

## UNICEF Office of the Secretary of the Executive Board

### Template for delegations commenting on the country programme documents 2021 first regular session

Country programme document posting period: November 17 to December 7, 2020

Delegations are kindly invited to use this template to share their comments on any of the draft country programme documents being presented to the Executive Board during the second regular session.

Delegation name: *United States of America*

Draft country programme document: *China*

In accordance with Executive Board decision 2014/1, country programme documents are considered and approved in one session, on a no-objection basis. All comments received by the Office of the Secretary of the Executive Board before the deadline will be made public on the Executive Board website, and considered by the respective regional office, in close consultation with the country office and the concerned Government.

	Member state comment	UNICEF response
<b>General comments</b>	<p><b>Sustainable Development Cooperation Framework (Framework):</b> The United States maintains its serious concern regarding the content and development of the Framework through a rushed, opaque process, without consultations with all relevant stakeholders and partners. As with the Framework, we seek assurances that all relevant stakeholders and donors will be fully and transparently consulted during the implementation, monitoring, and evaluation of this CPD.</p> <p><b>Human Rights:</b> The Framework does not include a discussion of one of China's most vulnerable populations: religious and ethnic minorities. The United States seeks assurances that UNICEF, in implementing this CPD, upholds its obligation to leaving no one behind and does not inadvertently exacerbate the vulnerabilities of this population. The internal guidance to UN agencies regarding UN development system entity CPD's alignment with the Framework explicitly notes that one of the guiding principles</p>	<p>UNICEF appreciates the comments made by the United States on the China draft country programme document (CPD). We have taken note of and replied to points raised and have amended the text of the CPD in discussion with the Government of China.</p> <p>The 2021-2025 UNICEF country programme for China has been designed to contribute to the attainment of the 2030 Agenda for Sustainable Development agreed upon by 193 Member States of the United Nations.</p> <p>UNICEF is committed to UN Reform and a transparent and consultative United Nations Sustainable Development Cooperation Framework 2021-2025 (UNSDCF) process in programme countries.</p> <p>The China CPD is in line with the UNSDCF. Relevant stakeholders and donors will be engaged in the finalization of the results matrix of the UNSDCF, the implementation of the UNSDCF through Joint</p>

for the UN development system is a “human-rights based approach.” While we understand that agencies tend to adopt the outcomes of the Framework in their respective CPDs, in the interest of promoting greater UN country team coherence, the United States encourages UNICEF to consider including additional outcomes/work “to capture normative and standard-setting activities not prioritized in the Framework” (pg. 19 of UN Guidance on Framework development). Furthermore, The Guidance Note on Human Rights to Resident Coordinators and UN Country Teams instructs that the “role of the UN on the ground is not simply to support the government of the country where it is operating but to consistently uphold and promote the values and principles enshrined in international law, including international human rights law” (pg 9)” and that “fragmented approaches risk losing the UN’s legitimacy – which is based on upholding international norms, standards, and principles” (pg. 12). As such, for the Framework to include and this CPD to further entrench only China’s preferred stance on human rights - elevating the right to development over all other human rights - goes against the UN’s own guidance. As a reputable global development-focused organization, UNICEF should ensure its work does not neglect acknowledgement of and/or attention to uniquely marginalized populations in China. The United States would like to see the CPD better emphasize the work UNICEF will do to improve Chinese institutions’ alignment with international human rights law. More specifically, we seek clarification of UNICEF’s plan to contribute in a fulsome and inclusive way to “respect, protect, and promote human rights standards and principles, and fundamental freedoms” (UNICEF Strategic Plan 2018-2021), including how UNICEF will serve China’s most vulnerable populations.

**Global Impact:** The Framework repeatedly highlights that the PRC has a global development reach that is entirely unconnected to the UN system. The major emphasis on China’s global development work throughout the Framework, in particular the

Annual Reviews, and implementation of the CPD through programme reviews and other forums.

Through the UNSDCF 2021-2025: ‘The UN will support the Government’s efforts in promoting the development of women, children and persons with disabilities, ensuring their legitimate rights and interests, preventing and responding to violence and crimes against women and children.’

The UNICEF China CPD aims first and foremost to uphold and protect the rights of all children in China, including all vulnerable groups that include ethnic and religious minorities. UNICEF will uphold the Convention on the Rights of the Child (CRC) in China.

In UNICEF’s Strategic Plan 2018-2021, UNICEF commits: ‘to realize the rights of all children, everywhere, and to achieve the vision of the 2030 Agenda for Sustainable Development, a world in which no child is left behind.’ This commitment is embedded within the CPD that ‘is aimed at supporting the Government to realize the rights of all children in China, including the most disadvantaged...’, and ‘...by 2025, the rights of more girls and boys, including the most disadvantaged, will be realized so that they survive, live in a safer and healthier environment and develop to their full potential.’ Discussion of child rights is prominent in the CPD related to all children in China including vulnerable groups, and for informing advocacy efforts. The overarching focus on rights provides the framework for UNICEF’s support to child development efforts in China.

Article 29 of the CRC notes that ‘States Parties agree that the education of the child shall be directed to: (c) the development of respect for the child’s parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own.’ Article 30 of the CRC notes that: ‘In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority

<p>focus of Outcomes 5 and 6, and the subsequent focus on this work in the CPDs, is unprecedented and inconsistent with the role of the Framework and CPD instruments, which are meant to focus primarily on the domestic development work on which the UN will engage within China. In contrast, UNICEF’s CPD for China for 2016-2020 contained only a handful of references to “South-South Cooperation” and one paragraph, which is consistent with standard practice. Any discussion of external development work should be specific in scope and involve primarily engagement with domestic institutions, as is typical, or with specific other countries. The Framework – and as a result, this CPD - has global implications, including for UN Country Teams in third countries, and yet Member States and major donors were never consulted. UN development system cooperation on such an expansive global agenda through its country-based programs therefore requires serious discussions with donors before it can be included in a CPD for consideration by the Executive Board.</p> <p><b>South-South cooperation:</b> The United States seeks assurances that UNICEF is not directly or inadvertently, through its South-South Cooperation related activities, promoting or advancing China’s signature foreign policy or economic diplomacy initiatives, including “the Belt and Road Initiative” (BRI). UNICEF has signed several agreements with Chinese government institutions to specifically promote the BRI, such as the National Development and Reform Commission (listed in the Annex as a major partner for Outcome 5). UN support should focus on helping developing countries build the capacity needed to ensure all South-South programs, projects, and investments meet the strongest sustainability standards and criteria. UN South-South cooperation assistance should not be conditioned upon or linked to any Member State’s signature foreign policy or economic diplomacy initiatives, as it implies that the UN and/or the specific agency has endorsed and is advancing that foreign policy rather than playing a neutral facilitating role.</p>	<p>or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.’ UNICEF’s global education strategy (2019-2030), which is aligned with SDG4, adopts a priority focus on the most marginalized, including children of ethnic and linguistic minorities, and supports the generation and scaling up of evidence-based approaches such as mother-tongue/multi-lingual instruction.</p> <p>UNICEF recently worked with counterparts to translate messages in Yi and Tibetan minority languages to ensure ethnic minority children received COVID-19 prevention information.</p> <p>UNICEF seeks to provide technical assistance to countries in line with the UN Charter and UNICEF’s Strategic plan 2018-2021, and not to promote any one country’s foreign policy initiatives, including the Belt and Road Initiative (BRI).</p> <p>The majority of the proposed UNICEF country programme 2021-2025 is focussed on programming in China as per the summary budget table and the results and resources framework. UNICEF also aims to influence and inform the efforts of the Government of China in line with international norms and standards, through specific institutions such as the China International Development Cooperation Agency (CIDCA), as they invest in other countries towards the attainment of the Sustainable Development Goals (SDGs) so as to maximize results for all children, leaving no one behind.</p> <p>UNICEF China acting as a neutral facilitator to influence and inform China’s investments in other countries towards SDG attainment is consistent with the universality and the interconnectivity (between goals, between countries, and between global, regional and national levels) of the SDGs. It is also consistent with the global mandate of UNICEF to promote child rights, working in more than 190 countries and territories, to reach the most disadvantaged children.</p>
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**Sharing of Best Practices:** The Framework repeatedly highlights numerous times that the PRC has a global development reach that is entirely unconnected to the UN system. The Chinese government, as the second largest economy in the world, has repeatedly demonstrated its capacity to hold policy and international cooperation conferences, fora, training sessions, and other such events, both at home and abroad, and the UN necessity to facilitate this work is thus unclear. UNICEF assistance to disseminate PRC “best practices” in a UN facilitated forum could be interpreted as endorsing these practices on the assumption that Chinese internal and external development efforts align with international best practices, norms, and standards, the UN Charter, and the Sustainable Development Goals. The United States seeks assurances that UNICEF is not using limited resources and expertise to disseminate practices that undermine human rights and the application of international best practices, norms, standards, and the Sustainable Development Goals in other countries. Furthermore, we seek assurances that UNICEF’s funding of or involvement in sharing best practices does not imply UNICEF endorsement for China’s foreign policy initiatives like the BRI or China-led foreign policy exchanges, such as China-Africa Forum for Cooperation.

**Proper Citations and Fair, Impartial Analyses:** Language directly taken from Chinese policies or statements must consistently be marked as such throughout the document and language that could imply UN support for those policies should be edited to remove that ambiguity. The United States requests that the agencies uphold the fact-based, impartial approach required for these documents and their implementation to be successful. UNICEF’s commitment to the “power of evidence” and to “identifying the most marginalized groups [as] a prerequisite for leaving no child behind” (UNICEF Strategic plan 2018-2021) comes into question as this CPD lacks an acknowledgment, discussion, or commitment to protecting vulnerable ethnic and religious minorities in China and references

One of the aims of the UN Charter is ‘to achieve international cooperation in solving international problems’. The UNICEF Strategic Plan 2018-2021 notes that ‘promoting cooperation, sharing lessons learned and fostering innovation and partnerships through South-South and triangular cooperation will also be emphasized’. Therefore, assessing and transparently sharing best practices in child development - that are in line with international norms and standards – to China from other countries, and from China, aims to support sustainable development bi-directionally. UNICEF will also continue to advocate with the Government of China the value-add of engaging in South-South cooperation in partnership with UN agencies, including the funding of the UN. This engagement requires both human and financial resources for UNICEF in China and this has been estimated at \$15 million for the period 2021-2025.

Through promoting best corporate social responsibility practices, and through the promotion of Child Rights Business Principles, UNICEF will influence and inform the investments of financial institutions and the private sector, and build their capacity, to benefit children.

Through advocacy, communication and fund-raising efforts UNICEF will both promote child-rights in China and raise funds for delivery of the outcomes of the CPD. To achieve this UNICEF will utilize a range of internet and social media channels and leverage an expanding network of ambassadors and supporters in China.

Finally, the overall regular resources decreased by more than a million dollars in this draft of the CPD compared to previous drafts. This reflects that the country programme cycle will now be a 58-month period and not a 60-month period, and some further adjustments that were made to account for salary costs for the projected period.

	<p>Chinese government ideology and policies without properly marking them as such.</p>	
<p><b>Comments on specific aspects of the country programme document</b></p>	<p>P2: Edit/second line: After “continues to have” strike and replace “the” with “some”  Comment: China is the world’s second largest economy and as noted in the Framework “the country has a large and steadily growing role in promoting global development.” Stating that China “continues to have the needs of a developing country” is not consistent with the UN’s policy of refraining from “express[ing] a judgement about the stage reached by a particular country or area in the development process” per <a href="https://unstats.un.org/unsd/methodology/m49/">https://unstats.un.org/unsd/methodology/m49/</a>. Edits help to clarify the UN’s position and improve objectivity and impartiality.</p> <p>P4: Request for clarification: The United States seeks assurances from UNICEF that its understanding of China's most vulnerable populations includes children of vulnerable ethnic and religious minority populations. As a leading global development-focused organization, UNICEF should ensure its work does not neglect acknowledgement of and/or attention to uniquely marginalized populations in China. As noted in the UNSDCF Guidance, "identifying unjust, avoidable or extreme inequalities in outcomes and opportunities, and patterns of discrimination in law, policies and practice" is required to ensure that no one is left behind. The Cooperation Framework does not include a discussion of religious or ethnic minorities. The U.S. government seeks assurances that UNICEF does not align itself with the omission of this uniquely vulnerable population and that the implementation of this CPD does not directly or inadvertently disregard or exacerbate the vulnerabilities of this population, and requests that UNICEF clarify its stance and policies in this paragraph.</p> <p>P6: Edit/last sentence: Suggest UNICEF rephrases this sentence to reflect that “The social safety net of China needs to be more child-sensitive, be staffed with qualified social workers, better address geographic and urban-rural, and support the different needs and</p>	

cultures of ethnic and religious minorities.” See comments for P37, 38 for further clarification.

P12 and 13: Request for clarification: The PRC has recently implemented educational regulations requiring certain school subjects be taught in only Mandarin rather than in locally native languages. In Inner Mongolia, this policy has resulted in 8,000-10,000 ethnic Mongolian residents being placed into police custody after protesting what they characterize as a threat to the survival of the Mongolian language, script, and cultural identity within the PRC. This policy appears to follow, and expand, an ongoing pattern of repression of minority languages seen in Tibet and Xinjiang. As noted in the UNSDCF Guidance, "identifying unjust, avoidable or extreme inequalities in outcomes and opportunities, and patterns of discrimination in law, policies and practice" is required to ensure that no one is left behind. How is UNICEF going to work with China to ensure that its work on education is truly equitable and inclusive?

P18: Edit: Strike “and disseminate the best practices in child development of China to other developing countries under the framework of South-South cooperation”.

Comment: Per our overarching comments on sharing best practices, China has repeatedly demonstrated that it is fully capable of holding numerous policy conferences, fora, training sessions, and more both at home and abroad and does not require the UN’s resources or expertise to do so. South-South Cooperation should be bi-directional – how is UNICEF bringing other best practices to China? Unless UNICEF has direct oversight over which practices are disseminated to ensure they do not undermine human rights in other countries, UNICEF should not be helping to facilitate the unilateral dissemination of knowledge as it is simply lending its trusted name to entirely China-led and funded processes.

P19: Edit/fourth line: Strike “to achieve” and replace with “with the stated aim of achieving”.

<p>Comment: The edit acknowledges that not all of China’s external engagements, including under “South-South Cooperation” and otherwise, have resulted in SDG-consistent outcomes. UNICEF should seek to be accurate and objective in its assessment and removes any implication or interpretation that UNICEF endorses all of China's external development as consistent with the SDGs.</p> <p>P19: Request for clarification: The United States requests clarity from UNICEF about the meaning of lines 4-10 (“Better advocacy... influencers in China”). What does UNICEF mean by “value proposition for South-South cooperation and private sector partnerships in development programmes”? Does UNICEF mean that policy makers and influencers in China must uphold international best practices? If so, we suggest rephrasing to be clear about what steps need to be taken. Similarly, what does UNICEF intend by “more investment is required to forge public and private awareness and engagement in China in cooperation with the Government”?</p> <p>P20: Edit: Ethnic and religious minorities should be added to the list of vulnerable groups  Comment: See overarching comments.</p> <p>P20: Edit/line 6: After “ensuring the relevance of education for life and work”, add “while remaining inclusive and respecting the different needs and wants of different cultural groups within China”.</p> <p>P20: Edit: Strike “and other countries”.  Comment: The program rationale should justify UNICEF’s efforts based on the needs of China, not third countries, as the CPD instrument is intended to focus on the program country.</p> <p>P21(e): Edit: Strike “innovative financing investment” and “the enhanced sharing of best practices under the framework of South-South cooperation”. Comment: As previously noted, the United States does not support UN agencies facilitating the sharing of information as China is fully capable of doing so. Moreover, CPDs</p>	
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should not be committing the UN to facilitating the external investments of any member state. UNICEF should focus on raising the capacity of the government and major lenders, such as the China Development Bank, to uphold international best practices and standards and not commit to specifically supporting their investments. Please see our overarching comments about South-South cooperation and sharing best practices.

P22: Request for clarification: The United States seeks assurances from UNICEF that it acknowledges the rights of all children, including those from ethnic and religious minority groups. See overarching comment.

P24: Edit: strike “and beyond”. The program rationale should justify UNICEF’s efforts based on the needs of China, not third countries, as the CPD instrument is intended to focus on the program country.

P24: Request for clarification: How does UNICEF assess how China’s ‘child centered human development’ is consistent with international best practices, including in relation to the full suite of political and civil, economic, and social and cultural human rights?

P25c: Edit: Strike “and share the country’s best practices with other countries”.

Comment: See overarching comments.

P25e: Edit: Strike “engagement and”.

Comment: Per overarching comments, China is fully engaged at the global scale and hosts numerous international events as previously noted. The UN no longer needs to facilitate this engagement.

P28: Request for clarification: Per our overarching comment on human rights, the United States seeks assurances that UNICEF has considered whether these three elements alone are sufficiently in ensuring its work promotes human rights and serves the needs of the most vulnerable populations in China.

P37 and 38: Request for clarification: Given the well-documented increase in the "provincial education policies" that use education as a tool for "Sinicization" and repression of cultural autonomy and identity throughout the PRC, including the specific use of 'vocational re-education' in Xinjiang, how will UNICEF advocate for educational polices that are truly inclusive, respect and promote cultural heritage, and that do not seek to use "education" as a tool in repressing the human rights of ethnic and religious minorities? In regards to provincial systems, we seek further information on how UNICEF will advocate the need for tools to be available in all languages so that children are able to benefit equally in a system that promotes their cultural heritage, and assessments, governance, and standards will be fully inclusive.

P39 line 9: Request for clarification: The United States seeks clarification by what is meant by including "and outside" in line 9. Why is this relevant to note here, in a section on China's domestic development?

P42: Edit/comment: We recommend adding "the repression of cultural autonomy and heritage" to the sentence on positive norms, in relation to the widely documented destruction of cultural property in Xinjiang and the ongoing repression of minority languages and cultures by the PRC government.

P43-48: Comment: As noted in our previous comments, the United States has serious concerns about UNICEF's commitment to promote China's economic diplomacy and foreign policy, particularly the BRI, given the standing commitments UNICEF maintains outside this document. We understand that this section reflects the Framework and have provided more focused edits that we urge UNICEF to take on board as well as requests for information.

P43: Edit: Strike "Knowledge and best-practice exchange".

Comment: Per overarching comments, China has repeatedly demonstrated that it is fully capable of holding numerous policy conferences, fora, training sessions, and more both at home and abroad and does not require the UN's resources or expertise to do so. Unless UNICEF has direct oversight on which practices are disseminated to ensure they do not undermine human rights in other countries, UNICEF should not be helping to facilitate the dissemination of knowledge as it is simply lending its trusted name to entirely China-led and funded processes.

P44: Edit: Strike entire paragraph; minimum edit is to strike the entire second sentence.

Comment: Per our previous set of comments submitted in July and above overarching comments.

P46: Request for clarification: The United States requests information about how UNICEF will "influence" financial institutions and the private sector. We also ask that UNICEF clarify that it will work with these institutions and private sector within China to build capacity generally and not seek to implement specific projects or agree to facilitate investment projects.

P48: Request for clarification: The United States seeks clarification about the purpose and means of this paragraph. Is this focused on building the network of ambassadors and influencers within China? How will UNICEF overcome domestic regulations that control information flow? How is this work about changing outcomes for children rather than improving UNICEF's image and following?

Summary Budget Table: Requests for clarification: The United States seeks more information and transparency about the \$15 million for South-South cooperation noted in the footnote. What projects are included in this \$15 million? Are other UNICEF country offices implicated in this funding pool? If so, which offices? Why were the regular resources increased by more than a million dollars in this draft

	<p>of the CPD over the draft CPD issued following the previous comment period?</p> <p>Annex:</p> <p>Per our overarching comments, we strongly oppose the focus on the “right to development” in Outcome 1 and no mention of “ethnic and religious minorities” in Outcome 2 when the Framework lacks any other discussion of human rights.</p> <p>The United States notes its strong objection to Outcomes 5 and 6 and requests UNICEF’s assurances that it will encourage full, transparent, and timely consultations on other UNSDCF’s to mitigate risks that similarly objectionable content is included in future frameworks. We seek assurances that UNICEF will not promote the Belt and Road Initiative in any work done under the CPD.</p> <p>We encourage UNICEF to focus its resources on improving the China-based institutions listed domestically and avoid actions that imply public endorsement for China’s external development platform or use resources to host events that China fully has the capacity to undertake itself.</p>	
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