



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

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**Consideration of reports submitted by parties to
the Convention under article 35**

**Replies of China to the list of issues in relation to its
combined second and third periodic reports***

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* The present document is being issued without formal editing.



Replies of China to the list of issues in relation to its combined second and third periodic reports

A. Purpose and general obligations (arts. 1–4)

1. Please inform the Committee about:

(a) **The measures taken to harmonize the concept of disability in all legislation, policy and guidelines, including the Law on the Protection of Persons with Disabilities, with the human rights model of disability enshrined in the Convention and elaborated on in the Committee’s general comment No. 6 (2018) on equality and non-discrimination;**

Since acceding to the Convention, China has drawn on the Convention’s understanding of disability in both the formulation of laws, regulations and policies relating to persons with disabilities and in the provision of services for persons with disabilities, reflecting the progress made in China with regard to the understanding of disability. For example, as defined in the Measures for the Administration of Air Transport for Persons with Disabilities, “persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in social activities on an equal basis with others”.

(b) **The legal framework concerning advocacy and work that organizations of persons with disabilities can undertake in relation to the Convention, the number of registered organizations of persons with disabilities, and measures to facilitate the establishment of organizations of persons with disabilities, in particular organizations of women and children with disabilities;**

The Law on the Protection of Persons with Disabilities stipulates that persons with disabilities and organizations of persons with disabilities have the right to submit their opinions and suggestions to State organs at all levels with regard to the protection of the rights and interests of persons with disabilities and the development of their cause.

As of June 2020, there were more than 7,800 social organizations registered with government departments of civil affairs that are mainly composed of persons with disabilities and whose primary scope of business is to directly serve them.

Relevant departments of the Chinese Government and related organizations have introduced a series of supportive policies, embodied in such documents as the Opinions on Strengthening and Improving the Work of Specialized Associations and the Guiding Opinions on Promoting the Development of Social Organizations for Persons with Disabilities, which foster the development of organizations of persons with disabilities by reforming registration and administrative systems, promoting the purchase of their services by the Government and optimizing the environment in which they develop, and by focusing on fostering community-based social organizations that serve specific groups such as women, children and persons with disabilities.

(c) **The measures taken to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of the combined second and third periodic reports (CRPD/C/CHN/2-3), in the development of legislation and policies to implement the Convention, and in other decision-making processes that affect persons with disabilities;**

China pursues an open legislative process, with the views and suggestions of all sectors of society openly sought on laws being drafted. Organizations of persons with disabilities can submit their views and suggestions directly to legislative bodies. For major draft legislation involving the rights and interests of persons with disabilities, the legislative bodies take the initiative to seek the views and suggestions of organizations of persons with disabilities. China actively sought out the views of organizations of persons with disabilities when formulating and amending drafts of the Civil Code, the Law against Domestic Violence, the Mental Health Law, the Regulations on the Construction of Barrier-free Environments, the Regulations on the Education of Persons with Disabilities, and the Regulations on the

Prevention of Disabilities and Rehabilitation of Persons with Disabilities. The participation of organizations of persons with disabilities is further guaranteed by the government information disclosure system, the “12385” national hotline serving persons with disabilities, and the comprehensive system for handling petitions and complaints implemented at the central, provincial, municipal and county levels.

At meetings of the National People’s Congress and the Chinese People’s Political Consultative Conference at all levels, deputies and members with disabilities put forward suggestions and proposals on behalf of organizations of persons with disabilities. For example, Zhang Haidi, a member of the Standing Committee of the Conference at the national level, has submitted proposals on such issues as allowing persons with disabilities to drive cars, care services for poor persons with severe disabilities, and building a university of rehabilitation.

In compiling the second and third combined periodic reports of China, the compilers sought the views of such social organizations as the China Disabled Persons’ Federation, the China Association of the Blind, the China Association of the Deaf, the China Association of Persons with Physical Disabilities, the China Association of Persons with Intellectual Disability and their Relatives, the China Association of Persons with Psychiatric Disability and their Relatives, Rong Yi Easy Inclusion, the Rong-Ai Rong-Le Family Support Centre for Persons with Intellectual and Developmental Disabilities (Beijing Haidian District), the Lizhi Rehabilitation Centre (Beijing Fengtai District), and the Donghu Public Welfare Service Centre (Wuhan Wuchang District).

(d) The measures taken to prevent intimidation or harassment against organizations of persons with disabilities, in accordance with the Committee’s general comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention;

China supports the participation of persons with disabilities in the implementation and monitoring of the Convention through their representative organizations. China prohibits intimidation or harassment of organizations of persons with disabilities by anyone and by any means. If organizations of persons with disabilities are, or believe they are, being intimidated or harassed, they can seek legal remedies from judicial authorities and obtain protection in accordance with the law.

(e) The measures taken to ratify the Optional Protocol to the Convention, and the time frame for such ratification.

China is not considering ratifying the Optional Protocol to the Convention at this time.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

2. Please provide information on:

(a) The results of the legislative study mentioned in the State party’s report (CRPD/C/CHN/2-3, para. 16), and how they have supported the implementation of the Committee’s previous concluding observations (CRPD/C/CHN/CO/1 and Corr.1, paras. 11–12) particularly the prohibition of discrimination on the basis of disability;

The Law on the Protection of Minors, as amended in 2020, stipulates that minors shall enjoy all rights equally in accordance with the law and shall not be discriminated against on the basis of their nationality, race, gender, household registration, occupation, religious beliefs, educational level, family status, physical and mental health status, etc., as well as those of their parents or other guardians. Schools are expected to show solicitude and care for minor students, and may not discriminate against them on the basis of their family, physical, psychological or learning abilities or circumstances.

China is currently carrying forward the revision of the Law on the Protection of Persons with Disabilities as well as the Regulations on the Employment of Persons with Disabilities.

(b) The measures taken to adopt discrimination law that adheres to the Convention, taking account of the Committee’s general comment No. 6, to provide equal and effective legal protection against all forms of discrimination on all grounds for persons with disabilities, including multiple and intersectional discrimination and the denial of reasonable accommodation in the public or the private spheres;

China has already provided for the prohibition of discrimination in such laws and regulations as the Law on the Protection of Persons with Disabilities, the Regulations on the Education of Persons with Disabilities, the Regulations on the Employment of Persons with Disabilities, the Regulations on the Prevention of Disabilities and Rehabilitation of Persons with Disabilities, the Mental Health Law, the Law on the Protection of Minors, the Employment Promotion Law, and the Special Provisions on the Labour Protection of Female Workers, but the conditions for a separate anti-discrimination law are not yet fully in place and further study is needed.

(c) The measures taken to accelerate de facto equality and inclusion in society of persons with disabilities living in rural areas, including measures to address situations of poverty and extreme poverty, and barriers to access to community services resulting from the household registration system (*hukou*);

Families of poor persons with disabilities enjoy such subsidy policies as minimum subsistence guarantees, living allowances for needy persons with disabilities and nursing-care allowances for persons with severe disabilities. All families of poor persons with disabilities are included in the coverage of basic medical insurance and major medical insurance, and medical assistance is provided to eligible poor persons with disabilities. Poor students with disabilities studying in high schools, secondary vocational schools and universities, as well as children from poor families with disabilities, enjoy tuition fee waivers and educational subsidies. All dilapidated housing occupied by poor families with disabilities is included within the scope of local rural dilapidated-housing renovation programmes. Poor persons with disabilities take part in labour production through the access to industrial, employment and e-commerce poverty-alleviation policies that they enjoy.

As of the end of 2019, 6.714 million of the 7.193 million poor persons with disabilities for whom case files had been established had been lifted out of poverty, and all would be lifted out of poverty by the end of 2020.

China is promoting the gradual separation of basic public services from household registration, so that people with disabilities gradually begin to enjoy basic public services in their place of permanent residence.

(d) The measures taken to prevent and eliminate multiple and intersectional discrimination on the grounds of disability, particularly that affecting persons with disabilities belonging to ethnic and linguistic minorities and women and children with disabilities.

Chinese law provides that “discrimination on the basis of disability is prohibited”, meaning that all discrimination on the basis of disability is prohibited by law, including multiple and intersectional discrimination. The Constitution and the Law on Regional Ethnic Autonomy prohibit discrimination against any ethnic group. The Law on the Protection of the Rights and Interests of Women provides for the elimination of all forms of discrimination against women. The Law on the Protection of Minors provides that minors shall enjoy all rights equally in accordance with the law and shall not be discriminated against on the basis of such factors as their nationality, race, gender, household registration, occupation, religious beliefs, educational level, family situation or physical and mental health condition, as well as those of their parents or other guardians.

Women with disabilities (art. 6)

3. Please provide information on:

(a) The measures taken to ensure the promotion and protection of the rights of women and girls with disabilities in gender equality legislation, policies and programmes, and to ensure that a gender perspective is included in disability policies and programmes;

The Law against Domestic Violence clearly specifies that persons with disabilities who are victims of domestic violence shall be given special protection. The Law on the Protection of the Rights and Interests of Women stipulates that the Government, society and schools shall ensure that girls of school age among the population of persons with disabilities complete compulsory education. The abuse and abandonment of sick and elderly women with disabilities is prohibited.

The Programme for the Development of Chinese Women (2011–2020) focuses on the rights of women with disabilities. The Outline for Accelerating the Well-being of Persons with Disabilities under the Thirteenth Five-Year Plan (2016–2020) calls for the promotion of employment and entrepreneurship for women with disabilities. The Rights Protection Work Manual for Grass-roots Women’s Federation Organizations (for Trial Implementation) requires grass-roots women’s federations to focus on women and children with physical or intellectual disabilities.

In 2020, the National Working Committee on Women and Children under the State Council issued the Opinions on Establishing a Sound Mechanism for Evaluating Gender Equality in Regulations and Policies, requiring gender equality evaluations to be carried out in the process of formulating and implementing regulations, rules and policies, so as to prevent the emergence of issues that run counter to the basic State policy of gender equality, hinder the protection of women’s lawful rights and interests, or are detrimental to women’s all-round development, and further requiring that attention be focused on women with disabilities and other groups of women in need, so as to safeguard their rights to survival and development in accordance with the law.

(b) The measures taken in rural and urban areas to promote the development, advancement and empowerment of women and girls with disabilities, including specific budget allocations to give effect to their rights, particularly those who live below the poverty line;

The Poverty Alleviation Action Plan for Persons with Disabilities (2016 – 2020) includes helping women with disabilities to achieve employment and income growth. In 2017, the State Council Poverty Alleviation Office, the China Disabled Persons’ Federation and the All-China Women’s Federation jointly issued the Handicraft Production Development Implementation Plan to Promote Employment and Poverty Alleviation for Poor Women with Disabilities. In 2019, the Office of the State Council Working Committee on Children and Women organized a special project on the eradication of illiteracy among young adult women with disabilities.

From 2015 to 2019, China provided financial aid to more than 30,000 girls with disabilities; 1,591,200 women with disabilities received employment training, and 1,789,600 women with disabilities gained employment. From 2018 to 2019, 31,000 women with disabilities received literacy education.

(c) The measures taken to facilitate research studies to assess and collect information about the situation and barriers faced by women and girls with disabilities in the exercise of their rights under the Convention.

China encourages research on women and girls with disabilities. In 2016, the China Disabled Persons’ Federation Centre for Research on Career Development for Persons with Disabilities conducted a study on women with disabilities in China, and produced a report on the development of women with disabilities in China (1987–2015).

In September 2020, the China Disabled Persons’ Federation, together with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the

United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and Rehabilitation International, issued the Call to Action: Enabling Sisters with Disabilities to Join in Shaping the Future We Want, calling on Governments and the international community to take pragmatic action to safeguard the equal rights of women with disabilities and promote their integrated development, including strengthening the evaluation of legislation, planning, research, statistics and monitoring.

Children with disabilities (art. 7)

4. Please provide information on the measures taken:

(a) To ensure the inclusion of children with disabilities in all areas of life, including family and community life and community-based programmes and services for children with disabilities, particularly in rural areas;

China has established a rehabilitation assistance system for children with disabilities, raised the level of education for children with disabilities, strengthened guidance and support for parents of children with disabilities, and improved the care and service system for children left behind in rural areas and children in need. For example, in 2016, the State Council issued the Opinions on Strengthening the Protection of Children in Need, calling for the establishment of a sound system for the work of protecting children in need. In 2018, the State Council issued the Opinions on Establishing a Rehabilitation Assistance Regime for Children with Disabilities, stipulating the recipients, content and standards of assistance, along with the workflow of the rehabilitation assistance regime for children with disabilities. In 2020, the Ministry of Education issued the Guiding Opinions on Strengthening the Mainstreaming of Children and Adolescents with Disabilities in Regular Classes at the Compulsory Education Stage to ensure equal access to compulsory education for children with disabilities.

The Programme for the Development of Children in China (2011–2020) calls for narrowing the urban-rural gap in children’s development.

(b) To prevent stigma in relation to children with disabilities;

See replies to questions 5 (c) and 5 (d).

(c) To prevent children with disabilities belonging to ethnic minorities from being placed in child welfare institutions or boarding schools if their parents are detained;

According to the relevant provisions of the Civil Code and the Law on the Protection of Minors, if the parents of a child with disabilities are incapable of guardianship, the order of priority in guardianship responsibility among those capable of assuming it starts with the paternal grandparents, followed by the maternal grandparents, elder brothers and sisters, and then any other individual or organization willing to assume guardianship; civil affairs authorities assume temporary guardianship of minors under statutory circumstances. If, upon assessment by the civil affairs authorities during the period of temporary guardianship, it is found that the guardian is again qualified to perform guardianship duties, the civil affairs authorities may return the minor to that guardian for fostering.

(d) To ensure the full and effective participation of children with disabilities in policymaking processes on issues that affect them and in monitoring and evaluation;

The Law on the Protection of Minors stipulates that the State guarantees the participation rights of minors, and that their views should be heard when dealing with matters involving them.

Children with disabilities can express their views and suggestions on any legislation and policy formulation concerning them.

(e) To promote the Convention among children with disabilities, and their rights under the Convention.

China encourages the dissemination of the Convention among children with disabilities through a variety of forms, and particularly supports the use of dramatizations,

animations, simple drawings and simple texts to inform children with disabilities of their rights under the Convention.

Awareness-raising (art. 8)

5. Please provide information on the measures taken:

(a) To promote in awareness-raising programmes the recognition of persons with disabilities as independent and autonomous rights holders, replacing concepts based on the medical model of disability such as “helping the disabled”;

The white paper “Equality, Participation and Sharing: 70 Years of Safeguarding the Rights and Interests of Persons with Disabilities in New China” points out that the promotion of persons with disabilities as genuine subjects of rights has led to fundamental changes in the way such persons are viewed, changing them from passive recipients to active agents and making them an important force in economic and social development.

China has made efforts to popularize the concept of “persons with disabilities as independent and autonomous rights holders” in society through the construction of and action on the rule of law and the development of integrated education as the breakthrough gateway.

China promotes the conception of persons with disabilities in a modern civilized society through the framework of “equality, participation and sharing”. Every five years, the State selects a national exemplar of self-improvement for persons with disabilities, and every year, a certain number of outstanding persons with disabilities are selected as national models for poverty eradication (ten representative persons with disabilities were honoured in 2020), thereby promoting the self-improvement potential of persons with disabilities to society as a whole.

(b) To raise awareness among all persons with disabilities, especially in rural areas, about their rights under the Convention and to provide them with information about measures taken to protect their rights;

China has incorporated the Law on the Protection of Persons with Disabilities and other laws and regulations into its legal literacy planning, and makes use of such opportunities as the annual National Constitution Day, National Day of Assistance to Persons with Disabilities, and the days commemorating the promulgation and implementation of laws and regulations protecting persons with disabilities to implement a system of responsibility for legal literacy under the slogans “law enforcers spread legal literacy” and “who renders services spreads legal literacy”. The Government has also been reaching out to institutions, villages, communities, schools, enterprises and work units, organizing activities to publicize the protection of the rights and interests of persons with disabilities under the rule of law.

China has launched a special campaign for persons with disabilities to learn and use the law, recorded lectures on the law for persons with disabilities, and published a handbook on the laws and regulations commonly used to protect the rights and interests of persons with disabilities.

(c) To combat stigma, stereotypes, prejudices, harmful practices, deep-rooted cultural beliefs, negative attitudes, bullying, hate crimes and discriminatory language against persons with disabilities, including those based on gender and age, in all areas of life;

China requires that online audiovisual programmes eschew content or episodes that insult or ridicule the physical characteristics of others, and that online variety show hosts and guests refrain from the use of discriminatory or derogatory language to describe, introduce or evaluate persons with disabilities. When the shooting of key online films and television dramas is being planned and the content of finished films is being reviewed, China requires that all inappropriate content involving people with disabilities be cut or modified, and that those with serious abuses be rejected outright.

China University of Political Science and Law and other universities have held several annual anti-discrimination conferences to discuss topics of discrimination based on disability and gender.

(d) To raise awareness among parents and families of children with disabilities, and any relevant stakeholders, to foster respect for the rights and dignity of persons with disabilities, including children with disabilities.

China promotes equality-conscious education in its educational institutions. The Guiding Opinions on Strengthening the Mainstreaming of Children and Adolescents with Disabilities in Regular Classes at the Compulsory Education Stage require schools to actively promote a good school and classroom culture of respect for life, tolerance and acceptance, equality and friendship, and mutual help and assistance, and to make the concepts of diversity in life and integrated development a distinctive feature of the school, so as to form a synergy of school, family and social education and jointly create a good educational environment for the growth of students with disabilities.

Accessibility (art. 9)

6. Please provide further information about:

(a) The current status of the standards for creating accessible cities, counties, villages and towns, referred to in the State party's report (para. 30), and how organizations of persons with disabilities have been involved in developing those standards;

In 2018, the Ministry of Housing and Urban-Rural Development, the Ministry of Industry and Information Technology, the China Disabled Persons' Federation and other government departments issued the Notice on the Creation of Barrier-Free Environment Cities, Counties, Villages and Towns, and formulated the Standards for the Creation of Barrier-Free Environments, requiring the regions participating in the creation of cities, counties, villages and towns with barrier-free environments under the Thirteenth Five-Year Plan to carry out barrier-free environment construction in accordance with those standards.

In 2020, a joint inspection team led by the Ministry of Housing and Urban-Rural Development carried out pre-acceptance checks of such barrier-free environments being constructed in cities, counties and villages.

Preliminary research work has taken account of the accessibility needs of persons with disabilities.

(b) The measures taken to ensure the accessibility to persons with disabilities of the natural environment, including green spaces open to the public, in rural and urban areas, and to consult with organizations of persons with disabilities on accessibility measures, in accordance with the Committee's general comment No. 7;

The Ministry of Housing and Urban-Rural Development has issued such national standards as the Codes for Accessibility Design, the Verification and Maintenance Standards for Barrier-Free Facilities Construction, the Urban Green Spaces Design Code and the Design Code for Parks, guiding localities on the design of accessible urban squares, green spaces, parks, residential districts and residential buildings, as well as in the pre-acceptance verification and maintenance of such accessible facilities as they are being constructed. The Beijing and Nanjing Disabled Persons' Federations participated in the preparation of the Codes for Accessibility Design and the Verification and Maintenance Standards for Barrier-Free Facilities Construction respectively.

(c) The legislative and other measures taken, including through public procurement, to make information and communications technology fully accessible to persons with disabilities;

The Regulations on the Construction of Barrier-Free Environments require the promotion of accessibility in information-exchange construction. In 2016, the Cyberspace Administration of China and the China Disabled Persons' Federation jointly issued the Guiding Opinions on Enhancing Accessibility Capacity Building of Website Services. In 2018, the formulation of the General Design Specification for Web Information Accessibility was organized by the Internet Society of China and officially announced to the public. In 2019, the State Administration for Market Regulation and the Standardization Administration of China issued a national standard entitled Information Technology-Internet Content

Accessibility Technical Requirements and Conformance Testing. In 2020, the Ministry of Industry and Information Technology and the China Disabled Persons' Federation jointly released the Guiding Opinions on Promoting Information Accessibility, focusing on obstacles in the three areas of eliminating information consumption tariffs, terminal equipment, and services and applications, so as to enhance the supply of products and services and compensate for shortfalls in universal information access.

China has launched "Beautiful China" initiatives in the domains of government services information accessibility and public welfare, government services information accessibility in 100 cities, and information accessibility in 100 mainstream online media. As of June 2020, construction of some 500 information accessibility sub-platforms had been completed, and 32,000 websites had implemented barrier-free services.

From 2019 to 2020, China carried out a survey on the information accessibility and service effectiveness of public service websites nationwide, surveying 230,000 websites of governments and public services units at all levels.

(d) The measures taken to ensure the accessibility of open space for public use in the built-up area of cities, and of new and existing housing, and to monitor compliance and impose sanctions for failure to comply with accessibility requirements in the construction of buildings;

The Regulations on Construction of Barrier-Free Environments stipulate that new construction, alteration and expansion of roads, public buildings, public transport facilities, residential buildings and residential areas in cities and towns shall comply with the construction standards for barrier-free facilities.

In the inspection of the implementation of the Regulations on the Construction of Barrier-Free Environments, the Ministry of Housing and Urban-Rural Development, in conjunction with relevant government departments, requires enhanced management and maintenance of already-completed barrier-free facilities to ensure good usage along with enhanced supervision of barrier-free facilities under construction, and imposes penalties for encroachment on and destruction of barrier-free facilities. To further establish an effective social supervision mechanism, the news media, representatives of the National People's Congress, members of the Chinese People's Political Consultative Conference, persons with disabilities, and representatives of the elderly and other groups also play a role in overseeing the construction and management of barrier-free environments.

(e) The measures taken to promote the use of alternative and augmentative technologies and the learning, teaching and use of sign languages, Braille and Easy Read.

China promotes the national common sign language and national common Braille, and strengthens their standardization. Programmes to promote national common sign language and national common Braille have been introduced in 31 provinces, autonomous regions and municipalities. The Ministry of Education, the State Language Commission and the China Disabled Persons' Federation jointly established the National Research Centre of Sign Language and Braille to carry out pilot training and teaching work on the national common sign language and national common Braille. The year 2019 saw the publication of a national common sign language dictionary and the implementation of the Chinese Manual Alphabet scheme. Corpora for the national sign language and national common Braille information transcription are being developed, along with learning software and platforms for sign-language and Braille applications.

In 2016, the Ministry of Education released and implemented curriculum standards for compulsory education for the blind and deaf; as of October 2020, 185 textbooks had been reviewed and approved.

Right to life (art. 10)

7. Please provide information on the measures taken to combat and eradicate neglect, abandonment and starvation threatening the life of persons with disabilities, particularly children with disabilities, and the termination or withdrawal of medical treatment without the consent of the person concerned.

See replies to questions 12 (c), 15 and 23 (c).

Situations of risk and humanitarian emergencies (art. 11)

8. Please provide information on the measures taken to establish a targeted, sustainable humanitarian emergency framework to ensure the protection of the rights of persons with disabilities on an equal basis with others, and specifically in the context of the public health emergency resulting from the coronavirus disease (COVID-19) pandemic. In particular, please inform the Committee about the measures taken to provide persons with disabilities with accessible information concerning the virus's scope and prevention of the virus; to ensure continuous access to support and mainstream community services, including in-home care and personal assistance; to provide equal access to health care, including life-saving measures; and to ensure that disability pensions and social benefits are guaranteed at all times.

During the coronavirus disease (COVID-19) epidemic, China has insisted on prioritizing the safety of people's lives and their physical health, and has strengthened protective measures for specific places and key populations. The State promptly produced publicity materials on accessible epidemic prevention and control, and provides assistance to the best of its ability to people with various types of disabilities. Many local federations of persons with disabilities have set up psychological assistance hotlines for persons with disabilities, established online rehabilitation guidance services, especially for children with disabilities, organized donations, and promoted the implementation of various fee waivers and subsidies.

The Ministry of Civil Affairs, the China Disabled Persons' Federation and other government departments have issued the Guiding Opinions on Ensuring the Basic Livelihood of Persons with Disabilities in the Context of Normalizing Epidemic Prevention and Control, requiring the implementation of various livelihood protection measures. Nine government departments, comprising the Central Information Department, the Ministry of Civil Affairs, the Ministry of Industry and Information Technology, the Ministry of Housing and Urban-Rural Development, the Ministry of Transport, the National Health Commission, the State Administration for Market Regulation, the State Administration of Radio and Television and the China Disabled Persons' Federation, have also issued the Guidelines on Social Support Services for the Protection of Persons with Disabilities from Major Infectious Diseases (for Trial Implementation).

According to incomplete statistics, the infection rate of persons with disabilities in China during the coronavirus disease epidemic was much lower than the average infection rate.

9. Please describe the measures taken to set up accessible warning systems and to provide official information about emergency services in accessible formats.

In 2012, the Ministry of Public Security required the nationwide implementation of the "12110" SMS alarm service to facilitate reporting to the police by such groups as people with hearing disabilities, and in 2019, China launched a "barrier-free alarm platform" in some cities.

During the coronavirus disease epidemic, China has produced video, audio, sign-language and subtitled publicity materials on epidemic prevention and control, and provided sign language interpreters during the live broadcasts of the State Council's press conference on its joint prevention and control mechanism for the disease.

Equal recognition before the law (art. 12)

10. Please provide information on the measures taken:

(a) To enable the exercise of legal capacity by persons with disabilities on an equal basis with others, including by those who require high levels of support and those deemed as having "mental impairments" or "mental disorders";

The Civil Code provides that the civil-rights capacity shall be equal for all natural persons.

In legal proceedings, persons with disabilities may, to the extent that their physical condition permits, take part in judicial activities as witnesses, lawyers or jurors on an equal footing with others. There are examples in practice of persons with disabilities acting as witnesses, lawyers and jurors.

(b) To abolish substituted decision-making regimes, including “voluntary guardianship” or “adult guardianship”, and replace them with supported decision-making measures. Please provide further information on the number of persons that remain under full or partial guardianship and those whose legal capacity has been fully reinstated, and explain how such information is used to inform reform measures.

The Civil Code has reformed and improved the guardianship system in the General Civil Code, and actively guarantees the equal rights of civil subjects.

Access to justice (art. 13)

11. Please provide information on:

(a) The current human, technical and financial resources available in the legal aid centres, and the numbers of rural and urban people with disabilities who have received legal aid;

From 2014 to 2019, a total of 356,000 persons with disabilities were provided with legal aid. By the end of 2019, there were more than 2,800 legal aid agencies, with staff members totalling more than 11,000, and the percentage of agencies whose operational expenses were included in the financial budget at an equivalent level was 92.4 per cent.

(b) The measures taken to provide persons with disabilities with procedural and age-appropriate accommodation, particularly persons with intellectual or psychosocial disabilities;

The Opinions on Effectively Safeguarding the Lawful Rights and Interests of Persons with Disabilities during the Conduct of Trials requires the use of such green (expedited) channels for filing cases as online, in-home and via telephone. Persons with disabilities who have difficulty in filing a complaint in writing can do so orally. Such mobile trial modalities as in-vehicle courts, in situ hearings and in-home mediation are being popularized, along with the use of online court sessions and online mediation via remote video to facilitate litigation by parties with disabilities.

(c) The measures taken to make information about remedies and judicial procedures in all areas of law available in accessible formats;

The Opinions on Effectively Safeguarding the Lawful Rights and Interests of Persons with Disabilities during the Conduct of Trials also require the promotion of information and communication accessibility and, depending on the circumstances of the case, permitting related assistant and caregiving personnel to accompany parties with disabilities to court. The China Disabled Persons' Federation is expected to actively cooperate with the people's courts in contacting and employing auxiliary personnel to provide such litigation assistance services as sign language and Braille for litigating parties with disabilities.

The website of Legal Services of China has implemented accessible browsing.

(d) The measures taken to provide appropriate training on the rights enshrined in the Convention for the personnel and officials working in the judicial system and law enforcement agencies.

Public security organs have made public courses on laws and regulations compulsory for all types of training, and from 2016 to 2019, the Supreme People's Court, in conjunction with the China Society for Human Rights Studies, offered human rights training courses for criminal judges in local courts, which included content related to safeguarding the human rights of persons with disabilities.

Liberty and security of the person (art. 14)**12. Please provide information on the measures taken:****(a) To abolish the practice of involuntary civil commitment or institutionalization, based on actual or perceived impairment, and to discharge involuntarily committed persons with disabilities from mental health institutions;**

The Mental Health Law stipulates that no organization or individual may unlawfully restrict the personal freedom of persons with mental disorders. Inpatient treatment for mental disorders is based on the principle of voluntariness. Patients with mental disorders who are voluntarily hospitalized may request to be discharged at any time, and medical institutions are expected to agree to this. Any person who violates the provisions of the Mental Health Law and unlawfully restricts the personal freedom of a person with mental disorder, causing personal, property or other damage to the person with mental disorder, shall be liable for compensation in accordance with the law.

(b) To establish a mechanism to review the detention of persons with disabilities in social care institutions and psychiatric facilities;

The Minimum Standards of Social Welfare Institutions for People with Mental Disorders set out the regulatory requirements for mental-health welfare institutions with regard to whom they admit for treatment, how their operations are managed, and how their admission and discharge services are conducted; and stipulate that mental-health welfare institutions are to be supervised and monitored by higher authorities.

(c) To ensure that any medical treatment is based on the free and informed consent of the persons with disabilities concerned, particularly psychiatric treatment;

The Law on the Promotion of Basic Medical and Health Care stipulates that citizens receiving medical and health services have the right to informed consent in accordance with the law on such matters as medical conditions, treatment plans, medical risks and medical expenses.

According to the Mental Health Law, medical examinations to determine whether a person is suffering from a mental disorder may not be carried out against his or her will, unless otherwise required by law. Medical institutions shall inform patients or their guardians of the medical risks, alternative medical treatment options and other information, and obtain the written consent of the patient when implementing the following treatment measures for patients with mental disorders: (i) surgical procedures that result in the loss of function of bodily organs, and (ii) experimental clinical medical treatment related to mental disorders. If it is not possible to obtain the patient's opinion, the written consent of his or her guardian shall be obtained and approved by the ethics committee of the medical institution.

(d) To repeal legislation that allows for the deprivation of liberty of persons with disabilities in the absence of criminal proceedings and the guarantees of due process of law.

The Constitution provides that the personal freedom of citizens of the People's Republic of China shall be inviolable. No citizen shall be subject to arrest except with the approval or decision of the people's procuratorate or the decision of the people's courts, which shall be carried out by the public security organs. Unlawful detention and other methods of illegally depriving or restricting the personal freedom of citizens are prohibited. According to the Law on Legislation, coercive measures and penalties for restricting personal freedom may only be applied as stipulated by law.

13. Please provide information on the numbers of ethnic Uighurs and other Turkic Muslims in vocational education and training centres, and the support provided to ensure their safety and to meet all their disability-related needs.

The number of persons attending such education and training is dynamic, with some entering and some leaving. All trainees had completed their courses by October 2019. No persons with disabilities received training at the education and training centres.

The education and training centres are run on a residential basis. Trainees are allowed to go home periodically and have freedom of correspondence.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

14. Please provide information on:

(a) The measures taken to implement the provisions protecting the rights of persons with disabilities in the Measures for the Ethical Review of Biomedical Research Involving Human Beings (2016);

The Measures for the Ethical Review of Biomedical Research Involving Human Beings set the “principle of special protection” as the basic principle to be followed in conducting biomedical research involving human beings. The ethical reviews of research projects are subject to special consideration by an ethics committee, which shall propose special requirements regarding informed consent.

(b) The number of reported cases of torture or cruel, inhuman or degrading treatment or punishment, including corporal punishment, of children and adults with disabilities, particularly those with intellectual or psychosocial disabilities;

Criminal cases in China are mainly quantified according to the type of crime and are not currently disaggregated according to disability.

(c) The measures taken to ensure that persons with disabilities are protected from torture and cruel, inhuman or degrading treatment, including electroconvulsive therapy, involuntary or excessive drug treatment, solitary confinement and any resulting injuries, in all settings, particularly in psychiatric institutions and in prisons;

Torture is prohibited under the provisions of the Criminal Law, the Criminal Procedure Law, the Prison Law, the Mental Health Law, the Regulations on Detention Facilities, the Regulations on Detention Facilities and other laws and regulations enacted in China.

The public security authorities have established mechanisms for informing supervisees of their rights and obligations and for investigating and handling complaints from supervisees in criminal detention facilities. Prison inmates’ rights of personal safety, defence, complaints, accusations, prosecution and other rights that have not been taken away or restricted in accordance with the law are inviolable.

(d) The judicial or supervisory government body that is responsible for the prevention of torture and cruel, inhuman or degrading treatment or punishment against persons with disabilities, including compulsory treatment.

The public security organs proactively accept the legal supervision of custodial facilities by the people’s procuratorates, and the monitoring of such facilities is networked through offices of the people’s procuratorates within the facilities; procuratorial mailboxes are set up in the custodial facilities and opened regularly by the procurators in the facilities; and a system of appointments for supervisees to meet with the procurators in the facilities is implemented. Police inspectors from the public security organs have direct access to the detention centres with the relevant documents. Criminal and administrative detention facilities regularly invite inspections by National People’s Congress deputies, Chinese People’s Political Consultative Congress members and civilian volunteer superintendents to inspect them.

The people’s procuratorates exercise supervision over the legality of prison sentence enforcement in accordance with the law.

Freedom from exploitation, violence and abuse (art. 16)

15. Please provide information on the measures taken:

(a) To provide persons with disabilities with access to effective remedies, including non-pecuniary remedies, and to effectively protect persons with disabilities from abduction, in particular persons with intellectual disabilities, or abuse, such as in the cases of the deaths of persons with intellectual disabilities in staged “mining accidents” (CRPD/C/CHN/CO/1 and Corr.1, para. 19);

China has carried out publicity and education on the rule of law, improved the ability of persons with disabilities to defend their rights, and cracked down on illegal and criminal acts that violate the lawful rights and interests of persons with disabilities. In 2018, the Ministry of Public Security organized and directed special operations to combat the abduction and manipulation of persons with hearing and speech disabilities, and rescued 47 persons with hearing and speech disabilities who had been abducted and manipulated.

China has prosecuted and punished those responsible for the aforementioned faked mining accidents.

(b) To raise awareness among professionals, particularly law enforcement personnel, about persons with disabilities, particularly persons with intellectual or psychosocial disabilities, and about how to detect situations of abuse and where to seek assistance, to create a safe environment for the reporting, investigation and prosecution of those cases;

China has created a safe environment for reporting, investigating and prosecuting such cases by enacting laws, popularizing awareness of the laws, and training professionals, so as to raise awareness among professionals about persons with disabilities and how to detect abuse and where to seek assistance.

The Law against Domestic Violence stipulates that schools, kindergartens, medical institutions, residents' committees, villagers' committees, social work service agencies, relief management agencies, welfare agencies and their staff shall promptly report to the public security authorities if they discover in the course of their work that a person without civil capacity or a person with limited civil capacity is suffering or suspected of suffering from domestic violence. The public security authorities shall preserve the confidentiality of information on the person reporting the case.

The Law on the Protection of Minors stipulates that State organs, residents' committees, villagers' committees, units in close contact with minors and their staff shall immediately report to the public security, civil affairs, education and other relevant governmental departments if they discover in the course of their work that the physical or mental health of a minor has been infringed upon or is suspected of being infringed upon, or that a minor is facing other dangerous situations. When the relevant departments receive such information, complaints or reports involving minors, they shall accept and deal with it in a timely manner in accordance with the law, and inform the relevant units and personnel of the results in an appropriate manner.

(c) To develop a comprehensive legal framework to protect women and children with disabilities, particularly those with intellectual or psychosocial disabilities, against all forms of exploitation, violence, abuse, abduction and trafficking;

To protect women and children with disabilities from exploitation, violence and abuse, China has enacted the Law on the Protection of Persons with Disabilities, the Law on the Protection of Minors, the Law on the Protection of Women's Rights and Interests, the Law against Domestic Violence and the Criminal Law, and the State Council has promulgated and implemented such policy documents as the China Action Plan against Trafficking in Women and Children (2008–2012) and the China Action Plan against Trafficking in Persons (2013–2020).

(d) To systematically monitor and collect disaggregated data on the locations and prevalence of exploitation, violence and abuse against persons with disabilities. Please provide data on criminal investigations of cases involving exploitation, abuse and violence against persons with disabilities, disaggregated by type of criminal offence, age and sex, in rural and urban areas, in the past five years;

From 2015 to 2019, the People's Courts across the country concluded six trials in courts of first instance for the offence of organizing persons with disabilities and children to beg. China does not currently maintain statistical data disaggregated by the above-mentioned criteria with regard to criminal investigations involving cases of exploitation, abuse and violence against persons with disabilities.

(e) To ensure that article 10 of the Law on the Protection of Minors explicitly prohibits all forms of corporal punishment on children with disabilities;

As amended in 2020, the Law on the Protection of Minors stipulates that parents or other guardians of minors may not abuse, abandon or unlawfully give up minors or commit domestic violence against them.

(f) To provide support services to persons with disabilities who have been subjected to violence, including accessible shelters, gender- and age-sensitive physical, cognitive and psychological recovery support, and rehabilitation.

The Law against Domestic Violence provides for the establishment of temporary shelters to provide temporary living assistance to victims and, if necessary, psychological counselling to victims. The Programme for the Development of Children in China (2011–2020) calls for the provision of physical and psychological rehabilitation services for rescued children, and the establishment of children’s shelters is under exploration.

Protecting the integrity of the person (art. 17)

16. Please provide information on the measures taken to revise laws and policies in order to prohibit forced sterilization, abortion, castration and contraception, particularly with respect to persons with intellectual or psychosocial disabilities.

The Civil Code stipulates that the physical integrity of natural persons is protected by law and that no organization or individual may infringe upon the physical rights of others. The Law on Population and Family Planning stipulates that those who unlawfully perform family planning procedures on others will be held liable under the law.

Liberty of movement and nationality (art. 18)

17. Please provide information on:

(a) The current coverage of the household registration in urban and rural areas, and the measures taken to increase household registration of children with disabilities, particularly in rural areas, and to ensure equal access to social services by rural and urban residents who are yet to be included in the household registry;

China has cleaned up and reorganized the way its household registration is managed, and basically resolved the problem of settling the residences of people who had not had a registered *hukou* in the past. It has carried out an orderly reform of the household registration system, continuously liberalized and relaxed the restrictions on settling in cities, and promoted urban-resident status for the rural transfer population.

(b) The measures taken to ensure registration immediately after birth, in particular children born in excess of the official quota under the family planning laws or outside marriage; and the road map in place to realize the full registration of persons with disabilities;

China protects the right of persons with disabilities to have their births registered. The Maternal and Infant Health Care Law stipulates that health-care institutions and persons engaged in facilitating home delivery shall issue a unified medical certificate of birth for newborns in accordance with the regulations of the administrative department of public health under the State Council. All newborns, including children with disabilities, can be registered on the basis of a medical birth certificate.

(c) The measures taken to ensure the right of persons affected by leprosy to liberty of movement.

China no longer applies isolation treatment measures for leprosy patients.

Living independently and being included in the community (art. 19)**18. Please provide information on:****(a) The measures taken to recognize the right of persons with disabilities to live independently in the community, and to ensure the right of persons with disabilities to choose where and with whom they live;**

The Law on the Protection of Persons with Disabilities stipulates that relatives and guardians of persons with disabilities shall encourage and help persons with disabilities to enhance their self-reliance. The Plan for Implementation of Comprehensive Services for Persons with Disabilities at the Grass-roots Level under the Thirteenth Five-Year Plan (2016–2020) requires urban neighbourhoods and communities that are in a position to do so to actively carry out pilot projects related to independent living centres for persons with disabilities.

(b) The measures taken to end the institutionalization of persons with disabilities, and to deinstitutionalize persons with disabilities from all types of institutions across the country, including from leprosy colonies or villages;

China has issued the “Specification for Foster-care Services for Persons of Employment Age with Intellectual, Mental and Severe Physical Disabilities”, which is a national standard that defines foster-care services for persons with disabilities as services that provide them with care and nursing, along with self-care and social adaptation training, supplemented by motor function training, vocational rehabilitation and labour skills training. Persons with disabilities can choose to receive such services in an institution, in the community or at home.

Some persons with disabilities are able to achieve independent living through these services.

(c) The participation of organizations of persons with disabilities in any such deinstitutionalization process, and the resources allocated to facilitating the transition to living independently and in the community;

Organizations of persons with disabilities promote independent living for persons with disabilities. As an example, the China-Dolls Centre for Rare Disorders has launched a self-reliant living project.

China continues to implement the “Sunshine Home Programme”, which provides subsidies for eligible persons with disabilities to receive care through the purchase of services.

(d) The measures taken to develop community support services for persons with disabilities, including personal assistance, and the human, technical and financial resources allocated to persons with disabilities who require high levels of support;

China has incorporated community services for persons with disabilities into the planning for the construction of community service systems in urban and rural areas. Village (community) associations for persons with disabilities undertake the important task of directly contacting and serving persons with disabilities, and the Ministry of Civil Affairs and the China Disabled Persons’ Federation have specifically issued the Opinions on Strengthening and Improving the Work of Village (Community) Associations for Persons with Disabilities, relying on comprehensive service facilities in villages and communities to establish activity and service positions for persons with disabilities.

China has established a system of nursing-care subsidies for persons with severe disabilities, and is providing foster-care services for persons of employment age with intellectual, mental and severe physical disabilities.

(e) The strategies adopted to improve the accessibility of mainstream community services and facilities to persons with disabilities, including housing, health care and other services, and the measures in place to monitor accessibility at the municipal level, including in rural areas;

The Ministry of Housing and Urban-Rural Development, together with the China Disabled Persons’ Federation and other government departments, is carrying out the creation

of barrier-free environment cities, counties, villages and towns, combining the renovation of old urban districts and other work with renovating or building accessible facilities in such districts and their surroundings. From 2016 to 2020, a total of 211 cities, counties and villages participated in the creation of barrier-free environments, including 44 townships, villages and towns. From 2011 to 2019, a total of 5.27 million persons with disabilities were provided with home accessibility improvements, including 630,000 poor persons with disabilities.

China has developed online medical services and promoted online health consultation; some hospitals have launched sign-language services; and pilot work has been carried out on “Internet + nursing-care services” to provide home care services for persons with reduced mobility.

(f) The measures taken to ensure that persons affected by leprosy have access to health-care services and facilities and are included in the community.

In 2011, the Ministry of Health and other government departments issued the National Plan to Eliminate the Hazards of Leprosy (2011–2020), which calls for strengthening standard treatments, carrying out psychological and social rehabilitation and vocational rehabilitation, and for medical personnel and government leaders at all levels to guide and motivate the public to change its mindset, eliminate discrimination and prejudice against leprosy patients, promote a social culture of respect and care for leprosy patients, and create a favourable atmosphere for patients to actively seek medical treatment and return to society.

19. Further to the information provided in the State party’s report (para. 65), please explain the concepts of “qualified communities”, “independent-living centres”, and “people with disabilities at the grass-roots level” in the Thirteenth Five-Year Plan (2016–2020). Please indicate whether rural villages are included in this Plan, and specify what percentage of and which rural villages have begun pilot projects related to independent-living centres.

The Plan for the Implementation of Comprehensive Service Capacity-building for Persons with Disabilities at the Grass-roots Level under the Thirteenth Five-Year Plan (2016–2020) requires that qualified urban streets and communities actively carry out pilot projects in connection with independent living centres for persons with disabilities, establish and improve dynamic assistance, support and management systems for the employment of persons with disabilities, and provide services to individuals. Qualified townships (including streets) may build independent service facilities for persons with disabilities. Villages (including communities) should actively create conditions for the provision of day care and home services for persons with disabilities.

The term “grass roots” mainly refers to counties (including county-level cities and districts), townships (including streets) and villages (including communities).

Personal mobility (art. 20)

20. Please provide:

(a) Data and statistics on the provision of assistive devices to persons with disabilities, as referred to in paragraph 69 of the State party’s report, including persons affected by leprosy, disaggregated by age, sex and place of residence, in urban and rural areas;

In 2010, 30,000 sets of universal limb prostheses, 1,139,000 assistive devices and 26,000 orthopaedic devices were fitted to persons with disabilities at reduced cost; in 2011, 31,000 sets of universal prostheses, 743,000 assistive devices and 15,000 orthopaedic devices were fitted to persons with disabilities at reduced cost; in 2012, 1,145,000 assistive devices were supplied to persons with disabilities at reduced cost. In 2013, 1,283,000 assistive devices were supplied to persons with disabilities at reduced cost; in 2014, 1,524,000 assistive devices were supplied to persons with disabilities at reduced cost; in 2015, 1,959,000 assistive devices were supplied to persons with disabilities at reduced cost; in 2016, various types of assistive devices and adaptive services were provided to people in 1,132,000 instances; in 2017, 2,244,000 persons with disabilities were provided with various types of assistive devices and adaptive services; in 2018, 3.191 million persons with disabilities were

provided with various types of assistive devices and adaptive services; and in 2019, 3.145 million persons with disabilities were provided with assistive devices and adaptive services.

(b) Information on the measures taken to ensure that the allocation of devices and services for personal mobility matches the requirements of children and adults with disabilities, particularly in rural areas, through, for example, local places for fitting, setting and repairing the equipment.

China has established an assistive device services network covering both urban and rural areas, and has carried out extensive surveys of demand for assistive devices, information and consultation, referrals and publicity. Based on information from surveys on the basic service status and needs of persons with disabilities, disability federations in all provinces, autonomous regions and municipalities have taken the initiative to organize efforts to provide services that meet the individual needs of adults and children with disabilities who require adaptive devices. With the support of the financial authorities, the China Disabled Persons' Federation has distributed more than 2,400 mobile service vehicles to grass-roots disability federations across the country, taking the initiative to deliver assistive device services to villages and communities, so that persons with disabilities in remote areas can have access to assistive device services.

Freedom of expression and opinion, and access to information (art. 21)

21. **Please provide information on the measures taken:**

(a) To provide information in accessible formats and technologies for all persons with disabilities, in a timely manner and without additional cost;

See reply to question 6 (c).

(b) To ensure that private entities that provide services to the general public, including on the Internet, make information and services available in accessible and usable formats for persons with disabilities, including a revision of public procurement criteria in the State party;

In recent years, dozens of enterprises, such as Alibaba, Tencent, ByteDance, Huawei, OPPO, WeChat Bank and DiDi, have started to carry out accessibility optimization work for their products in the areas of mobile applications, websites and hardware devices. Under the impetus of the Shenzhen Information Accessibility Research Association, Alibaba, Tencent, Microsoft and other enterprises have established the China Information Accessibility Product Alliance to support information accessibility optimization work on more Internet products.

(c) To facilitate access to information for persons with disabilities, including material related to the Convention, and relevant human rights issues, such as the content of the website of the Office of the United Nations High Commissioner for Human Rights;

The "China Government Information Accessibility Initiative" and the "China Government Information Accessibility Public Welfare Initiative" columns on the People's Daily Online both publicize the Convention and the Law on the Protection of Persons with Disabilities, and provide a channel for persons with disabilities to submit their opinions.

(d) To recognize Chinese sign language as an official language and increase the number of qualified sign language interpreters working in the public and private sectors.

In China, the term "national common sign language" is generally used, with the descriptor "national common" indicating its "common" status. China is currently pursuing the revision of the Law on the Standard Spoken and Written Chinese Language, with a view to establishing the legal status of sign language.

In 2017, the Nanjing Normal University of Special Education was granted approval for the addition of a new major in sign language interpretation. In 2019, a sign language service window was set up in Beijing's government affairs service centre, for which sign language interpreters were hired; and in Shanghai, two sign language interpreters were added to the "12345" video hotline. The National Common Sign Language Promotion Programme

mandated the Disabled Persons Federation at all levels to strive to have at least one certified part-time sign language interpreter by the end of 2020.

Respect for privacy (art. 22)

22. Please provide information on:

(a) The measures taken to protect persons with disabilities from arbitrary or unlawful interference with their privacy, family, home or correspondence or other types of communication and from unlawful attacks on their honour and reputation;

The Civil Code, the Law on the Promotion of Basic Medical and Health Care, the Cybersecurity Law and other laws protect the privacy and personal information of persons with disabilities. China is studying the formulation of a law on the protection of personal information.

The Civil Code provides that civil subjects have the right to honour and the right to reputation.

(b) The measures taken to protect the privacy of personal data and records of persons with disabilities from arbitrary or unlawful interference, including in the registration system of persons with “mental disorders” by the mental health authorities;

The Mental Health Law stipulates that the units and individuals concerned shall keep confidential the name, likeness, address, workplace, medical records and other information that may allow the identity of a person with a mental disorder to be inferred.

The health care industry is continuously improving the security of its health care data system.

(c) The measures taken to ensure the appropriate use of the data collected from persons with disabilities, including as part of genetic information collection programmes, and the number of persons with disabilities from whom genetic information has been collected since 2012;

The dynamically updated real-name data are mainly used for government decision-making and research work by relevant departments, and the aggregate data need to be approved by the State Council Working Committee on Persons with Disabilities or its authorized departments before being made available or released to the public. On the premise of ensuring the absolute security of personal information of persons with disabilities, the primary data will be gradually opened up for research use by relevant institutions in accordance with the prescribed procedures.

(d) The available remedies, including *habeas data*, in cases of violation of the right to privacy.

The Civil Code provides for the protection of the right to privacy and stipulates that the infringer party has the right to request that the infringer should bear the liability for infringement. The Criminal Law provides that a person who violates the relevant State regulations and sells or provides personal information of citizens to another person, if the circumstances are serious, shall be sentenced to fixed-term imprisonment of not more than three years or to administrative detention with a fine, or simply fined; if the circumstances are particularly serious, that person shall be sentenced to fixed-term imprisonment of not less than three years but not more than seven years, and shall be fined.

Habeas corpus orders in China are primarily designed to protect victims of domestic violence, their children and specified relatives. Such orders may include prohibiting the respondent from harassing, stalking, or contacting the applicant and the close relatives concerned. Therefore, no statistics are available in China on applications for specific *habeas corpus* orders for privacy violations.

Respect for home and the family (art. 23)**23. Please provide information on the measures taken:**

(a) To prevent the separation of children from their parents on the basis of the disability of the child, of one or both of the parents, or of any member of the child's family;

The Law on the Protection of Persons with Disabilities stipulates that guardians of persons with disabilities must perform their guardianship duties.

(b) To provide appropriate and sufficient support to parents with disabilities and to parents of children with disabilities in exercising their parental responsibilities;

The Law on the Protection of Minors stipulates that the State shall take measures to guide, support, help and supervise the parents or other guardians of minors in the performance of their guardianship duties. People's governments at all levels shall incorporate family education guidance services into the public services system in urban and rural areas, develop publicity on family education knowledge, and encourage and support relevant people's organizations, enterprises, institutions, and social organizations in conducting family education guidance services. The Outline for Accelerating the Attainment of Well-being by Persons with Disabilities under the Thirteenth Five-Year Plan (2016–2020) proposes to strengthen guidance and support for parents of children with disabilities and provide a good family environment for their growth. The Opinions of the State Council on Strengthening the Protection of Children in Need calls for accelerating the formation of a family-based due-diligence, government-led and socially-engaged model for the protection of children in need, and for group organizations to strengthen educational guidance and training support for children in need and their families.

(c) To prevent the abandonment of children with disabilities and combat its root causes. Please also indicate the number of cases involving abandonment or failure to register the birth of a child with disabilities that have been prosecuted since 2012 and how many of these cases resulted in criminal convictions.

Village and residential committees are required to report cases where the lack of family guardianship has led to threats to or infringements of the personal safety of children. The people's courts, people's procuratorates and public security organs crack down on illegal and criminal acts of all kinds that infringe on the rights and interests of children, such as guardians who deliberately or maliciously fail to fulfil their guardianship duties, for which legal liability is pursued as determined by the seriousness of the circumstances.

Education (art. 24)

24. Further to the information provided in the State party's report that the Regulations on the Education of Persons with Disabilities were amended in 2017 to explicitly indicate that "inclusive education shall be actively promoted" (para. 84), please provide specific information on:

(a) The resources reallocated from the special education system to make the transition to inclusive education in mainstream schools, and the proportion of resources invested in rural areas, in the past five years;

From 2015 to 2019, the central Government financial authorities invested a total of 2.05 billion yuan in subsidies specifically earmarked for special education, to support the construction of special education resource centres and classrooms, as well as the improvement of conditions in ordinary schools at the compulsory education level that enrol more students with disabilities in their classes. From 2016, the average per-student public funding standard for special education schools and students with disabilities mainstreamed in regular classes has been raised to 6,000 yuan, reaching a level six to eight times higher than that for ordinary schools. Such funding has also been brought into the compulsory-education funding guarantee mechanism.

China has established a sound financial assistance system to realize 12 years of free education at the compulsory and secondary-school levels for children with disabilities from economically disadvantaged families. A special dedicated public-welfare lottery fund has

been set up for persons with disabilities; in 2018/19, it provided financial support enabling 34,000 children with disabilities from economically disadvantaged families to receive inclusive preschool education.

The Ministry of Education guides localities in the construction of special education resource centres based on special-education schools and institutes; counties without special education schools designate qualified ordinary schools and institutes to build special-education resource centres. The establishment of resource classrooms, staffed with resource teachers, in ordinary schools that enrol more than five students with disabilities, is being promoted.

A two-year pilot study on integrating persons with disabilities in higher education is also being undertaken at six ordinary colleges and universities, with a view to providing a basis for formulating policies and measures on inclusive higher education.

(b) The measures taken to ensure that all persons with disabilities have access to accessible inclusive education material, adaptive learning environments and reasonable accommodation in mainstream schools at all levels, including lifelong learning;

China provides reasonable accommodation for candidates with disabilities to take the general college entrance examination. Some 23,416 candidates with disabilities were admitted to ordinary colleges and universities in 2018/19. In 2020, the Ministry of Education printed examination papers in Braille for five candidates and accommodated 11,000 other candidates with disabilities in the college entrance examination.

The Ministry of Education is working with the Ministry of Housing and Urban-Rural Development to compile and revise the national-standard Design Code for Primary and Secondary Schools, and intends to further improve the relevant regulations on the construction of accessible facilities in primary and secondary schools.

The Guiding Opinions on Strengthening the Mainstreaming of Children and Adolescents with Disabilities in Regular Classes at the Compulsory Education Stage require that ordinary schools receiving students with disabilities in regular classes should create a campus cultural environment that promotes the mutual integration of students with disabilities and ordinary students to the greatest extent possible, based on the construction of a barrier-free environment. The content of the curriculum should be reasonably adjusted to continuously improve the appropriateness and effectiveness of education for students with disabilities attending regular classes. General education schools (including kindergartens, general secondary schools, secondary vocational schools and higher education institutions) that are not in the compulsory education stage also refer to this document when receiving students with disabilities in regular classes.

(c) The number of teachers with disabilities who have been employed in the past five years in public mainstream schools, and the measures taken to ensure that the teaching qualification certificate is accessible to persons with disabilities and that reasonable accommodation is provided throughout teaching qualification examinations;

Special examination papers in Braille for the Mandarin Proficiency Test are provided to meet the needs of visually impaired persons applying for accreditation of teaching qualifications.

The Ministry of Education has authorized Tianjin, Shanghai, Zhejiang, Henan, Hunan, Sichuan, Guizhou and Gansu to conduct pilot tests for persons with disabilities to take the primary and secondary school teacher qualification and accreditation examinations, setting up separate examination rooms with separate invigilators, designating exam escorts to provide examination assistance, and extending the examination times. The visual-acuity physical examination item on the medical examination for persons with visual disabilities has been abolished; the hearing test item on the medical examination for persons with hearing disabilities has been reduced, and the Mandarin language requirement required for persons with hearing disabilities to apply for teacher qualification accreditation has been replaced with the State-mandated sign language grade standard.

From 2015 to 2019, a total of nearly 150 persons with hearing or visual disabilities took the pilot examination, and 65 persons with disabilities passed the examination to obtain a teaching qualification.

(d) The measures taken to provide teachers with resources, teaching methodologies and support for students with disabilities in inclusive education in public schools, particularly in townships below the county level and in rural villages;

China is strengthening teacher training, bringing the role of resource centres into play, rationalizing the allocation of itinerant instructors, and strengthening itinerant instruction and teacher training for ordinary regional schools that are receiving students with disabilities in their regular classes.

In cooperation with the Ministry of Education, the China Disabled Persons' Federation has given the National Teacher Training Base for Vocational Education for Persons with Disabilities and relevant institutions of higher learning a role in providing training for teachers in vocational education, integrated education and other special education.

(e) The measures taken to ensure the admission of pupils with disabilities to school and to eliminate attitudinal barriers that hinder their full inclusion in the education system, including measures to enforce the legal prohibition of refusal to admit children with disabilities;

China has amended the Education Law, the Compulsory Education Law, the Higher Education Law, the Law on the Protection of Persons with Disabilities, the Regulations on Education for Persons with Disabilities and other relevant laws and regulations to guarantee the equal rights of children and adolescents with disabilities to enrol in school and pursue higher education. It has introduced the Plan for Upgrading Special Education (2014–2016) and the Second Plan for Upgrading Special Education (2017–2020), to effectively guarantee the right to education for persons with disabilities. It has also drawn up the Regulations on the Administration of the National Unified Examination for the Admission of Persons with Disabilities to Institutions of Higher Education, providing the necessary support conditions and reasonable accommodations in the admissions process to candidates with disabilities for general higher education institutions.

The Ministry of Education issues an annual circular on the rules governing enrolment and admission to compulsory education, along with the Regulations on Admission to General Institutions of Higher Education and the National Administrative Regulations on Admission to Master's Degree Programmes, requiring that eligible students or candidates with disabilities should not be denied admission or enrolment because of their disabilities. The Ministry of Education and four other government departments have issued the Opinions on Accelerating the Development of Vocational Education for Persons with Disabilities, requiring that vocational institutions gradually expand the scope of their regular classes by means of mainstreaming students with disabilities and creating special classes, and that they not refuse to accept students with disabilities who meet the prescribed admission criteria for any reason. The Ministry of Education has issued the Guiding Opinions on Strengthening the Mainstreaming of Children and Adolescents with Disabilities in Regular Classes at the Compulsory Education Stage, requiring government departments of education administration at the county level to strengthen planning and rationalize distribution, giving priority in school admissions to children and youth with disabilities to nearby schools and under the same conditions within the enrolment area.

(f) The children and adolescents with disabilities receiving compulsory education at regular public schools, at special (public) schools and through home schooling from 2013 to 2017, with disaggregated data, on an annual basis.

Special Education Students in Compulsory Education 2013–2017

Unit: person

Year	<i>Special Education Schools (Public)</i>			<i>Compulsory Education Schools (Public)</i>			
	<i>Total</i>	<i>Subtotal</i>	<i>Proportion delivered in-home</i>	<i>Subtotal</i>	<i>Proportion of Special Education classes</i>	<i>Class attendance</i>	<i>Delivered in-home</i>
2013	347 259	160 773	–	186 486	3 149	183 337	–
2014	375 140	169 905	–	205 235	2 926	202 309	–
2015	421 664	186 707	–	234 957	2 880	232 077	–
2016	469 460	204 601	–	264 859	3 172	261 687	–
2017	555 715	225 951	32 927	329 764	3 075	295 149	31 540

Note: Starting in 2017, in-home delivery of special education is included in operational statistics for education.

Health (art. 25)

25. **Further to the information provided in paragraphs 92 and 97 of the State party’s report, please indicate:**

(a) **The scope of the 14 types of basic public health services that are provided free of charge to all citizens, and the specific criteria for persons with disabilities, including persons affected by leprosy, who require basic health care;**

According to the Notice on the Work of Basic Public Health Service Projects in 2020, jointly issued by the National Health and Health Commission, the Ministry of Finance and the State Administration of Traditional Chinese Medicine in June 2020, the basic public health service projects, which are mainly provided by the health-care institutions primarily responsible for specialized services, are promoted at the grass-roots level on the basis of the National Basic Public Health Service Specification (Third Edition), with a view to effectively carrying out the following 12 types of projects (which are dynamically reallocated on an annual basis): management of healthy residents’ health records, health education, vaccinations, health management for children aged 0–6, maternal health management, health management for the elderly, health management for patients with chronic diseases like hypertension and type 2 diabetes, health management for patients with severe mental disorders, health management for patients with tuberculosis, health management for traditional Chinese medicine, reporting and handling of infectious diseases and public health emergencies, and health supervision and coordination. The subsidy standard for basic public health service funding in 2020 was 74 yuan per capita. All residents who have lived within the jurisdiction of a district for more than six months, including persons with disabilities, are eligible to receive the corresponding services.

(b) **The measures taken to implement the Committee’s previous concluding observations and recommendations (CRPD/C/CHN/CO/1 and Corr.1, para. 38), in particular to ensure that individuals’ autonomy, choices, dignity and privacy are respected;**

See replies to questions 12 and 22.

(c) **The measures taken to provide training to medical staff on the rights of persons with disabilities, and to sanction discriminatory action against persons with disabilities.**

The Mental Health Law stipulates legal liability for acts of discrimination against patients with mental disorders.

The National Health Commission attaches importance to the protection of the rights of service recipients, including persons with disabilities, and has included content relevant to the protection of patients’ lawful rights and interests in the training of physicians at all levels and in all categories, so that the majority of medical personnel are aware that patients and

their close relatives and authorized representatives have the right to make informed decisions about their conditions, diagnosis, medical measures and medical risks, and fulfil their obligation to so inform them, while respecting patients' right to freely choose or refuse treatment, as well as the patient's right to privacy. At the same time, medical institutions at all levels also accommodate persons with disabilities through various means, such as setting up green (expedited) access channels and accessible facilities.

26. Please advise on the measures taken to ensure access to sexual and reproductive health and rights for women and girls with disabilities, and how information about available services is disseminated among them, including in accessible formats.

The Law on the Protection of Minors stipulates that schools and kindergartens shall provide age-appropriate sex education to minors. The Law on the Promotion of Basic Medical and Health Care provides for the establishment of a sound maternal and child health service system and the provision of health care and common disease prevention and treatment services for women and children. The Guiding Opinions on the Three-Year Campaign to Win the Battle against Poverty require that cervical and breast cancer screening for women in poor areas and screening programmes for nutritional improvement for children and neonatal disease screening shall be expanded to all poor counties. The Programme for the Development of Chinese Women and the Programme for the Development of Chinese Children set out clear goals and policy measures for improving reproductive health and strengthening reproductive health services for children.

The National Health Commission and the China Disabled Persons' Federation are jointly promoting family doctor contractual services for persons with disabilities, ensuring that persons with disabilities, including women with disabilities, enjoy the services of family doctors on a contractual basis. The National Health Commission also continues to organize and implement precision rehabilitation services for persons with disabilities, providing such basic rehabilitation services as rehabilitative medical treatment, assistive device adaptation and rehabilitative training for persons with disabilities who need them. Services were provided to a total of 10.43 million persons with disabilities in 2019, of whom 4.412 million were women with disabilities; with the implementation of the National Action Plan for Disability Prevention, a preliminary mechanism for disability prevention has been established and has raised public awareness of disability prevention.

Moreover, with reference to specifically female characteristics, work on the reproductive health of women with disabilities is being carried out, and the China Disabled Persons' Federation has organized experts to prepare a Guidebook on Reproductive Health for Women with Disabilities, to provide guidance and support for women with disabilities to lead healthy lives.

The Call to Action: Empowering Sisters with Disabilities to Join in Shaping the Future We Want, mentioned in the reply to question 3 (c), also includes a call to ensure that women and girls with disabilities enjoy sexual and reproductive health and rights.

Habilitation and rehabilitation (art. 26)

27. Please provide information on the measures taken to promote comprehensive and community-based rehabilitation programmes for persons with disabilities, in particular for children and older persons with disabilities, and indicate how organizations of persons with disabilities participate in these programmes.

In 2019, China formulated the Standards for Community Rehabilitation Work for Persons with Disabilities and released the Catalogue of Basic Rehabilitation Services for Children with Disabilities Aged 0–6 (2019 Edition). The number of persons with disabilities signing contracts with family doctors in 2019 was 20,165,000, and the contracting rate of family doctors for persons with disabilities was 57.9 per cent. In the future, research will be conducted to draft a community rehabilitation services work specification for mental disabilities.

The Ministry of Civil Affairs, the China Disabled Persons' Federation and other government departments are working together to launch a precision rehabilitation service initiative for persons with disabilities, providing such basic rehabilitation services as

rehabilitative medical treatment, assistive devices and rehabilitation training to certified persons with disabilities in need of them.

Work and employment (art. 27)

28. Please provide information on the measures taken:

(a) To ensure that persons with disabilities have the right to pursue vocations according to their preferences, on an equal basis with others;

Persons with disabilities enjoy the right to equal employment and to choose their own employment in accordance with the law. The State formulates legal policies to promote the employment of persons with disabilities.

(b) To prohibit discrimination against persons with disabilities in work and employment, including the denial of reasonable accommodation;

Both the Employment Promotion Law and the Regulations on the Employment of Persons with Disabilities contain provisions prohibiting discrimination against persons with disabilities. In 2018, the Supreme People's Court issued the Circular on the Addition of Civil Cases to the List of Causes of Action, adding "disputes over equal employment rights" to the list.

(c) To combat disability stigma in the workplace and to prevent dismissal on the basis of impairment;

The Labour Contract Law stipulates that an employer may terminate a labour contract only under statutory circumstances, and provides for legal liability for unlawful termination of labour contracts. China is strengthening public opinion and publicity, organizing advanced work units that arrange employment for persons with disabilities, which creates a demonstration effect and calls on society to support the employment of persons with disabilities. Employers are encouraged to create more inclusive and humanistic employment environments. Employers' arrangements for the employment of persons with disabilities are being gradually incorporated into the national credit information sharing platform that is monitored by society at large.

(d) To promote the employment of persons with disabilities in the open labour market through appropriate policies, including affirmative action programmes for persons with disabilities. Please also provide information on the empirical data used in the evaluation of these policies;

China is improving its active employment policies, promoting proportional employment for persons with disabilities, developing subsidized employment, supporting self-employment and flexible employment, and exploring supported employment. It is organizing and implementing initiatives to upgrade vocational skills, incorporating vocational training for persons with disabilities into the lifelong vocational skills training system, and providing free vocational skills training for persons with disabilities. The Government is also strengthening employment services and building a national network services platform for the employment and entrepreneurship of persons with disabilities; and carrying out special activities to support the employment of poor persons with disabilities in rural areas and provide employment services for graduates with disabilities from colleges.

In 2019, 8.552 million certified persons with disabilities in urban and rural areas nationwide were employed.

(e) To implement the system of supported employment, referred to in paragraph 103 of the State party's report.

Supported employment refers to a centralized form of employment that organizes productive labour for persons with intellectual, mental and severe physical disabilities who are of employment age but have difficulty entering the competitive labour market, and offers them greater flexibility compared to ordinary workers in terms of working hours, labour intensity, labour remuneration and the signing of labour agreements.

In 2015, the China Disabled Persons' Federation and other government departments issued the Opinions on the Development of Supported Employment for Persons with

Disabilities, requiring all counties, cities and banners to establish at least one supported employment agency for persons with disabilities to basically meet the employment needs of persons with intellectual, mental and severe physical disabilities who have a certain degree of working ability.

As of July 2020, China had established more than 2,000 supported employment agencies.

29. Please provide disaggregated information on:

(a) The number of investigations that have been opened during the period from 2013 to 2017 into violations of the quota system;

All employers in China are subject to proportional employment status audits.

(b) The employers that have been fined as a result of the violations and the amount of fine levied.

The review of the proportional employment of persons with disabilities is the responsibility of the county-level disability federations. Because of the many administrative levels and the large number of employers, no national statistics are available at the present time.

Adequate standard of living and social protection (art. 28)

30. Please provide information on:

(a) Social protection measures, public housing programmes and budget allocation with respect to persons with disabilities, in particular those belonging to ethnic minorities and those living in rural areas;

China is improving the social security system for persons with disabilities, increasing support for persons with disabilities in ethnic minorities and in rural areas. Persons with disabilities enjoy social assistance, social welfare and social insurance benefits in accordance with regulations. Eligible unemployed adults with severe disabilities have been included within the scope of the minimum subsistence guarantee for single-person households, and eligible persons with disabilities have also been included within the scope of assistance and support for special hardship cases as well as medical assistance. A system of subsistence allowances for needy persons with disabilities and nursing-care allowances for persons with severe disabilities is being established, and subsidies are being provided for poor persons with severe disabilities to participate in social insurance. Weighted guarantees for major medical insurance are being increased, and in 2019 the ceiling for major medical insurance for rural people for whom files had been established were completely abolished. Priority is given to guaranteeing basic housing for persons with disabilities, and special financial arrangements are made at all levels for the protection of persons with disabilities.

(b) The measures taken to develop a system to prevent corruption at all levels of government in the context of the allocation and distribution of social protection allowances for persons with disabilities;

The Social Insurance Law and the Provisional Measures on Social Assistance both provide for monitoring mechanisms and legal liability.

(c) The measures taken to ensure effective monitoring and evaluation of the social protection policy, such as disaggregation of data on access to public housing programmes or any other social protection for persons with disabilities living in both rural and urban areas;

The Ministry of Housing and Urban-Rural Development has included the situation of urban housing protection for persons with disabilities in its statistics and regularly compiles statistics on protections prioritized for persons with disabilities. By the end of 2019, a total of 490,000 persons with disabilities nationwide enjoyed public rental housing protection through both allocation in kind and the granting of rental subsidies. Poor families of persons with disabilities living in dilapidated housing are included within the scope of support, and from 2009 to 2019, the central Government provided support for a total of 1,784,800 poor families of persons with disabilities to complete the renovation of their dilapidated housing.

(d) The number and percentage of persons with disabilities living below the official poverty line in the State party, with data disaggregated by age, sex, ethnicity and place of residence, in both rural and urban areas;

As of the end of 2019, there were 29.71 million certified persons with disabilities in rurally-registered households in China, of whom 481,000 were below the official poverty line, accounting for 1.6 per cent. These 481,000 poor persons with disabilities included 16,000 people under the age of 16, 309,000 people aged 16–59, and 156,000 people aged 60 and above; 326,000 men and 155,000 women; and 391,000 Han Chinese and 91,000 ethnic minorities.

(e) The measures taken to ensure budget allocation for social protection measures with respect to persons with disabilities, in particular those belonging to ethnic minorities, and living in rural areas;

China is improving its social assistance system in accordance with the principle of “universal benefits + preferential treatment”, and is providing priority assistance to poor people with disabilities, people with severe disabilities and families with multiple disabilities in accordance with the law.

(f) Pensions and allowances available for persons with disabilities who acquired an injury at work, and the percentage of persons with disabilities who are beneficiaries.

In 2019, 1,167,000 people, of whom 970,000 were employees with a rated degree of disability, or about 60 per cent, were entitled to disability benefits. In 2019, a one-time disability benefit of 19.1 billion yuan, a one-time medical benefit of 8.5 billion yuan and a disability allowance of 5.4 billion yuan were provided to people with disabilities who were injured at work.

Participation in political and public life (art. 29)

31. Please provide information on the measures taken:

(a) To ensure access to voting and electoral participation, with fully accessible voting procedures by secret ballot in elections and public referendums without intimidation, for persons with disabilities on an equal basis with others;

Persons with disabilities have the right to vote and to stand for election on an equal basis with others. Persons with disabilities may vote by secret ballot in person or by authorizing someone they trust to fill in a ballot paper; if their mobility is reduced, they may vote at a mobile ballot box. The authorities organizing elections are expected to facilitate the participation of persons with disabilities in elections by providing ballot papers in Braille for persons with visual disabilities. The Election Law provides for sanctions against electoral disruptions.

As of 2020, a total of 6,637 persons with disabilities, their relatives and friends and workers with disabilities had been elected as deputies to the National People’s Congress or recommended as members of the Chinese People’s Political Consultative Conference.

(b) To ensure that organizations of persons with disabilities operating independently of the China Disabled Persons’ Federation can have access to funds, provide services, consult on relevant laws and policies and contribute to the work of the United Nations human rights mechanisms, including but not limited to the Committee.

China carries out purchases of services by the Government to provide financial support for the development of qualified organizations of persons with disabilities. For example, from 2014 to 2018, pilot projects to purchase services from organizations of persons with disabilities were carried out in Heilongjiang Province and Hubei Province.

Many organizations of persons with disabilities maintain good communication and collaboration with United Nations agencies, and some organizations of persons with disabilities also undertake United Nations projects.

32. **Please advise on:**

(a) **The impact of the Foreign Non-Governmental Organizations Law and the Charity Law on the registration of organizations of persons with disabilities and on the activities of non-governmental organizations working to support persons with disabilities, in particular in ethnic minority areas;**

The Law on the Management of Foreign Non-Governmental Organizations provides legal protection for foreign non-governmental organizations to pursue activities within China. As long as they meet the conditions set out in the law, foreign organizations of persons with disabilities can register to set up representative offices or apply to carry out temporary activities.

The Charity Law includes public welfare activities for persons with disabilities within the scope of charitable activities, and enables organizations of persons with disabilities to register as charitable organizations in accordance with the law and enjoy corresponding preferential policies.

(b) **The measures taken to prevent election committees across the country from refusing to include persons with intellectual or psychosocial disabilities on the electoral roll.**

Deputies to the National People's Congress of China and members of the Chinese People's Political Consultative Congress include persons with mental and intellectual disabilities. The Election Law provides a remedial procedure for those who are not included in the list of electors. The Law provides that those who have dissenting views on the published lists of electors may lodge an appeal with the Election Committee within five days of the date of publication of the list of electors. The Election Committee shall make a decision on the handling of such appeals within three days. If the appellant is not satisfied with the decision on the handling of the complaint, he or she may file a complaint with the People's Court five days before the day of the election, and the People's Court shall issue a judgment before the day of the election.

Participation in cultural life, recreation, leisure and sport (art. 30)

33. **Please describe the measures taken to ratify the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.**

The Standing Committee of the National People's Congress amended the Copyright Law on 1 November 2020, and the relevant content was harmonized with the provisions of the Marrakesh Treaty. China is actively pursuing the ratification process.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

34. **Please inform the Committee about:**

(a) **The data, statistics, indicators and benchmarks regarding persons with disabilities, including the Washington Group short set of questions on disability, used to measure the impact of public policies designed to implement the Convention;**

The State Council Working Committee on Persons with Disabilities conducts surveys on the status and requirements for basic services of persons with disabilities nationwide, forming a mechanism for dynamic annual updating of data.

The main indicators of the Outline for Accelerating the Attainment of Well-being by Persons with Disabilities under the Thirteenth Five-Year Plan (2016–2020) include the coverage rate of the target groups for living allowances for needy persons with disabilities and nursing-care allowances for persons with severe disabilities, the poverty eradication rate of impoverished rural persons with disabilities for whom files have been established, the coverage rate of basic rehabilitation services for persons with disabilities, and the proportion of children and adolescents with disabilities receiving compulsory education.

(b) The detailed information collected about persons with disabilities, disaggregated by province or region and ethnicity, to better understand variations in access to social services and public goods in ethnic Yi, Tibetan and Uighur communities;

See reply to question 34 (c).

(c) The measures taken to collect disaggregated data in order to evaluate public policies and their impact on persons with disabilities, in particular on persons with disabilities belonging to ethnic minorities and persons with intellectual or psychosocial disabilities, and to identify barriers to the inclusion of persons with disabilities.

Public policies and their impact on persons with disabilities are assessed through the annual dynamic updating of data on the basic service status and requirements of persons with disabilities nationwide, the National Survey on the Income Status of Households with Disabilities, and statistics from the Ministry of Human Resources and Social Security, the Ministry of Education, the National Health Commission, the Ministry of Housing and Urban-Rural Development and other government departments.

Information on the basic service status and requirements of 26.64 million (including children with suspected disabilities), 29.95 million, 31.63 million, 33.08 million and 34.8 million certified persons with disabilities was collected from 2015 to 2019 respectively; per-capita information on 41 services and requirements was collected for certified persons with disabilities nationwide, with the regions and ethnicity of each person accurately identified in order to understand how persons with disabilities from different regions and ethnicities access social services and public goods. The dynamic updating work is problem-oriented and demand-oriented, focusing on assessing the needs of certified persons with disabilities with regard to social integration, and providing timely feedback to the government departments concerned.

National implementation and monitoring (art. 33)

35. Please provide information on:

(a) The extent to which organizations of persons with disabilities operating independently of the China Disabled Persons' Federation and its branches are fully and meaningfully involved in the process of implementing and monitoring the Convention;

See reply to question 1 (c).

(b) The mechanisms in place to ensure coordination among all sectors and levels of government in the implementation of the Convention, and the indicators used to measure disability mainstreaming into public policies and programmes at the municipal level;

The State Council Working Committee on Persons with Disabilities is responsible for coordinating the compliance work of various departments of the central and local governments. The Standing Committee of the National People's Congress regularly inspects performance with regard to compliance with laws; persons with disabilities and their representative organizations are invited to participate in the overall process of compliance monitoring.

(c) The extent to which the draft national action plan on human rights for the period beginning 2021 covers the establishment of an independent mechanism for monitoring human rights in compliance with the principles relating to the status of national institutions for the protection and promotion of human rights (the Paris Principles), with an associated time frame and including a specific mechanism for monitoring the rights of persons with disabilities, in accordance with article 33 (2) and (3) of the Convention;

China has not yet established a national human rights institution in the sense of the Paris Principles, but many government departments have similar responsibilities. The Standing Committee of the National People's Congress and government departments at all levels have petitions offices that receive, investigate and deal with public appeals and complaints of all kinds. Supervisory authorities are responsible for monitoring the conduct

of government agencies and officials. The State Ethnic Affairs Commission is responsible for protecting and promoting the rights of ethnic minorities.

China will begin drafting a new National Human Rights Action Plan at the appropriate time.

(d) The measures taken to involve persons with disabilities and their representative organizations in the process of monitoring the implementation of the Convention, including specific measures to reach out to persons with disabilities living in rural areas and their representative organizations.

See reply to question 1 (c).
