



中国残疾人联合会

CHINA DISABLED PERSONS' FEDERATION

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Submission to the United Nations Universal Periodic Review of China

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Protection of the Rights and Interests of Persons with Disabilities in China

1. Since the Human Rights Council conducted Universal Periodic Review (UPR) of China in 2013, China Disabled Persons' Federation (CDPF) has witnessed a number of measures being taken by the Chinese government and substantial improvement being made in social security, education, employment and judicial protection of persons with disabilities in China, especially in the protection of the rights and interests of disabled children.

2. The CDPF appreciates the endeavors of the Chinese government to ensure social security of persons with disabilities. The government has adopted concrete measures and acted on Recommendation 186.183ⁱ in the 2013 Report of the Working Group on the Universal Periodic Review of the Human Rights Council. For instance, by the end of 2016, 79 percent of the people with disabilities had participated in the pension schemes and 7.151 million of them had received government assistance, with the government paying the premium for 92.5 percent of those with severe disabilities. In 2015 the State Council issued a document introducing living allowances for people with disabilities and nursing care subsidies for those with severe disabilities. It is China's first preferential policy and welfare benefit for this under-privileged group, which has benefited more than 20 million people ever since.

3. The Chinese government has worked hard to ensure social security for persons with disabilities. In September 2015, it promulgated the Opinions on Improving Social Assistance to Persons with Disabilities. To date, 11 provinces (autonomous regions, and municipalities) have worked out measures for the implementation of the document, and 28 provinces (autonomous regions, and municipalities) have regulations on special insurance for the unemployed persons with severe disabilities. In 2016, China releases its Plan on the Nursing of Persons with Disabilities During 2016-2020. By the end of 2016, China had 6,740 agencies providing nursing services to more than 200,000 persons with disabilities a year, and more than 800,000 people in need receive at-home services.

4. The CDPF appreciates the endeavors of the Chinese government to improve education for persons with disabilities. Regarding Recommendation 186.217ⁱⁱ, the government has done the following: (a) It has revised the Regulations on Education

for Persons with Disabilities and issued the Regulations on the Management of Persons with Disabilities Sitting in National College Entrance Examination, providing legal and policy guarantee of their right to education. (b) It has increased input in education for persons with disabilities. The per-capita public fund for students in special education schools or attending regular classes had been increased from 2,000 yuan in 2013 to 6,000 yuan in 2016. (c) Breakthroughs have been made in compulsory education of children with disabilities. According to the Ministry of Education, there were 492,000 students with disabilities in 2016, 124,000 or 33.7 percent more than in 2013. More than 90 percent of the children with visual, hearing or mental impairments received compulsory education in schools in 2016.

5. The Chinese government supports education programs for persons with disabilities. Over the past decade, various special grant programs have benefited more than 200,000 poor students and children with disabilities, provided teaching equipment and improved the conditions for 260 special education schools, funded the training of more than 5,200 master teachers, and awarded nearly 1,500 model teachers for their devotion to special education. Relevant government departments have worked out the Program of Actions to Eliminate Illiteracy Among Young and Middle-aged Adults with Disabilities During 2016-2020, which has helped 15,000 people in need.

6. The CDPF appreciates the endeavors of the Chinese government in promoting the employment of persons with disabilities. Since 2013, the government has kept a record of the employment and training of nearly 18 million working population with disabilities; worked out a series of policies that support their employment and job training, including quota scheme, supportive employment, preferential taxation, relevant government procurement and vocational skill training; and opened more than 6,000 vocational training centers and offered training for more than 2 million people through purchased services.

7. The Chinese government promotes the employment of persons with disabilities. In 2016, relevant government departments decided to carry out the Vocational Skills Improvement Plan for Persons with Disabilities (2016-2020). The goal is to provide job training at least once by 2020 to every person with disabilities who newly enters the job market.

8. The CDPF appreciates China's endeavors to ensure judicial protection of the rights of persons with disabilities. In 2016, the Supreme People's Court publicized 10 cases involving the protection of the rights and interests of persons with disabilities. These provided guidance for the people's courts at various levels when trying cases that involve persons with disabilities, and promoted the formation of social atmosphere for safeguarding the rights and interests of persons with disabilities in accordance with the law. Some local courts have set up special courts to defend the rights of persons with disabilities, and opened green channels to offer judicial assistance to them, thus facilitating this group of people in lawsuits.

9. The Chinese government safeguards the judicial protection of the rights and interests of persons with disabilities. In 2015, China released the Opinions on Protecting the Legal Rights and Interests of Persons with Disabilities in Procuratorial

Work, enhancing the combat against crimes that infringe the rights and interests of persons with disabilities. In the same year, it opened the 12385 hotline to serve persons with disabilities and a nationwide information system of complaint involving this vulnerable group.

10. The CDPF appreciates the endeavors of the Chinese government to rehabilitate children with disabilities. In line with Recommendation 186.103ⁱⁱⁱ, the government has carried out a special program and provided basic rehabilitation services to nearly 700,000 children from 2011 to 2017. Starting in 2016, China has taken targeted actions, with the goal of “making basic rehabilitation services available to more than 80 percent of children in need and adults registered with their disabilities by 2020”. Disabled children take priority when basic rehabilitation services are offered.

The Regulations on Disability Prevention and Rehabilitation, adopted by the State Council in January 2017, provides legal guarantee to the rehabilitation of children. Today nine provinces (autonomous regions) have made rehabilitation aid to children a practical system to better protect their right to rehabilitation.

11. The CDPF recognizes the challenges China faces despite its endeavors in the disability field and the outstanding progress it has made.

12. The CDPF hopes to see closer cooperation among community-level social assistance agencies in implementing state social assistance policies. The current problem is a lack of cooperation among local departments and inadequate coordination in policies, which has hindered the execution of state assistance policies and prevented the target recipients including persons with disabilities from benefiting from relevant policies. To address this problem, the CDPF and other departments concerned in May 2017 issued the Opinions on Further Reinforcing Cooperation Among Community-level Social Assistance Agencies, demanding community-level social assistance agencies to increase their policy synergy and bring tangible aid to those in need.

13. The CDPF hopes to see the earliest realization of targeted poverty alleviation of poor families with members suffering disabilities. To lift persons with disabilities out of poverty is a key part of China’s development-oriented poverty alleviation programs. In addition to their difficulties in increasing incomes through production, the justified expenses of this vulnerable group on medicines and rehabilitation, nursing products and assistive devices pose a daunting challenge for China’s poverty alleviation efforts.

In line with Recommendation 186.76^{iv}, China has adopted a number of policies and measures towards poor citizens with disabilities. The CDPF hopes to see their full enactment as early as possible, and expects the government to mobilize the whole society to help the poor families with members with disabilities and ensure that these families and their members benefit from the poverty-alleviation programs.

14. The CDPF hopes to see the Chinese government to conduct a survey of the professional agencies providing rehabilitation services to children. According to

China Disability Yearbook 2017, there were 7,858 agencies providing rehabilitation services by the end of 2016. But there lacks accurate information about those that provide rehabilitation services to children.

In line with Recommendation 186.81^v, the CDPF suggests the Chinese government have an accurate counting of such agencies, which will help put the rehabilitation programs into effect.

15. The CDPF hopes to see the Chinese government to educate the providers of legal services to persons with disabilities about the idea of equality. These people need to enhance their awareness of equality, given their inadequate understanding of the Convention on the Rights of Persons with Disabilities (CRDP). They lack a full understanding of the CRDP idea that persons with disabilities enjoy equality as a right with other citizens. Only with a keen awareness of equality will they take a correct attitude when providing legal services to those in need, and work for the judicial protection of the rights of persons with disabilities.

ⁱ A/HRC/25/5, 186.183: Continue the policy of strengthening guarantees of social and economic rights of citizens, in particular in the area of education, health care, social protection and labour, and give special attention to the vulnerable groups such as children, persons with disabilities and national minorities (Russian Federation)

ⁱⁱ A/HRC/25/5, 186.217: Raise the education level of the disabled and make sure that school-age disabled children generally receive compulsory education (Jordan)

ⁱⁱⁱ A/HRC/25/5, 186.103: Introduce policies oriented towards a better inclusion of all persons with disabilities in all areas of society, in particular children (Costa Rica)

^{iv} A/HRC/25/5, 186.76: Continue the efforts aimed at fighting against poverty and discrimination of the most vulnerable groups (Ecuador)

^v A/HRC/25/5, 186.81: Increase the number of institutions providing professional services for the upbringing and protection of orphans, protection of homeless children and the rehabilitation of children with disabilities (Kuwait)