

**CHRD Submission to the
Committee on the Rights of Persons with Disabilities
for Consideration for the List of Issues on the
Second and Third Combined Periodic Report of the People's Republic of China**

Date: December 20, 2019

CHRD suggests including the following questions in the CRPD List of Issues to for the Chinese government to answer as part of the CRPD's upcoming review process of China's implementation of the Convention on the Rights of Persons with Disabilities.

In China's State Report to CRPD, the statistics on persons with disabilities are not broken down by rural and urban categories and instead are reported together, therefore it is unclear the extent of medical coverage, employment promotion, vocational training, employment services, social assistance and subsidies, pension insurance and many other aspects in rural areas. According to Chinese government statistics, 75% of persons with disabilities live in rural areas.¹ Income inequality between China's rural and urban areas has been growing and that there are inequalities in government assistance, education, healthcare, and employment opportunities in rural and urban areas. As such, we have included several questions throughout our submission on this issue.

Articles 1-4

Purpose, Definitions, general principles, and general obligations

- How many of the 85 million persons with disabilities in China are registered with urban household registration status and how many with rural registration status?
- What percentage of persons with disabilities who have rural household registration status receive income support from the government? What types of income support are provided and at what amounts and frequency?
- What percentage of people living below the official poverty line in China are persons with disabilities?
- What percentage of persons with disabilities in China are members of ethnic minority groups? Please provide more detailed information on their current situation. (*China's State report did not mention ethnic minorities. In China's 2018 CERD Review, the government stated that although ethnic minorities only account for 8.4% for the population, they account for 1/3 of the people living in poverty. According to the China Disabled Persons Federation 2008 Facts and Progress on Disability in China, of the 30 million people in poverty, 80% were people with disabilities. These numbers suggest there may be a large number of ethnic minority persons with disabilities, but their situation was not mentioned by the government. In particular for the Uyghur and Turkic Muslim minorities in Xinjiang, which is currently targeted by the government's mass internment program, ethnic minorities with disabilities may also be subjected to enforced disappearances and arbitrary detention.*)

¹ National Bureau of Statistics, "Principle Statistics of China's 2nd National Sample Survey on Disabled Persons" (中国发布第二次全国残疾人抽样调查主要数据公报), May 28, 2007, http://www.gov.cn/jrzg/2007-05/28/content_628517.htm.

Article 5

Equality and non-discrimination

- What were the results of China's legislative study on "combating discrimination against persons with disabilities conducting during the 2016 to 2020 period?" What were the study's recommendations for how to refine China's legal definition of discrimination against persons with disabilities in order to implement the 2012 CRPD recommendations for the State to incorporate a legal definition of discrimination against persons with disabilities which includes the prohibition of indirect discrimination? (*See para 16 of the State Report*)
- What specific steps are being taken to revise the definition of persons with disabilities in the Law on the Protection of Disabled Persons (LPDP) to eliminate the medical model of disability?
- Please provide information on the number of cases related to disability-based discrimination (of any kind, including related to employment, education, training, public participation, etc.) and their conclusions for the period since the 2012 Concluding Observations.

Women with disabilities (art. 6)

- How many persons with disabilities in China are women? How many and what percentage of the total number of women with disabilities have urban household registration status and how many and what percentage of the total have rural registration status?
- Please provide detailed information on any concrete progress made in the reduction of the poverty of disabled women, including statistics (numbers and percentages) disaggregated for urban and rural areas.
- How many cases of disability-based discrimination have involved women?
- What percentage of persons with disabilities that received government assistance are women? What are the types, amounts and frequency of government assistance provided to women with disability, disaggregated for urban and rural areas?
- How many and what percentages of persons with disabilities living below the official poverty line are women, disaggregated for urban and rural areas?

Children with disabilities (art. 7)

- How many and what percentage of persons with disabilities in China are children? How many and what percentages have urban household registration status and rural registration status?
- How many cases of disability-based discrimination have involved children?
- What percentage of households with children with disabilities received government assistance, disaggregated to include numbers and percentages for rural and urban areas? What are the types, amounts and frequency of government assistance?
- How many households living below the official poverty line are households with children with disabilities?
- How many ethnic minority children with disabilities in Xinjiang have been placed in State-run child welfare institutions or boarding schools because their parents have been detained?
- What measures are being taken to increase the overall rate of school enrolment for children with disabilities at the compulsory-education stage? What is the percentage of children with disabilities who are currently in compulsory-education?
- How many children with disabilities received assistance from the "Care-Free Project" public-welfare insurance programme? Does the programme only exist in mountainous regions of Yunnan Province? (*See para 139 of the State Report*)
- What percentage of children with disabilities have access to government-supported health care programmes, disaggregated to include separate numbers and percentages for children with rural and urban household registration status?
- How many criminal cases involving abandonment of children with disabilities were prosecuted since 2012-2010? How many cases resulted in criminal convictions? What was the length of the

sentences for those convicted of abandonment of children with disabilities? (See *para 140 of the State Report*)

Awareness raising (art. 8)

- What measures has the government taken to remove the medical model of disability from public discourse. Please be specific. (*Despite claims made in para. 25 of the State report, Chinese Government propaganda and Chinese law still uses concepts like “self-strengthening” (自强不息) or “helping the disabled” (助残) when trying to raise public awareness of disability.*)
- What measures did the government take to promote awareness amongst persons with disabilities, especially those living in rural areas, of their rights, specifically the right to receive minimum welfare subsidies and the right to attend school?
- What measures are in place to promote the positive image of persons with disabilities as independent citizens with full legal capacity among public service staff and the society?
- Please confirm reports of persons with disabilities and disability-rights NGO staff facing criminal persecution for their efforts to raise awareness of the legal rights of persons with disabilities. What steps has the government taken to ensure civil society and persons with disabilities can promote awareness-raising of the Convention, its provisions and rights, and legal rights awareness?

Accessibility (art. 9)

- How have central and local governments cooperated with independent civil society organizations to monitor the compliance with accessibility measures and monitoring and evaluating accessibility?
- Please confirm reports of persons with disabilities and disability rights NGOs facing police harassment for their efforts to promote accessibility measures and monitoring and evaluating accessibility. What steps, if any, has the central government taken to ensure local governments cooperate with and not hinder these NGO efforts?
- Has the Ministry of Housing and Urban Rural Development solicited the comments of independent civil society and the general public for its process to organize and compile standards to create accessible cities, counties, villages and towns as a part of the Thirteenth Five-Year Plan? (*See para 30 of the State Report*) Please clarify whether the process was only conducted by the government and Government Organized Non-Government Organizations (GONGOs), such as the China Disabled Persons' Federation (CDPF).
- How many investigations, if any, have been conducted in relation to failures to implement accessibility measures under the Regulations on the Construction of Barrier Free Environments (2012)? Has any group, individual or entity been held legally liable for violating the Regulations? What was the penalty? (*See para 32 of the State Report*)
- What specific measures have been taken to implement barrier-free construction in rural areas? What percentage of the total number of construction projects in rural areas in China are barrier-free constructions projects?
- Is there a national plan for rural areas, similar to the National Plan on New Urbanization (2014–2020), and, if yes, does such a plan have an accessibility component? (*See para 27 of the State Report*)

Right to life (art. 10)

- What was the number of cases involving child abduction in the years 2012-2016, and the numbers each year since 2016 after the introduction of the Ministry of Public Security platform for the periodic emergency issuance of information on missing children? How many times has the platform been activated? (*See para 34 of the State Report*)

- How many individuals were investigated and prosecuted in relation to the staged “mining accidents”? Please provide as detailed information as possible. *(See para 35 of the State Report)*
- Does the Action Plan to Combat Human Abduction and Trafficking in China (2013-2020) establish a nationwide data collection system to track trafficking in the country, as recommended by CEDAW? How many cases of abduction and trafficking of children with disabilities did public security forces investigate from 2013-2020? How many perpetrators were prosecuted? What, if any, is the outcome of criminal prosecution? *(See para 34 of the State Report)*
- What steps is the government taking to bring its legal definition of human trafficking into conformity with international standards and to criminalize facilitation of prostitution involving children younger than the age of 18?

Situation of risk and humanitarian emergencies (art. 11)

- How many persons with disabilities affected by natural disasters have been assisted through the national emergency-relief response since 2010, including the number of people provided with commensurate rehabilitation and psychological counselling services? If possible, please provide disaggregate numbers and percentages of urban and rural residents. *(See para 37 of the State Report)*
- Have disaster prevention and mitigation drills for persons with disabilities been conducted in all regions and provinces of China? How many persons with disabilities have participated? If possible, please provide disaggregate numbers and percentages of urban and rural residents. *(See para 38 of the State Report, which only referred to one drill in one school)*

Equal recognition before the law (art. 12)

- How many cases have been pursued for violations of the General Provisions of the Civil Law (2017) and the Mental Health Law (2012) regarding denial of equal legal status or informed consent of persons with disabilities? What were the results of the investigations and sanctions for the violators? *(See para 40-41 of the State Report)*
- Has the government adopted any measures to repeal the laws, policies and practices that permit guardianship and trusteeship for adults? Has the government taken any legislative steps to replace regimes of substituted decision-making with regimes of supported decision-making, which respects the person’s autonomy, will and preferences, in the exercise of one’s legal capacity? Does this extend to all rights, including the right to give and withdraw informed consent for medical treatment, give evidence in a court proceeding, choose one’s sexual partner, bear children, conduct one’s banking and financial affairs, etc? *(See para 39 of the State Report)*
- How has the government consulted with non-governmental organizations to prepare, legislate and implement a blueprint for a system of supported decision-making by persons with disabilities?

Access to justice (art. 13)

- What measures have been taken to ensure the independence of legal aid services for safeguarding the access to justice of persons with disabilities? Have such services been made available to rural residents or persons with rural household registration who live in cities? Please provide detailed information to demonstrate that the urban and rural residents enjoy the same accessibility to legal aid services. *(See para 46-48 of the State Report)*
- How many administrative lawsuits, public interest litigation cases, and appeals of administrative lawsuits and public interest litigation cases have been filed by persons with disabilities since the last CRPD review in 2012?
- Will the government review its procedural, civil and criminal laws in order to make mandatory the necessity to establish procedural accommodation for persons with disabilities who have communication difficulties to give evidence in court?

- Has the government undertaken any assessments regarding legal aid cases concerning persons with disabilities in various parts in China? If yes, please provide detailed information about how the assessments are conducted, what criteria are used, etc. (*See para 47 of the State Report*).
- Please provide a breakdown of the numbers and percentages of rural and urban residents with disabilities, who have received legal aid. (*See para 48 of the State Report*).

Liberty and security of the person (art. 14)

- How many investigations have been conducted into restrictions on personal freedom of persons with disabilities without their consent? Have government authorities conducted any investigation into allegations of forced commitment of human rights defenders or government critics to state-run psychiatric institutions? If yes, please provide concrete information about them, including the outcome of such investigation. (*See para 50 of the State Report*)
- How does the government monitor and assess the implementation of the Mental Health Law's 'voluntary' principle to ensure that an individual's guardian is not put under pressure by authorities to consent to involuntary commitment to psychiatric institutions, especially in cases involving human rights defenders, petitioners, and government critics? (*See para 50 of the State Report*)

Freedom from torture (art. 15)

- Which judicial or supervisory government body is accountable for monitoring and overseeing compulsory psychiatric treatment? Have any criminal investigations been conducted for violations of the Mental Health Law provisions, such as those requiring patients to be granted visitors and to be informed of their legal rights? How many criminal cases have been prosecuted for coerced treatment and physical abuse in the psychiatric hospitals or mental health facilities? (*See para 54 of the State Report*)
- What body monitors and supervises the provision on written consent of persons with disabilities of the Mental Health Law (2012), and does it have power to bring legal or administrative sanctions for violations of this provision? How many investigations have been conducted and how many sanctions? (*See para 54 of the State Report*)
- The Committee Against Torture noted in its 2015 Concluding Observations, "Notwithstanding the numerous legal and administrative provisions prohibiting the use of torture, the Committee remains seriously concerned over consistent reports indicating that the practice of torture and ill-treatment is still deeply entrenched in the criminal justice system, which overly relies on confessions as the basis for convictions." Please provide detailed information on and the numbers of criminal cases involving accusation of torture of persons with disabilities, from 2012-2019, the outcome of any investigation and prosecution, and the nature of the punishments.

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

- How many administrative, criminal, or civil lawsuits or complaints have been filed regarding abuse and mistreatment of persons with disabilities?
- Please provide data on the any criminal investigation of case involving exploitation, abuse and violence against persons with disabilities, disaggregated for population groups with urban and rural household registration status.
- Does the government keep statistics on the number of visits conducted by public security organs regarding reports of about domestic violence concerning a person with disabilities, especially women and girls? If so, please provide the data and include the number of calls that do not result in the accused perpetrator being detained. What is the supervisory mechanism to ensure that police do not try to "educate" the abuser rather than pursue legal sanctions under the Anti-Domestic Violence Law? (*The victims, who are often financially reliant on the abusers, may not want to peruse a legal case.*)

- Are domestic violence shelters available with facilities and social workers to support persons with disabilities?
- What measures has the State taken to end the “endless loop” facing people with disabilities who suffer from domestic violence? Please provide detailed information about any specific cases where domestic violence victims with disabilities have successfully filed lawsuits to bring their alleged abusers to court?²
- What steps are being taken to amend the Anti-Domestic Violence Law to include in the definition of domestic violence such acts commonly faced by persons with disabilities, such as sexual exploitation, economic deprivation or property control, violence by long-term caregivers and/or in long-stay service agencies?³ (*Article 2, Anti-Domestic Violence Law: “Domestic violence as used in this Law refers to physical, psychological or other infractions between family members effected through the use of methods such as beatings, restraints, maiming, restrictions on physical liberty as well as recurrent verbal berating or intimidation.”*)
- The State said that Amendment (IX) to the Criminal Law (2015) additionally provided that persons responsible for guardianship and care of persons with disabilities must be subject to criminal liability for maltreatment of persons with disabilities if the circumstances of such maltreatment are aggravated. Please clearly define what circumstances constitute “aggravated” maltreatment.

Liberty of movement and nationality (art. 18)

- According to the State report, “No household registration has been denied on the grounds of disability.” (*para 60, State report*) Please provide the number of persons with disabilities who have been denied household registration because they were born outside official “quota” under the government’s family planning laws or born out outside marriage.
- When will the government abolish the rural-urban segregation system of household registration and ensure all children are registered at birth? (*See para 60 of the State Report. This issue wasn’t raised in the 2012 COB, but the household registration system is a major systematic cause of inequality between rural and urban residents in their access to services.*)

Right to live independently and live in the community (art. 19)

- Please describe in detail what are the “community rehabilitation services” (*To get more information about para 63 of the State Report.*) Are they run or funded by the State? Are they accessible by disabled persons with urban and rural household registration status alike? How many such services are there in 2019, how many of them are located in rural areas?
- According to the State Report, “The Implementation Plan for Capacity Building of Comprehensive Services for People with Disabilities at the Grassroots Level during the Thirteenth Five Year Plan (2016–2020)” (*para 65, State report*) explicitly requires qualified communities to actively conduct pilot projects related to independent living centres for people with disabilities. Please provide a clear definition of “qualified communities” and details of these “independent living centres.” Please clarify what exactly “grassroots level” refer to, whether rural villages are included, and how many and which rural villages have begun pilot projects for independent living centers.

² The “endless loop” means that the legal representative of the person with disabilities (parent, spouse, etc.) is the perpetrator, but no other close relatives can file the case on behalf of the victim. Sometimes, the person with disabilities cannot be brought to court directly for various reasons. Under such circumstances, it is difficult for state authorities to intervene to stop domestic violence. Even if the person with disabilities escapes a violent domestic situation, he/she will be found and returned to his/her violent guardian.

³ Person with Disabilities Perspective and Recommendations on “Anti-Domestic Violence Law (draft)” (残障权利视角下《反家庭暴力法(草案)》的意见和建议), December 24, 2014, <http://www.chinadevelopmentbrief.org.cn/news-17023.html>

- For disabled persons unable to care for themselves, who have rural household registration status and live in rural villages, what supports does the government provide them or their families? How many such persons are cared for in institutions in rural areas? What support does the government provide to such institutions? What measures are in place to ensure the integration of persons with disabilities in the communities in rural areas?

Personal mobility (art. 20)

- Around 35 percent of China’s rural poor population are persons with disabilities.⁴ Of the more than 6 million assistive devices for persons with disabilities, which the government said it provided from 2011 to 2015 (*para 69, State Report*), how many were provided to rural residents?

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

- There are reports of rights activists with disabilities and disability rights advocates being detained. There are also reports of information about rights-based activism conducted by persons with disabilities or by disability rights organisations or activists being censored and deleted from social media platforms. What measures are in place to protect the free expression of persons with disabilities and disability rights advocates? Does the government have a timeline to uncensor information pertaining to the Convention and allow free access to the OHCHR website?

Respect for Privacy (art. 22)

- Please provide detailed information about China’s genetic information collection programs, about the type of genetic information the programs collect from persons with disabilities, and the number of persons with disabilities from whom genetic information has been collected since 2012.
- How many ethnic Uyghurs and Turkic Muslims with disabilities are held in the so-called “vocation and training” internment camps in Xinjiang? What type of biometric data have been collected from them in the government’s free mass collection programs called “Physical For All”?⁵

Respect for home and the family (Art. 23)

- How many criminal cases involving violations of Population and Family Planning Law (2015) provisions on reproductive autonomy were prosecuted and criminal sanctions handed down in Chinese courts since 2015? Please provide the number of cases investigated for forced sterilization and abortion involving persons with disabilities and information on the outcome of the investigations. (*To get more information about para 83 (aka para 59) of the State Report*)

Education (art. 24)

- What is the breakdown of the rural and urban household registration status of the 30,000 children with disabilities in kindergarten, who were said to have received early-childhood financial aid in 2016? (*See para 85 of the State Report*)
- Are children & adolescents with disabilities living in rural areas eligible for the lottery-based public-welfare student-assistance program? What percentage of children & adolescents who have received such assistance live in rural areas or have rural household registration status? (*See para 85 of the State Report*)

⁴ “According to the State Council Leading Group Office of Poverty Alleviation and Development, more than 20 million of the 55.75 million rural poor have a disability.” Report of the Special Rapporteur on extreme poverty and human rights on his mission to China, A/HRC/35/26/Add.2, March 28, 2017.

⁵ HRW, China: Minority Region Collects DNA from Millions, December 13, 2017, <https://www.hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions>.

- Please provide the disaggregated numbers of school age children and adolescents with disabilities who receive compulsory education at 1) regular public schools, 2) “special (public) schools” and 3) “home delivery” teaching, in China, each year, from 2013-2017. (*See para 86 of the State Report; covering the period from the last review to the last year covered in the State report.*)
- Describe the processes through which the Ministry of Education solicited and incorporated the opinions and recommendations from persons with disabilities, including from sources other than the CDPF, when it drafted learning standards for students with disabilities in compulsory education. (*See para 87 of the State Report*)
- How many teachers with special-education major certificates are currently employed in public schools in townships below the county level and in rural villages? (*See para 90 of the State Report*)

Right to health (art. 25)

- Please specify exactly what are included in “the 14 basic public health services” that are provided “free of charge.” Which of these services are equally accessible to persons with disabilities in urban and rural areas? Please provide information on the annual State financial subsidies for basic public-health services in rural areas and in urban areas? (*See para 92 of the State Report*)
- Please provide more information on the “nursing subsidy system” referred to in para 93 of the State report? How much is the subsidy, who is eligible and what are the breakdown numbers of recipients by rural and urban household registration status?
- What percentage of the annual national basic medical insurance payments, from 2013-2017, goes to persons with disabilities who live in townships below the county level or in rural areas? (*covering the period from the last review to the last year covered in the State report.*)
- If an individual arrives at a hospital and is medically determined to have a disability but for whatever reason has not received a Disability Certificate from the Government, are they still eligible for medical treatment and insurance subsidy provided by the Government to persons with disabilities?
- Is genetic testing included in disability prevention programs, including the thalassemia screening services mentioned in the State report? Of those 978,000 couples who were provided thalassemia screening, how many decided not to have children? (*This question relates to para 94 of the State report mentioning thalassemia screening services in order to understand if couples who go through the screening and have a gene for thalassemia are free from State interference to have children.*)

Rehabilitation and habilitation (art. 26)

- Please provide a breakdown in the numbers of rural and urban residents among the 8.547 million children with disabilities and holders of Disability Certificates, who are said to have received basic rehabilitation services in 2017. Please provide the locations of these rehabilitation services, specifying whether they are in urban cities or rural villages. (*See para 98 of the State Report*)
- The State’s report says the Regulations on Disability Prevention and Rehabilitation for Persons with Disabilities require that the “opinions” of persons with disabilities and their families be “fully heard and respected.” Please describe the process in which the opinions of persons with disabilities and their families are collected and considered by authorities. What measures has the government taken to prevent families from overriding the wishes of the persons with disabilities? (*See para 99 of the State Report*)
- Please describe the nature of the organizations that provide the rehabilitation service for the disabled. Which department of the government below the county level or in rural villages supervise or administer such services?

Work and employment (art. 27)

- Please provide details of the types of jobs created in 2017 for urban and rural Disability Certificates holders as described in para 101 of the State Report.
- Please provide data, disaggregated by gender, on the employment or unemployment rates of persons with disabilities and persons without disabilities in China (*See para 103 of the State Report*).
- Please specify the criteria used by the government in deciding whether a person with disabilities in rural areas is employed or unemployed. If no official criteria are available, what criteria were used? (*According to Chinese disability rights activists, 'People with disabilities living in rural areas, who make up over 75% of all people with disabilities in China, are regarded as being in employment if they have the ability to work on the land not if they actually have a job.'*)
- What type of vocational training is conducted at the CDPF's 500 vocational training bases referred to in para 106 of the State report? How many of these training bases are location in rural areas? What percentage of the 625,000 persons trained in 2017 hold rural household registrations or live in rural villages? Of the nearly 3,000 employment-services organs for persons with disabilities referred to in para 107 of the State Report, how many are located in rural areas?
- According to one research report (Cornell, p. 9)⁶, in 2017 only 28% of those holding Disability Certificates in the entire country were employed. Please provide the most current official figures for the percentage of persons with disabilities who are employed and the number for the past five years.
- According to the same report (Cornell, p.13), only 0.3% of China's total urban employment include persons with a disability, which falls far short of the mandated 1.5%. How many investigations have been opened into violations of the quota system from 2013-2017 and please provide the number of organizations fined, and the amount of fine levied? (*The legally-mandated quota system was introduced in the 1980s on all private and public sector organizations with a workforce of over 30 persons operating for over 3 years. It requires 1.5% of the workplace must be persons with disabilities, otherwise the firm must pay a penalty into the Disabled Employment Security Fund (DESF), managed by the CDPF.*)
- What percentage of people holding Disability Certificates are employed outside of their homes and special employment programs (including "flexible" employment and the "supported employment" system)? (*See para 103 of the State Report*).
- Please describe in detail the "supported employment" system referred to in para 103 of the State report. What support does such a system provide to employed persons with disability?
- What are the legal sanctions for employers who violate the Regulations on Work-Related Injury Insurance? What are the monitoring and compliance procedures to ensure workplace-injury insurance is provided to workers and compensation is paid? (*See para 108 of the State Report*). Is pneumoconiosis (silicosis) regarded as work-related disability in China? (*According to an estimate from one Chinese NGO, roughly six million Chinese workers, mostly migrant laborers from rural villages, have become sick with pneumoconiosis due to workplace conditions, and can no longer work, have lost their jobs, have no medical insurance or pension support, and have received little compensation.*)
- Please provide data on cases filed by the government of employment discrimination on the basis of disability. Does the Law on the Protection of Disabled Persons and the Employment Promotion Law stipulate that denial of reasonable accommodation at workplace constitute a form of discrimination? If it does, how does an employee file a lawsuit under this provision? If not, what steps are taken to review and revise the laws?

⁶ Disability in the Workplace in China: Situation Assessment, by Anke Schrader and Susanne M. Bruyere, et al., jointly conducted with the K. Lisa Yang and Hock E. Tan Institute on Employment and Disability (YTI), Cornell University, ILR School, December 2018, available at The Conference Board, http://pages.conference-board.org/rs/225-WBZ-025/images/CC035_12-03_Labor_Disability%20in%20the%20Workplace%20in%20China%20-%20Situation%20Assessment%20vF.pdf

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

- How does the State determine the eligibility of persons with disabilities for the medical-care assistance and subsidies for participating in basic medical insurance, which are offered to people living below the poverty-line (*as referred to in para 111 of the State report*)? Please provide additional data, disaggregated by gender, age, geographical location, types of urban or rural household registration, on persons with disabilities who live in “qualified disability families” (*para 111 of the State report*). How much medical-care assistance is provided, on average, per person, per year? What percentage of annual medical-care payment does it cover?
- Of the 20 billion Chinese dollar (yuan) allocated to the comprehensive living-subsidy system for persons with disabilities in 2017 (*para 112 of the State report*) and a nursing-care subsidy system for persons with severe disabilities, how much was allocated to such systems in rural areas for disabled persons with rural household registration?
- Please provide detailed information on any progress made in alleviating poverty of ethnic minority members with disability.
- Please explain in detail how resources are allocated to rural areas to ensure people who are really in need can get support. Please provide specific steps/plans to combat corruption in allocating such resources.
- Of the numbers included in the State report (*para 114*) on housing, how many of the 580,000 persons with disabilities who were said to be provided the public rental housing in 2017 are rural residents or have rural household registration status?

Participation in political and public life (art. 29)

- The State report (*para 121*) claims that “all Chinese citizens over the age of 18 have equal rights to vote and stand for election.” But an “election” is only held at the basic level of government and village or neighbourhood organizations and Chinese citizens cannot directly elect the national leadership. Nonetheless, the Election Law, amended in 2015, retained the provision in Article 26 that grants election committees the authority to refuse to include citizens with “mental illness and are incapable of exercising their electoral rights” on the electoral roll. What criteria do election committees across the country use to make this determination? How can such a decision be challenged in court?
- How many deputies at the People’s Congress and People’s Political Consultative Conference are persons with disabilities, disaggregated by national, provincial, municipal, and county levels? (*See para 115 of the State Report, which did not differentiate between the numbers of persons with disabilities and “their relatives and friends, and persons working with persons with disabilities”*).
- How many or what percentage of the village committees and village Party committees have members who are persons with disabilities?
- How many civil servants are persons with disabilities? What percentage of the overall number of civil servants are persons with disabilities? (*To push the State to give more concrete information than what was provide in para 117 of the State Report*)
- Describe the systems and exact processes through which persons with disabilities can participate in drafting the National Human Rights Action Plans and the Five-Year Plans.
- What percentage of employees at the national office of the CDPF and its local branches are persons with disabilities?

Statistics and data (art. 31)

- What steps has the government taken to de-classify as state secrets information and data pertaining to persons with disabilities (e.g. number of women forcibly sterilized or numbers of involuntary commitments to institutions)? Please provide these numbers to the Committee (*recommended in the 2012 COB but not addressed in the State Report*)

- How many persons with disabilities living below the county level and in rural areas have obtained the Disability Certification? (*See para 141 of the State Report*)
- How many people responded to the 2015 nationwide survey on the state of basic services for persons with disabilities? How many of them are rural residents? (*To get more information about the government's reply in para 142 of the State Report*)
- Is basic information on persons with disabilities collected below the county level? Is any information on persons with disabilities living below the county level included in the China Statistical Yearbook on the Work for Disabled Persons (published by CDPF) or the China Development Report and the China Social Statistical Yearbook? (*See para 143 of the State Report*)

International cooperation (art. 32)

- Have independent civil society organisations, other than CDPF (a GONGO), other GONGOs and state-run academic institutions, been consulted for the State report? How does the government ensure that any Chinese citizen who wishes to travel to participate in the review will not be subjected to reprisals?

National implementation and monitoring (art. 33)

- After the implementation of the Law on the Administration of Activities of Overseas NGOs in Mainland China, how many overseas NGOs working on issues related to the Convention have been allowed to register or approved for undertaking temporary activities by the police?
- Why have Chinese authorities charged three Changsha-based Chinese NGO staff members, whose work involved implementing the Convention, with the political crime “subversion of state power”?⁷
- What steps has the government taken to establish an independent national monitoring mechanism in line with article 33, paragraph 2, of the Convention?
- What measures are taken to diversify the range of disabled persons organizations with which the State engages in consultation and cooperation, and to move beyond unique consultation with the GONGO – CDPF – and its branches?

⁷ More information on case: <https://www.nchrd.org/2019/10/communique-on-cheng-yuan-liu-dazhi-wu-gejianxiong-september-19-2019/>