66 <sup>(4)</sup>	48 <sup>(6)</sup>	68 <sup>(4)</sup>	56 <sup>(5)</sup>
<i>Chronic Ischaemic Heart disease</i>	39 <sup>(8)</sup>		29 <sup>(10)</sup>	46 <sup>(9)</sup>	55 <sup>(6)</sup>
<i>Hypertensive heart disease</i>			34 <sup>(9)</sup>	44 <sup>(10)</sup>	49 <sup>(7)</sup>
<i>Heart failure</i>	46 <sup>(6)</sup>				
<i>Other chronic obstructive pulmonary disease</i>			47 <sup>(7)</sup>	54 <sup>(6)</sup>	47 <sup>(8)</sup>
<i>Malignant neoplasm of colon</i>	32 <sup>(10)</sup>	44 <sup>(7)</sup>	48 <sup>(6)</sup>	51 <sup>(7)</sup>	40 <sup>(9)</sup>
<i>Acute myocardial infection</i>		30 <sup>(10)</sup>			
<i>Chronic renal failure</i>		36 <sup>(8)</sup>	46 <sup>(8)</sup>	48 <sup>(8)</sup>	32 <sup>(10)</sup>
<i>Malignant neoplasm of nasopharynx</i>		31 <sup>(9)</sup>			
<i>Bacterial pneumonia, not elsewhere classified</i>			55 <sup>(5)</sup>		
<i>Other diseases of endocardium</i>	37 <sup>(9)</sup>				

Source: Statistics and Census Bureau, Demographic Statistics

#### ***h. Net enrolment ratio, attendance and drop-out rates***

31. The net enrolment ratio and drop-out rates in primary and secondary education in the last 5 academic years were as follows:

Academic years (%)						
Net enrolment ratio	<b>G</b>	<b>2004/2005</b>	<b>2005/2006</b>	<b>2006/2007</b>	<b>2007/2008</b>	<b>2008/2009</b>
<b>Primary education</b>	<b>MF</b>	<b>89.5</b>	<b>90.8</b>	<b>87.4</b>	<b>88.2</b>	<b>89.3</b>
	M	89.2	90.1	87.1	88.5	88.8
	F	89.9	91.5	87.8	87.9	89.8
<b>Secondary education</b>	<b>MF</b>	<b>74.7</b>	<b>74.9</b>	<b>73.2</b>	<b>73.3</b>	<b>73.3</b>
	M	71.7	72.1	71.4	71.6	71.4
	F	77.9	78.0	75.2	75.1	75.6

Source: Statistics and Census Bureau, Demographic Statistics

Academic years (%)						
Drop-out rate	<b>G</b>	<b>2004/2005</b>	<b>2005/2006</b>	<b>2006/2007</b>	<b>2007/2008</b>	<b>2008/2009</b>
<b>Primary education</b>	<b>MF</b>	<b>1.9</b>	<b>1.7</b>	<b>3.0</b>	<b>2.3</b>	<b>2.2</b>
	M	2.3	2.0	3.3	2.6	2.3
	F	1.5	1.4	2.6	2.0	1.9
<b>Secondary education</b>	<b>MF</b>	<b>6.7</b>	<b>7.0</b>	<b>7.5</b>	<b>6.3</b>	<b>4.8</b>
	M	8.0	8.4	8.9	7.5	5.6
	F	5.4	5.6	6.2	5.1	4.0

Source: Statistics and Census Bureau, Demographic Statistics

#### ***i. Teacher-student ratio***

32. The teacher-student ratio in government-funded schools decreased in the last 5 academic years, leading to 22 in 2004/2005, 21 in 2005/2006, 19.4 in 2006/2007, 17.9 in 2007/2008 and 16 in 2008/2009.

**j. Literacy rate**

33. At the time of the By Census 2006, the literacy rate of the population aged 15 or above was 93.5%. Among those not satisfying the criteria of being literate, 73.8% were female and 26.2% were male. According to posterior estimates, the overall literacy rate was 95% in 2007 (50.2% male and 49.8% female), 95% in 2008 (50.1% male and 49.9% female), and 95.2 % in 2009 (49.3% male and 50.7% female).

**4. Economic indicators**

**a. Labour participation rates, unemployment and underemployment rates**

34. Except for the year of 2009, labour force participation rates increased in the last 5 years, with the male labour force having a higher participation rate; in the same period, unemployment rates decreased, and the underemployment rate decreased from 2005 to 2006, held steady from 2006 to 2007 and rose in 2008 and 2009 by 0.6 and 0.3 percentage points, respectively, as shown in the following tables.

(%)									
Years					<i>M</i>	<i>F</i>	<i>MF</i>	<i>M</i>	<i>F</i>
								<i>Under employment</i>	
<b>2005</b>	63.4	70.9	56.8	4.1	4.3	1	1	1	
					.8	.4	.6	.2	
<b>2006</b>	68.5	76.7	61.0	3.8	3.8	1	1	0	
					.8	.0	.2	.7	

<b>2007</b>	71.7	78.8	64.8	3.1	3.2	1	1	0
					.	.	.	.
					7	0	3	7
<b>2008</b>	72.9	79.9	66.3	3.0	3.2	1	2	0
					.	.	.	.
					8	6	4	6
<b>2009</b>	72.0	78.0	66.5	3.6	4.2	1	2	0
					.	.	.	.
					8	9	9	7

Source: Statistics and Census Bureau, Employment Surveys and 2007 to 2008 Yearbooks of Statistics

### b. Employment by major sectors of economic activity

35. The labour force in major sectors of economic activity was as follows:

<i>No. (10<sup>3</sup>)</i>							
<i>Sectors of economic activity</i>		<i>G</i>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
<b>Total</b>		<i>MF</i>	<b>205.4</b>	<b>265.1</b>	<b>300.4</b>	<b>323.0</b>	<b>317.5</b>
		<i>M</i>	<b>108.3</b>	<b>141.6</b>	<b>160.5</b>	<b>172.3</b>	<b>164.0</b>
<b>Agriculture, farming of animals, hunting, forestry, fishing, mining and quarrying</b>		<i>MF</i>	1.5	0.5	0.2	0.5	1.1
		<i>M</i>	0.4	0.3	0.1	0.2	0.6
<b>Manufacturing</b>		<i>MF</i>	37.7	29.5	24.0	24.6	17.0
		<i>M</i>	11.8	10.5	8.7	11.5	8.3
<b>Textiles</b>		<i>MF</i>	3.8	2.5	2.5	2.7	1.4
		<i>M</i>	1.3	0.9	0.9	1.5	0.5
<b>Wearing apparel; dressing and dyeing of fur</b>		<i>MF</i>	25.5	20.1	14.9	14.8	8.8
		<i>M</i>	5.2	4.7	3.4	4.8	2.5
<b>Other manufacturing</b>		<i>MF</i>	8.4	6.9	6.6	7.1	6.8
		<i>M</i>	5.3	4.9	4.3	5.2	5.5
<b>Electricity, gas and water supply</b>		<i>MF</i>	1.3	0.9	1.2	0.9	1.0
		<i>M</i>	1.0	0.8	1.0	0.6	0.7
<b>Construction</b>		<i>MF</i>	16.4	31.1	38.6	38.4	32.7
		<i>M</i>	14.8	27.8	33.9	33.7	28.9
<b>Wholesale and retail trade, repair of motor vehicles, motorcycles, and personal and household goods</b>		<i>MF</i>	33.2	36.4	38.4	39.6	41.5
		<i>M</i>	17.4	17.8	19.3	19.3	19.8
<b>Hotels, restaurants and similar activities</b>		<i>MF</i>	22.4	30.0	34.7	41.3	43.7
		<i>M</i>	11.8	14.6	16.7	20.5	21.0
<b>Transport, storage and communications</b>		<i>MF</i>	14.4	16.8	16.4	16.0	16.7
		<i>M</i>	10.6	12.0	11.8	11.8	12.4
<b>Financial intermediation</b>		<i>MF</i>	6.3	6.9	7.9	7.5	7.5
		<i>M</i>	2.6	2.9	3.1	2.8	2.9
<b>Real estate, renting and business activities</b>		<i>MF</i>	12.0	16.3	20.1	23.8	25.6
		<i>M</i>	7.7	9.9	11.7	14.5	16.0
<b>Public administration, defence and compulsory social security</b>		<i>MF</i>	18.1	20.3	22.0	20.2	20.3
		<i>M</i>	12.5	14.0	14.2	13.0	12.9
<b>Education</b>		<i>MF</i>	9.8	11.3	11.9	11.5	12.3
		<i>M</i>	3.1	3.7	3.8	3.5	3.9
<b>Health and social welfare</b>		<i>MF</i>	4.7	5.4	6.0	6.5	7.3

	<i>M</i>	1.5	1.4	1.7	2.0	2.0
<b>Other community social and personal services</b>	<i>MF</i>	23.9	52.5	69.1	78.9	75.2
	<i>M</i>	12.8	25.6	33.9	38.3	34.1
<i>Gaming</i>	<i>MF</i>	15.4	42.6	58.7	66.6	62.7
	<i>M</i>	8.8	21.3	28.9	33.3	28.7
<i>Others</i>	<i>MF</i>	8.5	9.9	10.4	12.3	12.5
	<i>M</i>	4.0	4.3	5.0	5.0	5.4
<b>Households with employed persons</b>	<i>MF</i>	4.3	6.9	9.6	13.3	15.7
	<i>M</i>	0.2	0.3	0.5	0.3	0.5
<b>Others and Unknown</b>	<i>MF</i>	0.3	0.2	0.1	0	0
	<i>M</i>	0.2	0	0	0	0

Source: Statistics and Census Bureau, Employment Surveys and Yearbook of Statistics

### **c. Gross domestic product, annual growth rates and per capita income**

36. The MSAR economy is a high-income economy. Tourism and gaming industries are the main economic activities. The liberalization of the gaming industry in 2001 generated significant investment inflows, leading to high average annual growth rates of the gross domestic product (GDP) of 6.9% in 2005, 16.5% in 2006, 26% in 2007 and 12.9% in 2008. Nevertheless, the MSAR economy was affected by the global financial crisis, for the whole year of 2009, the GDP rose by 1.3% in real terms to MOP 169.34 billion, with per-capita GDP amounting to MOP 311,131 (US\$ 38,968). The MSAR GDP indicators for the last 5 years are as follows:

<b>GDP Indicators</b>					
<b>Item</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
GDP (billion MOP)	92.19	113.71	150.21	173.55	169.34
GDP growth in real terms (%)	6.9	16.5	26.0	12.9	1.3
Per-capita GDP (MOP)	193,619	227,721	285,695	316,143	311,131
Per-capita GDP growth in real terms (%)	2.6	11.1	19.7	8.2	2.2

Source: Statistics and Census Bureau, Estimates of GDP 2009; Note: USD 1 = MOP 7.9335

### **d. Public revenue**

37. The MSAR's public revenue was MOP 28.201 billion in 2005, MOP 37.189 billion in 2006, MOP 53.710 billion in 2007, MOP 62.259 billion in 2008 and MOP 57.641 billion in 2009 (provisional value, it does not include autonomous entities' income) (*Financial Services Bureau*).

### **e. Consumer Price Index (CPI)**

38. The consumer price index was 83.19 in 2005, 87.48 in 2006, 92.35 in 2007, 100.30 in 2008 and 101.48 in 2009.

### **f. Social expenditures**

39. Regarding the social expenditures as proportion of the total public expenditure and the social expenditures as proportion of the GDP, the former was 49.8 % in 2005, 51.5 % in 2006, 55.3 % in 2007 and 57.3 % in 2008. The latter was 8.5 %, 7.9 %, 6.9 % and 8.7 %, respectively.

### **g. External and internal debt**

40. The MSAR has not incurred any external or domestic public debt.

## **B. The political and legal framework of the msar**

41. With respect to the MSAR political and legal framework, the information

contained in Part III of China's Core Document remains accurate, except for the dissolution of the two municipalities (mentioned in its paragraphs 170 to 176) and the update given in the following paragraphs.

### **1. The Chief Executive of the MSAR**

42. As mentioned in the said Part III of China's Core Document, the Basic Law stipulates that the Chief Executive shall be selected by election or through consultations held locally and appointed by the Central People's Government. The term of office of the Chief Executive shall be 5 years and he/she cannot serve for more than 2 consecutive terms. The method for the selection is specified in Annex I to the Basic Law, which stipulates that the Chief Executive shall be elected by a broadly representative Election Committee in accordance with the Basic Law. In conformity with the referred method, "*the delimitation of the various sectors, the organizations in each sector eligible to return Election Committee members and the number of such members returned by each of these organizations shall be prescribed by an electoral law enacted by the MSAR in accordance with the principles of democracy and openness*". Consequently, Law 3/2004, of 5 April, on the election of the Chief Executive, was adopted. Later on, it was amended by Law 12/2008, of 6 October, which further detailed some matters of the election as well as provided for specific electoral crimes.

43. In 2004, the first Chief Executive was re-elected to serve a second and final term as the head of the MSAR Government and a new Chief Executive (the third office term) was elected and appointed by the Central People's Government to assume office on 20 December 2009.

44. In this connection, it is also worth mentioning the amendments introduced to Law 12/2000, of 18 December, Law on Electoral Registration, by Law 9/2008, of 25 August, with the aim of optimizing the electoral registration process, ameliorating the framework to recognize legal persons in each sector as well as the requisites for their eligibility to participate in indirect elections, unifying deadlines for display of voter registration records and for electoral registration operations' cancellation, and reinforcing the combat to corruption in elections.

45. In the same token, Law 22/2009, of 17 December, on limitations imposed to former chief executives and principal officials, was adopted. This law restricts such high officials from performing private professional activities for a period of 2 years. Only in exceptional circumstances may such restrictions be waived.

### **2. The Legislative Assembly of the MSAR**

46. As to the Legislative Assembly, which formation method is stipulated in Annex II to the Basic Law (also described in Part III of China's Core Document), it is currently in its fourth term. In its second term (2001/2005), it accounted for 27 members (10 directly returned, 10 indirectly returned by functional constituencies and 7 appointed by the Chief Executive); in its third term (2005/2009) and subsequent terms, it accounted for 29 deputies (12 directly returned, 10 indirectly returned and 7 appointed members).

47. The method for electing its members is presently governed by the above-mentioned Law on Electoral Registration and by Law 3/2001, of 5 March, as amended by Law 11/2008, of 6 October, Electoral Law for the Legislative Assembly, wherein the rules concerning the right to vote and to be elected on a non-discriminatory basis to ensure free, fair and periodic elections are established. The strengthening of the

powers of the Legislative Assembly Electoral Affairs Commission and the extension of its term of office, the amelioration of electoral activities and of the voting process, stricter rules regarding the supervision of electoral campaigns' financing and the reinforcement of the combat to corruption in elections were some of the amendments towards a more open and transparent electoral environment.

48. The said electoral method comprises different frameworks according to the double system of direct and indirect elections. Direct elections are conducted by means of universal, direct, secret and periodic suffrage in a single voting session from ballot lists in accordance with a system of proportional representation. Each voter is entitled to a single vote. Article 26 of the Basic Law enshrines the right to vote and to stand for election to all MSAR permanent residents. To be able to vote in direct elections, it is necessary to have attained legal majority (18 years of age) and to have registered in the electoral rolls in accordance with the Law on Electoral Registration. Electoral capacity is legally presumed upon registration in the electoral rolls. In indirect elections, members that represent organized social interests are elected through indirect, secret and periodic suffrage by means of the following electoral colleges: industrial, commercial and financial sectors (4 mandates), professional sector (2 mandates), social, cultural, educational and sports sectors (2 mandates) and labour sector (2 mandates). Electoral colleges are formed by associations or organizations, the objectives of which fall under one of the above social sectors.

49. Within this context, it should be clarified that, although there are no political parties in the MSAR, the political system is an association-based one since associations may stand and vote for elections. Legal persons are entitled to vote for indirect elections, and the requirements for such are: to be registered in the Identification Bureau, to be recognized as representatives of one of the above-mentioned social sectors for at least 4 years and to have legal personality for at least 7 years. The recognition that a legal person belongs to a sector of social interests is valid for 5 years provided that an annual activity report is submitted to the competent authority. Such recognition must be renewed from 150 to 90 days prior to its expiry date.

### **3. Main indicators on the political system**

#### ***a. Proportions of population eligible to vote and registered to vote***

50. On 31 December 2009, there were 250,268 registered electors, of which 51.2% were women. The number of electors and candidates is increasing. Comparing the third term of the Legislative Assembly with its fourth term, the number of electors rose from 220,653 to 248,708, while the number of legal persons for indirect elections rose from 905 to 973. The number of electoral lists or groups participating in direct election has decreased from 18 to 16.

#### ***b. Complaints on the conduct of elections***

51. The registered number of complaints on the conduct of the 2005 and 2009 elections was 423 and 255, respectively. The majority of them were about irregular propaganda approaches such as posting campaign posters on forbidden places, others were about unfair coverage by local newspapers and only a few were about bribing voters (mainly, in the forms of buying dinners, giving away gift coupons or travelling abroad). From those complaints, only a very small number led to opening of investigation for eventual prosecution, more precisely 13 in 2005 and 6 in 2009, and even fewer were transferred to the Procuratorate Office for purposes of criminal

action, i.e., 7 relating to the 2005 election and 1 to the 2009 election, from which 5 cases have been tried relating to the 2005 election, and 1 relating to the 2009 election, the remaining are pending.

***c. Media access by the population***

52. There are 14 daily newspapers, 36 periodicals (the circulation of daily newspapers per day was 232,880 and of periodical per year was 7,563,300 in 2009), 3 radio stations and 6 television stations in the MSAR.

***d. Recognition of non-governmental organizations***

53. Freedom of association, including the right and freedom to form and join trade unions, is guaranteed by Article 27 of the Basic Law. Law 2/99/M, of 9 August, and Article 154 *et seq.* of the Civil Code further regulate the right of association.

54. Everyone has the right to form an association freely and without prior authorization, provided that the association is not intended to promote violence and that its objectives are not contrary to the criminal law. Armed, quasi-military, militarized or paramilitary associations and racist organizations are not permitted. No one can be put under a duty to join an association or compelled to remain in it. Associations pursue their aims and objectives freely, and without any interference from public authorities and they may not be dissolved or their activities suspended, unless in the cases provided by law and by means of a court decision.

55. Non-governmental organizations are subject to the provisions of general law on private legal persons. Registration at the Identification Bureau is required. Any NGO that pursues activities of public interest may be recognized as such on a case-by-case basis. Those NGOs may enjoy certain benefits (e.g. tax exemption and granting of subsidies) but must fulfil certain conditions (e.g. summary report of activities and balance sheets).

56. As of 31 December 2009, there were 4,407 associations: 292 professional associations, 290 employer associations, 172 educational associations, 967 charity associations, 834 cultural associations and 1,009 sports associations registered at the Identification Bureau.

***e. Percentage of women in the Legislative Assembly***

57. The percentage of women members in the Legislative Assembly was 20.7 between 2005 and 2008 and 13.8 in 2009.

***f. Average turnout***

58. The average voter turnout in the Legislative Assembly election was 58.39% in the third election (2005/2009) and 59.91% in the fourth election (2009/2013), corresponding to 128,830 and 149,006, respectively.

**4. Judicial, administrative and other bodies with jurisdiction over human rights**

***a. The judicial***

59. The MSAR judiciary structure remains basically unchanged, although Law 9/1999, of 20 December, which approved the basis of the judiciary organization, has been complemented and amended by Law 9/2004, of 16 August, and Law 9/2009, of 25 May.

***b. The Commission against Corruption (Ombudsman)***

60. The Commission against Corruption promotes the protection of rights, freedoms and legitimate interests of the individuals, ensuring that the exercise of public powers abide by criteria of justice, legality and efficiency but it also has

independent powers of criminal investigation within the scope of its activity. Its powers have been enlarged by Law 19/2009, of 17 August, on the prevention and repression of corruption in the private sector. The “Ombudsman” functions were retained and powers and competences on autonomous criminal investigation within its scope of activity and to counter corruption and fraud, in both public and private sectors, were added.

**c. Unitary Police Services**

61. Law 1/2001, of 29 January, established the Unitary Police Service, which is the body responsible for the MSAR’s public security, constituting the operational command and direction of police units, including the Public Security Police and Judiciary Police. Its Commissioner General is one of the principal officials of the MSAR Government and is appointed by the Central People’s Government.

**5. Main indicators on crime and on the administration of justice**

**a. Incidence of violent death as life threatening crimes**

62. The incidence of violent death as life threatening crimes reported to the police was, per 100,000 persons, 159.2 in 2005, 142.6 in 2006, 142 in 2007, 155.4 in 2008 and 120.3 in 2009. The number of cases of sexually motivated violence was 80 in 2005, 67 in 2006, 75 in 2007, 96 in 2008 and 95 in 2009 (provisional figure).

**b. Number of persons arrested or brought before the court for violent or other serious crimes**

63. The number of persons arrested or brought before the court for violent or other serious crimes was 3,417 in 2005, 3,735 in 2006, 3,944 in 2007, 4,428 in 2008 and 4,366 in 2009 (provisional figure) (*Security Forces Coordination Office*).

**c. Maximum and average time of pre-trial detention**

64. During the same period, the maximum time of pre-trial detention and the average time needed by the Court of First Instance for adjudication of criminal cases was of 8.2 months and 10.1 months, respectively (*Courts’ information*).

**d. Prison population**

65. The prison population was 704 in 2005, 665 in 2006, 604 in 2007, 592 in 2008 and 623 in 2009, being the majority of the inmates of Asian origin. The following tables illustrate the number and type of offences committed by the prison population as well as the length of respective sentences.

<i>Offences committed by the prison population</i>										
<i>Types of offences/ Age groups</i>	<i>2005</i>		<i>2006</i>		<i>2007</i>		<i>2008</i>		<i>2009</i>	
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>
<b><i>Drug Trafficking</i></b>										
<i>Age 16-20</i>	14	0	11	1	17	1	42	4	35	3
<i>Age 21-30</i>	97	11	92	10	83	12	99	14	94	12
<i>Age 31-50</i>	156	30	146	25	138	22	134	22	117	18
<i>Age &gt;50</i>	21	0	22	1	14	2	17	3	13	3
<b><i>Subtotal/gender</i></b>	<b>288</b>	<b>41</b>	<b>271</b>	<b>37</b>	<b>252</b>	<b>37</b>	<b>292</b>	<b>43</b>	<b>259</b>	<b>36</b>
<b><i>Subtotal/offence</i></b>	<b>329</b>		<b>308</b>		<b>289</b>		<b>335</b>		<b>295</b>	
<b><i>Burglary</i></b>										
<i>Age 16-20</i>	15	0	6	0	6	0	8	0	5	0



<i>Age 21-30</i>	71	7	69	6	56	3	43	2	33	2
<i>Age 31-50</i>	118	4	121	4	90	3	87	3	76	1
<i>Age &gt;50</i>	1	0	3	0	4	0	4	0	3	0
<b>Subtotal/gender</b>	<b>205</b>	<b>11</b>	<b>199</b>	<b>10</b>	<b>156</b>	<b>6</b>	<b>142</b>	<b>5</b>	<b>117</b>	<b>3</b>
<b>Subtotal/offence</b>	<b>216</b>		<b>209</b>		<b>162</b>		<b>147</b>		<b>120</b>	
<b>Larceny</b>										
<i>Age 16-20</i>	4	0	4	0	3	0	1	0	0	0
<i>Age 21-30</i>	47	5	45	3	49	2	49	4	39	5
<i>Age 31-50</i>	96	6	105	8	101	8	113	7	92	6
<i>Age &gt;50</i>	7	0	11	0	9	0	9	0	6	0
<b>Subtotal/gender</b>	<b>154</b>	<b>11</b>	<b>165</b>	<b>11</b>	<b>162</b>	<b>10</b>	<b>172</b>	<b>11</b>	<b>137</b>	<b>11</b>
<b>Subtotal/offence</b>	<b>165</b>		<b>176</b>		<b>172</b>		<b>183</b>		<b>148</b>	
<b>Fraud</b>										
<i>Age 16-20</i>	0	0	1	1	1	1	1	0	1	0
<i>Age 21-30</i>	11	4	11	5	9	4	6	3	4	0
<i>Age 31-50</i>	35	8	35	6	33	12	47	16	41	15
<i>Age &gt;50</i>	9	0	13	1	15	1	16	3	11	3
<b>Subtotal/gender</b>	<b>55</b>	<b>12</b>	<b>60</b>	<b>13</b>	<b>58</b>	<b>18</b>	<b>70</b>	<b>22</b>	<b>57</b>	<b>18</b>
<b>Subtotal/offence</b>	<b>67</b>		<b>73</b>		<b>76</b>		<b>92</b>		<b>75</b>	
<b>Homicide</b>										
<i>Age 16-20</i>	0	0	0	0	0	0	0	0	0	0
<i>Age 21-30</i>	21	0	16	0	12	0	14	0	13	0
<i>Age 31-50</i>	31	3	36	4	35	5	36	5	29	5
<i>Age &gt;50</i>	6	0	5	0	6	0	12	0	11	0
<b>Subtotal/gender</b>	<b>58</b>	<b>3</b>	<b>57</b>	<b>4</b>	<b>53</b>	<b>5</b>	<b>62</b>	<b>5</b>	<b>53</b>	<b>5</b>
<b>Subtotal/offence</b>	<b>61</b>		<b>61</b>		<b>58</b>		<b>67</b>		<b>58</b>	
<b>Others</b>										
<i>Age 16-20</i>	33	0	20	8	16	4	13	0	24	0
<i>Age 21-30</i>	107	5	110	4	104	9	67	13	71	11
<i>Age 31-50</i>	173	9	184	14	167	22	136	23	131	26
<i>Age &gt;50</i>	13	0	18	0	15	0	22	2	20	2
<b>Subtotal/gender</b>	<b>326</b>	<b>14</b>	<b>332</b>	<b>26</b>	<b>302</b>	<b>35</b>	<b>238</b>	<b>38</b>	<b>246</b>	<b>39</b>
<b>Subtotal/offence</b>	<b>340</b>		<b>358</b>		<b>337</b>		<b>276</b>		<b>285</b>	
<b>Total</b>	<b>1178</b>		<b>1185</b>		<b>1094</b>		<b>1100</b>		<b>981</b>	

Source: Macao Prison Establishment

(No.)					
<b>Length of Sentence</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
<i>1 year or below</i>	79	108	139	261	278
<i>1 to 5 years</i>	429	294	264	463	519
<i>6 to 10 years</i>	359	273	312	281	261
<i>11 to 15 years</i>	103	87	96	94	81
<i>16 to 20 years</i>	27	25	25	28	23
<i>21 years or above</i>	9	16	8	12	12
<b>Total</b>	<b>1006</b>	<b>803</b>	<b>844</b>	<b>1193</b>	<b>1174</b>

Source: Macao Prison Establishment

#### ***e. Incidence of death in custody and death penalty***

66. There is no record of death in custody at the Macao Prison Establishment.

67. There is no death penalty, neither life imprisonment in the MSAR.

#### ***f. Average backlog of cases per judge***

68. The average backlog of cases per judge at different levels of the judicial system was 396 in 2005, 390 in 2006, 411 in 2007 and 438 in 2008.

***g. Number of police/security personnel***

69. The number of police/security personnel per 100,000 persons was 1,164 in 2005, 1,116 in 2006, 1,093 in 2007, 1,106 in 2008 and 1,141 in 2009.

***h. Number of prosecutors and judges***

70. The number of prosecutors and judges per 100,000 persons decreased from 2005 to 2008, being 12 in 2005, 11.3 in 2006, 10.78 in 2007 and 10.56 in 2008.

***i. Share of public expenditure on police/security and judiciary***

71. The share of public expenditure on police/security and judiciary was 15.4% in 2005, 15.7% in 2006, 16.6% in 2007 and 14% in 2008.

**II. General framework for the protection and promotion of human rights**

72. As regards information on the general framework for the protection and promotion of human rights at the internal level, reference is made to paragraphs 177-246 of Part III of China's Core Document to the extent that no changes have occurred in the MSAR Basic Law since its submission. The remaining aspects are still accurate if no particular observations are made to the contrary herein.

**C. Acceptance of international human rights norms**

73. At present, the following human rights and related treaties are applicable in the MSAR:

***a. Main international human rights conventions and protocols***

<i>Convention/ Protocol</i>	<i>Entry into force/ continuance in force</i>	<i>Reservations content</i>
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<p><b>International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966</b></p>	<p>27/4/1993;  <b>China’s notifications with respect to the MSAR:</b>  1. dated 2/12/1999; registered with the UN Secretary-General on 3/12/1999 (UNTS, vol. 2095, No. A-14531, p. 158-161);  2. dated 28/2/2001, registered with the UN Secretary-General on 27/3/2001 (UNTS, vol. 2142, No. A-14531, p. 185-161).</p>	<p>In 1999, China has declared that  “(...) 1. <i>The application of the Covenant, and its article 1 in particular, to the Macao Special Administrative Region shall not affect the status of Macao as defined in the Joint Declaration and in the Basic Law.</i>  2. <i>The provisions of the Covenant which are applicable to the Macao Special Administrative Region shall be implemented in Macao through legislation of the Macao Special Administrative Region. The residents of Macao shall not be restricted in the rights and freedoms that they are entitled to, unless otherwise provided for by law. In case of restrictions, they shall not contravene the provisions of the Covenant that are applicable to the MSAR (...)</i>”.</p> <p>In 2001, China further stated with respect to the MSAR that “(...) 2. <i>in accordance with the official notes addressed to Secretary-General of the United Nations (...) on 20 June 1997 and 2 December 1999, respectively, the International Covenant on Economic, Social and Cultural Rights shall be applicable to (...) the Macao Special Administrative Region of the People's Republic of China and shall, pursuant to the provisions of the Basic Law of (...) the Macao Special Administrative Region of the People's Republic of China, be implemented through the respective laws (...).</i></p>
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<p><b>International Covenant on Civil and Political Rights (ICCPR), 1966</b></p>	<p>27/4/1993;  <b>China’s notification with respect to the MSAR:</b>  – dated 2/12/1999; registered with the UN Secretary-General on 3/12/1999 (UNTS, vol. 2095, No. A-14668, p. 169-173).</p>	<p>In 1999, China has declared that “(...) 1. <i>The application of the Covenant, and its article 1 in particular, to the Macao Special Administrative Region shall not affect the status of Macao as defined in the Joint Declaration and in the Basic Law.</i></p> <p>2. <i>Paragraph 4 of Article 12 and Article 13 of the Covenant shall not apply to the Macao Special Administrative Region with respect to the entry and exit of individuals and the expulsion of aliens from the territory, these matters shall continue to be regulated by the provisions of the Joint Declaration and the Basic Law and other relevant laws of the Macao Special Administrative Region.</i></p> <p>3. <i>Paragraph b of Article 25 of the Covenant shall not apply to the Macao Special Administrative Region with respect to the composition of elected bodies and the method of choosing and electing their officials as defined in Joint Declaration and the Basic Law.</i></p> <p>4. <i>The provisions of the Covenant which are applicable to the Macao Special Administrative Region shall be implemented in Macao through legislation of the Macao Special Administrative Region. The residents of Macao shall not be restricted in the rights and freedoms that they are entitled to, unless otherwise provided for by law. In case of restrictions, they shall not contravene the provisions of the Covenant that are applicable to the MSAR (...)</i>”.</p>
<p><b>International Convention on the Elimination of All Forms of Racial Discrimination, (ICERD), 1966</b></p>	<p>27/4/1999;  <b>China’s notification with respect to the MSAR:</b>  – dated 19/10/1999; registered with the UN Secretary-General on 19/10/1999 (UNTS, vol. 2086, No. A-9464, p. 24-26).</p>	<p>China’s reservation to Article 22 of the Convention also applies to the MSAR.</p>
<p><b>Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979</b></p>	<p>27/4/1999;  <b>China’s notification with respect to the MSAR:</b>  – dated 19/10/1999; registered with the UN Secretary-General on 19/10/1999 (UNTS, vol. 2086, No. A-20378, p. 116-118).</p>	<p>China’s reservation to Article 29(1) of the Convention also applies to the MSAR.</p>

<b>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 1984</b>	15/6/1999; <b>China's notification with respect to the MSAR:</b> – dated 19/10/1999; registered with the UN Secretary-General on 19/10/1999 (UNTS, vol. 2086, No. A-24841, p. 124-127).	China's reservation to Article 20 and Article 30(1) of the Convention also apply to the MSAR.
<b>Convention on the Rights of the Child (CRC), 1989</b>	27/4/1999; <b>China's notification with respect to the MSAR:</b> – dated 19/10/1999; registered with the UN Secretary-General on 19/10/1999 (UNTS, vol. 2086, No. A-27531, p. 139-142).	
<b>Optional Protocol to the CRC on the involvement of children in armed conflict, 2000</b>	Same as China, i.e., 20/3/2008; <b>China's communication with respect to the MSAR:</b> Depositary C.N.165.2008. TREATIES-4, of 11/3/2008.	
<b>Optional Protocol to the CRC on the sale of children, child prostitution, and child pornography, 2000</b>	Same as China, i.e., 3/1/2003 <b>China's communication with respect to the MSAR:</b> Depositary C.N.1328. 2002. TREATIES-50, of 19/12/2002).	

***b. Other United Nations human rights and related conventions***

<i>Convention/ Protocol</i>	<i>Entry into force/ continuance in force</i>	<i>Reservations/declarations content</i>
<b>Convention on the Prevention and Punishment of the Crime of Genocide, 1948</b>	16/9/1999; <b>China's notification with respect to the MSAR:</b> – dated 16/12/1999; registered with the UN Secretary-General on 17/12/1999 (UNTS, vol. 2095, No. A-1021, p. 51-53).	China's reservation to Article 9 of the Convention also applies to the MSAR.
<b>Slavery Convention, 1926</b>	4/10/1927 (declaration of extension repeated on 20/10/1999); <b>China's notification with respect to the MSAR:</b> – dated 19/10/1999; registered with the UN Secretary-General on 19/10/1999 (UNTS, vol. 2086, No. C-1414, p. 267-270).	China made a reservation to Article 8 of the Convention in relation to its application to the MSAR.

<p><b>Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1950</b></p>	<p>29/12/1992 (declaration of extension repeated on 7/7/1999 with designation of competent entity of Macao for the purpose of Article 14 of the Convention);  <b>China's notification with respect to the MSAR:</b>  – dated 2/12/1999; registered with the UN Secretary-General on 3/12/1999 (UNTS, vol. 2095, No. A-1342, p. 55-57).</p>	
<p><b>Convention relating to the Status of Refugees, 1951, and its 1967 Protocol</b></p>	<p>13/7/1996 (declaration of extension repeated on 27/4/1999);  <b>China's notification with respect to the MSAR:</b>  – dated 2/12/1999; registered with the UN Secretary-General on 3/12/1999 (UNTS, vol. 2095, No. A-2545, p. 64-66 and vol. 2095, No. A-8791, p. 133-134).</p>	<p>The reservation made by China to Article 4 of the Protocol also applies to the MSAR.</p>
<p><b>Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956</b></p>	<p>10/8/1959 (declaration of extension repeated on 27/4/1999);  <b>China's notification with respect to the MSAR:</b>  – dated 2/12/1999; registered with the UN Secretary-General on 3/12/1999 (UNTS, vol. 2095, No. A-3822, p. 73-75).</p>	
<p><b>United Nations Convention against Transnational Organized Crime, 2000</b></p>	<p>Same as China, i.e., 23/10/2003;  <b>China's communication with respect to the MSAR:</b>  – dated 23/9/2003; registered with the UN Secretary-General on 23/9/2003 (UNTS, vol. 2226, No. A-39574, p. 482-483).</p>	<p>Same as China, i.e., reservation to Article 35(2) of the Convention.  China's communication with respect to the MSAR also refers to the specific modalities of application of Articles 5(3), 16(5), 18(13) (14) and 31(6) of the Convention in the MSAR.</p>
<p><b>Protocol to the United Nations Convention against Transnational Organized Crime to prevent, suppress and punish trafficking in persons, especially women and children, 2000</b></p>	<p>Same as China, i.e., 10/3/2010;  <b>China's notification with respect to the MSAR:</b>  – dated 4/2/2010; registered with the UN Secretary-General on 8/2/2010 (Depositary C.N.46.2010.TREATIES-2, of 8/2/2010).</p>	<p>Same as China, i.e., reservation to Article 15(2) of the Protocol.</p>

***c. Conventions of the International Labour Organization***

74. At present, the following Conventions of the International Labour Organization are applicable in the MSAR:

<i>Convention/ Protocol</i>	<i>Entry into force/ continuance in force</i>	<i>Reservations/declarations content</i>
<b>Weekly Rest (Industry) Convention, 1921 (No. 14)</b>	11/11/1964 (declaration of extension repeated on 20/10/1999); <b>China's notification with respect to the MSAR:</b> – dated 20/10/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-597, p. 342).	
<b>Forced or Compulsory Labour Convention, 1930 (No. 29)</b>	26/6/1957; <b>China's notification with respect to the MSAR:</b> – dated 20/10/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-612, p. 351).	
<b>Labour Inspection Convention, 1947 (No. 81)</b>	12/2/1963 (declaration of extension repeated on 29/11/1999); <b>China's notification with respect to the MSAR:</b> – dated 14/12/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-792, p. 355)	
<b>Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)</b>	14/10/1978 (declaration of extension repeated on 6/9/1999); <b>China's notification with respect to the MSAR:</b> – dated 3/12/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-881, p. 358).	
<b>Right to Organize and Collective Bargaining Convention, 1949 (No. 98)</b>	1/7/1965 (declaration of extension repeated on 1999); <b>China's notification with respect to the MSAR:</b> – dated 20/10/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-1341, p. 362).	

<p><b>Equal Remuneration Convention 1951 (No. 100)</b></p>	<p>20/2/1968 (declaration of extension repeated on 1999);  <b>China's notification with respect to the MSAR:</b>  – dated 20/10/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-2181, p. 367).</p>	
<p><b>Abolition of Forced Labour Convention, 1957 (No. 105)</b></p>	<p>23/11/1960 (declaration of extension repeated on 4/10/1999);  <b>China's notification with respect to the MSAR:</b>  – dated 20/10/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-4648, p. 374).</p>	
<p><b>Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)</b></p>	<p>24/10/1961 (declaration of extension repeated on 1999);  <b>China's notification with respect to the MSAR:</b>  – dated 20/10/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-4704, p. 375); and  – reaffirmed on 6/1/2006.</p>	
<p><b>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</b></p>	<p>19/11/1960 (declaration of extension repeated on 1999);  <b>China's notification with respect to the MSAR:</b>  – dated 20/10/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-5181, p. 383).</p>	
<p><b>Employment Policy Convention, 1964 (No. 122)</b></p>	<p>9/1/1983 (declaration of extension repeated on 9/8/1999);  <b>China's notification with respect to the MSAR:</b>  – dated 3/12/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-8279, p. 387).</p>	



<p><b>Minimum Age Convention, 1973 (No. 138)</b></p>	<p>20/5/1959 (declaration of extension repeated on 29/11/1999 – not valid); 10/10/2001;</p> <p><b>China’s notification with respect to the MSAR:</b></p> <p>– dated 5/10/2000; registered with the Director-General of ILO on 6/10/2000 and with the UN Secretary-General on 20/2/2001 (UNTS, vol. 2138, No. A-14862, p. 213).</p>	<p>China’s notification in respect to the MSAR also refers to the specific modalities of application of the Convention in the MSAR:</p> <p>“(…) 1. <i>The minimum age for admission to employment or work in the Public Service is 18 years old;</i></p> <p>2. <i>The minimum age for admission to employment or work in the Private Sector is 16 years old; the employment of persons under 16 years of age but no less than 14 is exceptionally authorized by law if the minor's physical capacity required for the exercise of the work is previously attested;</i></p> <p>3. <i>Schooling is compulsory for all the persons from 5 to 15 years of age. (…)</i>”</p>
<p><b>Occupational Safety and Health Convention, 1981 (No. 155)</b></p>	<p>28/5/1985 (declaration of extension repeated on 6/8/1999 – not valid); 20/12/1999;</p> <p><b>China’s notification with respect to the MSAR:</b></p> <p>– dated 3/12/1999; registered with the Director-General of ILO on 20/12/1999 and with the UN Secretary-General on 23/3/2000 (UNTS, vol. 2102, No. A-22345, p.431) – reaffirmed by China on 25/1/2007.</p>	
<p><b>Worst Forms of Child Labour Convention, 1999 (No. 182)</b></p>	<p>Same as China, i.e., 9/8/2003;</p> <p><b>China’s communication with respect to the MSAR:</b></p> <p>– dated 7/8/2002; registered with the Director-General of ILO on 8/8/2002 and with the UN Secretary-General on 6/3/2003 (UNTS, vol. 2210, No. A-37245, p. 265).</p>	

***d. Conventions of the United Nations Educational, Scientific and Cultural Organization***

75. At present, the following UNESCO Convention is applicable in the MSAR:

<i>Convention/ Protocol</i>	<i>Entry into force/ continuance in force</i>	<i>Reservations/declarations content</i>
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<b>Convention against Discrimination in Education, 1960</b>	8/4/1981 (declaration of extension repeated on 31/4/1999); <b>China's notification with respect to the MSAR:</b> – dated 17/10/1999; registered with the Director-General of UNESCO on 21/10/1999 and with UN Secretary-General on 13/4/2000 (UNTS, vol. 2105, No. A-6193, p. 591)	
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*e. Conventions of the Hague Conference on Private International Law*

76. At present, the following Hague Conventions are applicable in the MSAR:

<i>Convention/ Protocol</i>	<i>Entry into force/ continuance in force</i>	<i>Reservations/declarations content</i>
<b>Convention on the law applicable to maintenance obligations towards children, 1956</b>	23/4/1968 (declaration of extension repeated in 1999); <b>China's notification with respect to the MSAR:</b> – dated 30/9/1999; received by the MFA of the Netherlands on 30/9/1999, and registered with the UN Secretary-General on 27/12/1999 (UNTS, vol. 2095, No. A-7412, p. 118-120).	
<b>Convention concerning the recognition and enforcement of decisions relating to maintenance obligations towards children, 1958</b>	24/2/1974 (declaration of extension repeated in 1999); <b>China's notification with respect to the MSAR:</b> – dated 10/12/1999; received by the MFA of the Netherlands on 30/9/1999.	China's notification in respect to the MSAR also refers to the specific modalities of application of the Convention in the MSAR (designation of MSAR' entities, as other China's entities, for the purpose of the application of the Convention in the MSAR).
<b>Convention concerning the powers of authorities and the law applicable in respect of the protection of children, 1961</b>	4/2/1969 (declaration of extension repeated in 1999); <b>China's notification with respect to the MSAR:</b> – dated 30/9/1999; received by the MFA of the Netherlands on 30/9/1999; and registered with the UN Secretary-General on 28/12/1999 (UNTS, vol. 2095, No. A-9431, p. 139-141).	

<b>Convention on the Civil Aspects of International Child Abduction, 1980</b>	1/3/1999; <b>China's notification with respect to the MSAR:</b> – dated 10/12/1999; received by the MFA of the Netherlands on 10/12/1999 and registered with the UN Secretary-General on 23/2/2000 (UNTS, vol. 2100, No. A-22514, p. 160).	
<b>Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, 1993</b>	Same as China, i.e., 1/1/2006; <b>China's communication with respect to the MSAR:</b> – dated 7/9/2005; received by the MFA of the Netherlands on 10/12/1999 and registered with the UN Secretary-General on 23/2/2000 (UNTS, vol. 2100, No. A-22514, p. 160).	China's notification in respect to the MSAR also refers to the specific modalities of application of the Convention in the MSAR (designation of MSAR' entities, as other China's entities, for the purpose of the application of the Convention in the MSAR).

***f. Geneva Conventions and other treaties on international humanitarian law***

77. In relation to these conventions and protocols, which must apply to the entire territory of a state as they concern foreign affairs or defence, please refer to the information provided by China.

**D. Legal framework for the protection of human rights at the internal level**

***a. Structure of protection of human rights within the MSAR legal system***

78. As detailed in Part III of China's Core Document, fundamental rights and freedoms are enshrined in the Basic Law, mainly in its chapter III (Articles 24 to 44), without prejudice to other rights and freedoms being recognized in other chapters of the Basic Law and in ordinary law.

79. In fact, the majority of the human rights provided for in main international treaties have exact or analogous correspondence both at constitutional and ordinary law levels. As in other civil law systems, fundamental rights are held to signify much more than individual rights. Indeed, they are held as general principles of law embodying the legal system in its overall and can be directly invoked. The legislature, the executive and the judiciary are bound by them.

80. Furthermore, it is worth recalling that applicable international law is directly integrated and prevails over ordinary law.

***b. Further legislative developments***

81. A short non-exhaustive summary of some of the most significant legislative developments that have occurred in the field of protection of human rights during the last years is provided below:

- i. Law 1/2004, of 23 February, which, for the purpose of application in the MSAR of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, sets up the procedures for the recognition and loss of refugee status, establishes a Commission for Refugees and reinforces refugee's rights and the cooperation with UNHCR;
- ii. Law 8/2005, of 22 August, on the legal framework for the protection of personal

- data, which strengthens the fundamental right of intimacy of private life;
- iii. Law 9/2006, of 26 December, on the legal framework of non-tertiary education system, which reaffirms and expands everyone's right to education without discrimination;
  - iv. Law 2/2007, of 16 April, on the juvenile justice system, which reforms the system on the basis of restorative justice principles;
  - v. Law 6/2008, of 23 June, on the fight against trafficking in persons, which reformulates the crime of trafficking in persons in accordance with the 2000 UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children, grants specific protection for victims of trafficking, provides for legal person's criminal liability and amends the criminal provisions on extraterritorial jurisdiction;
  - vi. Law 7/2008, of 18 August, on labour relations in the private sector, which is based on the principles of non-discrimination, equality of opportunities and of access to employment;
  - vii. Law 16/2008, of 31 December, which amends and republishes the previous law on the right of assembly and of demonstration, clarifying civil procedural matters connected with the right of appeal from decisions that deny or restrict the exercise of the right of assembly or of demonstration;
  - viii. Law 1/2009, of 29 January, which complements the law on the access to the Law and courts by enlarging its personal and material scope as to cover everyone in the MSAR, regardless of his/her status on legal proceedings as well as the stage of such proceedings, broadening to that same extent the right to legal aid and judicial compensation.

***c. New measures of a restrictive nature***

82. Article 40(2) of the Basic Law stipulates that the rights and freedoms enjoyed by MSAR residents shall not be restricted unless as prescribed by law, and that such restrictions shall not contravene, *inter alia*, the applicable provisions of both International Covenants. Thus, any measure that may restrict or derogate fundamental rights and freedoms are subject to those limits. In this respect, only the adoption of Law 9/2002, of 9 December, and of Law 2/2004, of 8 March, has to be reported. Nevertheless, it is important to highlight that the restrictive measures therein contained are of an exceptional and temporary nature and are subordinate to the criteria of need, proportionality and end.

83. The said Law 9/2002, on internal security, allows for the possibility of restrictions to fundamental rights in case of emergency arising from a serious threat to the MSAR's internal security. For the temporal limit of such restrictions to exceed 48 hours, previous consultation of the Executive Council and immediate communication to the President of the Legislative Assembly are required. As to Law 2/2004, on the prevention, control and treatment of transmissible diseases, which aim is to avoid risks of propagation of listed transmissible diseases, it allows for restrictions to fundamental rights in some situations where public health is at high risk. Under this law, infected persons, persons suspected of having contracted a transmissible disease or with a high risk of contracting it may be subject to medical exams or restrictions to the exercise of certain activities or to compulsory isolation. However, the decision of compulsory isolation is subject to confirmation by the Court of First Instance within 72 hours of isolation. The decision of this Court may be appealed against.

***b. New bodies for the protection of human rights***

84. A large number of consultative bodies have been created for the advancement of fundamental rights, such as the mentioned Commission for Refugees (2004), the Consultative Council for the Urban Renovation of Old Districts (2005), the Consultative Commission for Women's Affairs (2005), the Commission for Disciplinary Control of the MSAR's Security Forces and Services (2005), the Commission on the Fight against HIV/AIDS (2005), the Mental Health Commission (2005), the Data Protection Office (2007), the Commission to Follow Up the Implementation of Dissuasive Measures against Trafficking in Persons (2007), the Commission for Senior Citizens Affairs (2007), the Commission on the Fight against Drugs (2008) and the Commission for Rehabilitation Affairs (2008).

85. Most of these bodies, which play a key role in the promotion and protection of fundamental rights, are composed of representatives of MSAR government entities and of NGOs, as well as prominent members of the civil society.

**E. Framework within which human rights are promoted at the internal level**

***a. Interconnection between promotion of human rights and their full exercise***

86. In the MSAR, protection and promotion of fundamental rights are seen not only as key factors for their full enjoyment by individuals, but also a major policy ground for the sustainable harmonized social development of the Region. To that end, particular efforts have been and continue to be made.

***b. The general principle of law of publicity***

87. Authentic texts of applicable treaties are published in the MSAR Official Gazette accompanied by their translation into both official languages. The Official Gazette is made available electronically free of charge (<http://www.io.gov.mo>). The MSAR Printing Bureau, whenever possible, also makes available their full texts in English. Texts of laws and treaties are also available on the websites of other government entities and departments.

***c. Other types of promotion of law and human rights***

88. Most of the main international human rights treaties have been published in brochures and widely disseminated to the population. Special shelves were designed and placed in easily accessible places for free distribution of brochures and leaflets. For example, brochures relating to each of the International Covenants, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women were disseminated all over the MSAR, together with other explanative brochures such as the "ABC of Fundamental Rights", the "Easy to know the Basic Law", "Workers' Rights", "Family Rights", "Rights to Legal Aid" and "Adoption". In this connection, it is worth referring to the special editions of the *Macao Law Journal* in which the implementation of the core international human rights instruments applicable to the MSAR were covered in 2006, 2007 and 2008, respectively.

89. The dissemination of laws is the responsibility of the Legal Affairs Bureau, which has a specific division for that purpose. Notwithstanding, many other MSAR entities and departments collaborate with it or develop dissemination actions on their own. The promotion of interactive programmes, awareness campaigns, contests and inquiries through the media, fun fairs, and schools activities, *etc.*, are considered important means to raise human rights awareness and enlarge public access to

information on fundamental rights.

90. Since 2001, the Legislative Assembly has compiled and published the most important laws regarding fundamental human rights, such as freedom of religion, freedom of association, freedom of press, right of petition, right of abode, refugee and family rights. These publications are available online. In the same token, full texts of courts' decisions and the opinions and recommendations of the Commission against Corruption (*Ombudsman*) are also available online.

91. Specialized training courses targeted at officials, the judiciary and at different community sectors have also been carried out. In this regard, the work of the Legal and Judicial Training Centre, another government department, should be highlighted. The Centre has organized several seminars and workshops focused on the protection of fundamental rights, as for example the seminars on *Refugee Law, Human Rights, United Nations Covenants and Fundamental Rights: Glorified Esperanto? Realizing Human Rights, Human Rights Conventions and Their Implementation, Human Rights and International Law: Some Global Challenges* and workshops on the *Human Rights Reporting Procedure*.

92. According to their area of intervention, each of the above-mentioned consultative Commissions plays an important role not only in safeguarding fundamental rights and freedoms but also in promoting them and raising community awareness.

93. Moreover, Macao has a valuable historical and cultural heritage, as a result of 500 years of cross-cultural characteristics of eastern and western cultures. Landmark recognition of such heritage is the inscription of "The Historic Centre of Macao" on UNESCO's World Heritage List in 2005. It should be stressed that the MSAR Government is deeply engaged in promoting Macao's cultural heritage and raising community awareness to its preservation, including through education, campaigns and training.

#### **d. Budget allocations and trends**

94. As to budget allocations and trends, fundamental rights issues are reflected in all areas of public administration, thus funding for fundamental rights is not specifically allocated in the MSAR's public budget. Allocation of funds is objective and follows strict rules of law. Hence, it is equally accessible to all and non-discriminatory, depending solely upon the nature of the measures, for instance, there are some measures that benefit women in specific, as it is the case of maternity care-related benefits, while there are other measures that benefit other specific groups of people, such as children and old age persons.

#### **F. reporting process**

95. China is responsible for the submission of reports in respect of the MSAR under the various human rights treaties. However, the parts of China's reports related to the MSAR are prepared by the MSAR Government and submitted to the Central People's Government.

96. Within the MSAR Government, the drafting of reports to be submitted to the Central People's Government are prepared by the MSAR International Law Office, under the supervision of the Secretary for Administration and Justice. All government entities and departments as well as relevant Commissions and NGOs are invited to submit their contributions and suggestions.

97. In accordance with the Human Rights Committees' Guidelines for reports, the

reporting process has been further ameliorated. After the submission of the reports to the Central People's Government, but before finalizing them, their full texts are made available on the MSAR Government webpage for consultation and comments. Relevant contributions are then inserted.

98. The same methodology is followed in relation to the Human Rights Committees' lists of issues and concluding observations. In the last years, the concluding observations have also been sent to the Legislative Assembly.

### **III. Information on non-discrimination and equality and effective remedies**

99. The rights to equality and non-discrimination are guaranteed by the Basic Law. Article 25 of the Basic Law expressly provides that "*all persons shall be equal before the law, and shall be free from discrimination, irrespective of their nationality, descent, race, sex, language, religion, political persuasion or ideological belief, educational level, economic status or social conditions.*" Furthermore, recognizing that *de facto* inequalities still exist, Article 38 (2) and (3) of the Basic Law also explicitly provides for special protection of the legitimate rights and interests of women and of minors, aged people and people with disabilities.

100. Article 223 of the Criminal Code provides for the crime of racial discrimination. Its paragraph 1 makes it an offence to establish organizations or engage in organized propaganda activities which incite or encourage discrimination, hate, or racial violence, including the participation in such organizations or activities and their financing. Paragraph 2 of the same Article punishes whoever in a public meeting, in writing intended for dissemination, or by any other means of social communication, provokes acts of violence against an individual or group of individuals on grounds of their race, colour, and ethnic origin with the intention of inciting to or encouraging racial discrimination. Paragraph 2 also punishes anyone who in a public meeting, in writing intended for dissemination, or by any other means of social communication, defames or insults an individual or group of individuals on grounds of their race, colour or ethnic origin. Penalties range from 6 months to 8 years of imprisonment.

101. Most of the 'policy-basis' ordinary laws and several other legislative acts expressly reiterate the general principles of law, in special equality and non-discrimination. However, though legally there is equality as regards all aspects of life (political, civil and economic and social), as in any other developed society, *de facto* inequalities still exist. To overcome them, several steps have been taken and still are in course.

102. Without prejudice to judicial remedies, within the public administration, there are several mechanisms to promote, protect and monitor equality and non-discrimination. Individuals may submit applications, petitions and complaints to any administrative authority. The safeguarding of fundamental rights is also ensured through *quasi*-judicial and non-judicial remedies. A growing body of norms exists for the protection of fundamental rights like lodging complaints to the Commission against Corruption and to the Legislative Assembly and the right to petition.

103. In relation to monitoring mechanisms, the creation of the above-mentioned consultative Commission for Women's Affairs and of the Commission for Rehabilitation Affairs, covering all spectrums of women's and disability issues were major achievements. The participation of NGOs in both Commissions enhances the policy process on the promotion and protection of equality and non-discrimination,

ensures transparency on allocation of resources and quality of services.

104. In the MSAR, a multiracial and multicultural society, promoting equality and non-discrimination has always been a key priority. Governmental policies are based on a stakeholder approach and, when being formulated, reaching a social consensus is of major importance. Effective measures to promote and protect equality and non-discrimination are carried out, mainly through education, law in action, training of officials and public awareness campaigns. These actions shall continue to be undertaken in partnership with the civil society, mainly with relevant NGOs. Regular dialogue with the civil society, including the participation of local associations in many consultative mechanisms, in particular for setting up governmental policies, is an important feature of MSAR's governance.