

SITUATIONAL ANALYSIS OF THE RIGHTS OF PERSONS WITH DISABILITIES

CHINA



COUNTRY BRIEF

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APRIL 2024

DISCLAIMER

This brief was prepared by the Technical Secretariat. It summarizes the key findings from the situational analysis report prepared by the UN Country Team in China and does not necessarily reflect the position of the UNPRPD MPTF.

CONTENTS

1. Background	2
2. Why a country analysis?	3
3. Introduction to disability context in China	4
4. Findings	5
4.1 Stakeholder coordination mechanisms	5
4.2 Preconditions for disability inclusion	8
4.3 Cross-cutting approaches: Participation, gender, inequalities	13
4.4 Disability inclusion in broader development, humanitarian and emergency contexts	14
5. Conclusions	15

ACRONYMS AND ABBREVIATIONS

CDPF	China Disabled Persons' Federation
CNY	Chinese Yuan
CRPD	Convention on the Rights of Persons with Disabilities
CSR	Corporate social responsibility
CSOs	Civil Society Organizations
DEI	Diversity, equity and inclusion
DPFs	Disabled Persons Federations
DRR	Disaster risk reduction
ESG	Environmental and Social Governance
ILO	International Labour Organization
INGOs	International non-government organizations
LPPD	Law on the Protection of Disabled Persons
OHCHR	Office of the United Nations High Commissioner for Human Rights
OPDs	Organizations of persons with disabilities
SDGs	Sustainable Development Goals
SRHR	Sexual and reproductive health and rights
UN	United Nations
UNCT	United Nations Country Team
UNDP	United Nations Development Programme
UNESCO	The United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNICEF	United Nations International Children's Fund
UNPRPD	United Nations Partnership on the Rights of Persons with Disabilities
UNRCO	UN Resident Coordinator
UNSDCF	United Nations Sustainable Development Cooperation Framework
UNTGD	UN Thematic Group on Disability
UN Women	The United Nations Entity for Gender Equality and the Empowerment of Women
WHO	World Health Organization

1

BACKGROUND

The United Nations Partnership on the Rights of Persons with Disabilities Multi-Partner Trust Fund (UNPRPD MPTF) is a unique partnership that brings together United Nations (UN) entities, governments, organizations of persons with disabilities (OPDs) and broader civil society to advance the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) and disability-inclusive Sustainable Development Goals (SDGs) at the country level around the world.

The UN entities participating in UNPRPD are ILO, OHCHR, UNDESA, UNDP, UNESCO, UNICEF, UNFPA, UN Women and WHO. Other UNPRPD members include the International Disability Alliance and the International Disability and Development Consortium. The main contributors to the UNPRPD MPTF are Australia, Finland, Norway, Sweden and the United Kingdom.

In 2020, with the Strategic and Operational Framework 2020-2025, UNPRPD adopted a new programme design approach. The Framework moves towards proactive, results-oriented joint programming to drive implementation of the CRPD and disability-inclusive SDGs.

In the same year, the UNPRPD launched its fourth funding call and invited UN Country Teams (UNCTs) to submit proposals for joint country-level programmes with the objectives of advancing CRPD implementation and improving the implementation of disability-inclusive SDGs. The selected teams were then allocated an initial budget to deliver an induction training, conduct a country situational analysis and complete a full joint programme proposal based on the findings of the situational analysis.

From March to June 2023, the UNCT in China conducted the comprehensive situational analysis. The methodology included a desk review of relevant literature, key informant interviews and focus groups, stakeholder mapping exercises, and consultative workshops with key stakeholders.

This brief provides a summary of the key gaps and opportunities presented in the full report. The full situational analysis report with additional background and context can be found on the UNPRPD website.

2 WHY A COUNTRY ANALYSIS?



Many countries still struggle to transform the CRPD into concrete policies, systems, programmes and services that uphold the rights of persons with disabilities. It is urgent that governments and their implementation partners deliver on their SDG commitments through CRPD-compliant interventions. To support countries in the most catalytic way requires understanding the main bottlenecks and priorities in each country in relation to the fulfilment of the CRPD. We needed to know who the key stakeholders are, how implementation/monitoring mechanisms are functioning (or not), which capacities stakeholders may need to improve, and which ongoing development processes could be leveraged to become more disability inclusive.

The situational analysis was designed to:

- Inform the design of future PRPD funded programmes in the country and serve as a baseline for these programmes;
- Inform UNCTs of gaps in terms of disability inclusion in ongoing national processes and programmes and recommend further, in-depth analysis where needed;
- Build a base of mutual understanding and working relationships among UN entities, government, OPDs and other civil society organizations (CSOs), as well as the private sector and academia, as the basis for future co-design of joint programmes;
- Strengthen the capacity of those stakeholders to include and address the rights of persons with disabilities as outlined in the CRPD; and,
- Serve as an advocacy tool for OPDs and other civil society partners, both national and international.

3

INTRODUCTION TO DISABILITY CONTEXT IN CHINA

 Population	1.412 BILLION
 Disability Prevalance	6%

Officially, China is home to 85 million persons with disabilities, roughly 6% of the total population. The most recent national survey on disability (2006) found that 17.8% of households in China had family members with disabilities. 75.04% of persons with disabilities resided in rural areas, 53.24% were above 60 years old, and 51.55% were men. China’s Law on the Protection of Disabled Persons (LPPD) defines a person with disabilities as “one who has abnormalities of loss of a certain organ or function, psychologically or physiologically, or in anatomical structure and has lost wholly or in part the ability to perform an activity in the way considered normal.” Based on this definition, seven categories of disability are certified, including visual disabilities, hearing disabilities, physical disabilities, speech disabilities, intellectual disabilities, psychiatric disabilities, and multiple disabilities, with four grades under each category. By 2021, 38 million persons with disabilities held a disability certificate, among whom 22 million were men, and 30.1 million were registered as rural residents. Among the disability certificate holders, 18.7% were illiterate, 40.3% received primary education, and 30.3% went to middle school.

The China Disabled Persons Federation (CDPF), a semi-governmental mass organization with vice-ministry level status, was founded in 1988, marking significant national commitment to disability issues. The CDPF’s mission is to “represent, serve, and manage” persons with disabilities across China. By 2018, a total of 42,000 disabled persons’ federations (DPFs) had been set up at all administrative levels, with about 90,000 full-time workers and 400,000 part-time staff members. Shortly after the establishment of the CDPF, the LPPD was promulgated in 1990. Among the first countries to sign the CRPD, China ratified the CRPD in 2008. Under Article 35 of the CRPD, China has completed its first periodic report in 2012, and second and third combined in 2018. The latest review sessions of the State party reports by the Committee on the Rights of Persons with Disabilities were concluded in 2022.

4 FINDINGS

4.1 Stakeholder coordination mechanisms

The key stakeholders responsible for implementing and monitoring the CRPD are highlighted below. A comprehensive analysis of stakeholders is included in the full report.

- 1 Equality and non-discrimination
- 2 Accessibility
- 3 Inclusive service delivery
- 4 CRPD-compliant budgeting and financial management
- 5 Accountability and governance

GOVERNMENT AND ITS COORDINATION MECHANISMS

Lead ministries in ensuring the rights of persons with disabilities include the Ministry of Civil Affairs, Ministry of Education, Ministry of Human Resources and Social Security, and the National Health Commission, which, together with the China Disabled Persons' Federation (CDPF), form the core of the State Council Committee on Disabled Persons' Work. Other important government stakeholders include National Bureau of Statistics, the Supreme People's Court, and the Supreme People's Procuratorate. As with SDGs, in 2016, China established an inter-ministerial coordination mechanism involving 45 government departments for SDG implementation, assigning the 17 goals and 169 targets to different departments according to their administrative responsibilities.

The CDPF functions as the de facto whole-of-government disability focal point. It is a semi-governmental umbrella mass organization funded by the Chinese government to represent, serve, and supervise disability related affairs. Established in 1988, it now has a nationwide network of local branches across China, with about 90,000 full-time workers and 400,000 part-time staff members. By 2018, a total of 42,000 DPFs had been set up across the nation.

The Committee on Disabled Persons' Work at all levels consist of ministry-specific disability focal points within government. At the State Council level, it is formed by focal points from 34 ministries, departments and organizations to coordinate the formulation and implementation of policies and programs in relation to persons with disabilities and address major disability-related issues. The Committee is also responsible for coordinating major UN activities regarding disability affairs in China, including promoting the implementation of the CRPD. The Committee's Secretariat is held by the CDPF's General Office. At the local levels, the working committees mirror the same structure, usually chaired by the deputy head of the same level government, with focal points from various departments.

Official Associations: Under the supervision of the CDPF, there are five specialized national associations representing the interests of people with various types of disabilities: 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. The five associations and its local branches operate as internal parts of the CDPF and its branches. By 2018, there were a total of 16,000 branches of these associations at provincial, municipal, and county levels. In recent years, reform efforts have been made to register special associations as separate legal entities from the DPFs to enhance the professionalization of the associations. Other state-affiliated mass organizations also play a role in domain-specific disability issues, such as All China Women's Federation, China Internet Society, and China Family Planning Association.

ORGANISATIONS OF PERSONS WITH DISABILITIES (OPDS)

The actual number of OPDs in China is unavailable and should be addressed by future research. Current estimations range from roughly 150 OPDs across China, to only a handful of OPDs with continuous programs and staff, according to OPD informants consulted. Representative OPDs include, but are not limited to:

Cross-disability OPDs: Cross-disability OPDs are among the most active at the national level. They pursue a diverse range of advocacy and service goals, including independent living, awareness raising of the CRPD, diverse employment (e.g. One Plus One Disability Group); public education on disability and gender equality (e.g. Beijing Enable Sister Center); inclusive education, and accessibility (e.g. Minority Voices).

Impairment-based OPDs: In addition to cross-disability OPDs, many organizations serving communities of people with specific kinds of impairments are also active. These include organizations by and for people with physical impairments (e.g. Beijing New Start Foundation), deaf and/or people with hearing impairments (e.g. ProSigner, Know Deaf), people with visual impairments (e.g. Golden Cane), people with rare diseases (e.g. Illness Challenge Foundation), people with cerebral palsy (e.g. Angel House), and people on the autism spectrum (e.g. Mutual Support for Asperger's).

OPDs in China tend to concentrate in urban areas, leaving a significant gap in smaller cities and rural areas. Many OPDs take the form of unregistered, online virtual groups, or small self-help groups, and very few have more than five full-time staff. Among existing OPDs, persons with intellectual disabilities, people with psychosocial disabilities, elderly people with disabilities, persons with disabilities living in rural areas, people with multiple impairments, and Lesbian, gay, bisexual, transgender and intersex persons with disabilities are underrepresented. For persons with intellectual or psychosocial disabilities, self-advocacy groups are still rare. Most of their representative groups are led by parents.

In China, many parent groups self-identify as OPDs. Unlike other CSOs, they face similar barriers as OPDs, and are currently the main advocates for persons with intellectual and psychosocial disabilities. One Foundation, through their parent support programs, estimated that there were 162 parent organizations across China, mostly concentrated in capitals and first-tier cities. In 2014, 17 parent groups and organizations across China formed a voluntary national network called Inclusion China, and by 2017 the network expanded to 69 members. Another major network, Shenzhen Autism Society, for instance, has 116 member organizations as of 2023. Total account of parent groups in China needs further research.

CIVIL SOCIETY ORGANISATIONS (CSOS)

Government-procured CSO service providers: Across China, many registered CSOs provide medical or vocational rehabilitation, day care, social work, assistive technology, and other services for persons with disabilities in local communities. As of June 2020, China had more than 7,800 officially registered social organizations that provides service and support in the disability field.¹ OPD informants of this report note that most of these CSOs for persons with disabilities do not have staff with disabilities.

Philanthropic Foundations: According to a recent OPD report, 2,363 philanthropic foundations had disability-related components in their programs, 27.59% of the total number of foundations in China. Between 2016 and 2020, funding for disability programs in disability-related foundations increased from CNY 5.58 billion to CNY 11.5 billion. Most of these foundations concentrate in East and Southwest China, with a focus on persons with physical disabilities, prioritizing rehabilitation and assistive technology.

International NGOs (INGOs): Currently, only a handful INGOs are still working on disability issues in China, including Humanity & Inclusion (formerly known as Handicap International), which works on emergency relief, access to education and employment, sexual and reproductive health, gender-based violence against women and girls with disabilities, and social inclusion; Save the Children, which focuses on inclusive education for children with disabilities; as well as the Asia Foundation, Special Olympics East Asia, Kadoorie Charitable Foundation, Marie Stopes International, and the Ford Foundation.

UN AGENCIES

As a result of the UNPRPD Programme (2014-2020), the UNCT in China formed and institutionalized the UN Theme Group on Disability (UNTGD), a multi-stakeholder platform composing of over 100 key stakeholders for open dialogue and advocacy on the needs and rights of persons with disabilities in China.

The UNTGD is positioned to support the effective implementation of UN's collective commitments and actions in the new UN Sustainable Development Cooperation Framework (UNSDCF), and to strengthen the UN's accountability towards disability. The UNRCO and all UN agencies have respectively assigned a disability focal point as UNTGD member. The following agencies are especially engaging in advancing the rights of persons with disabilities:

- UNESCO: inclusive education, information accessibility, promotion of disability inclusion through and in media and culture, media and information as well as digital literacy
- UNICEF: inclusive education, accessible and child-friendly environment, social protection for children with disabilities, public awareness raising and advocacy on disability inclusion.
- UNFPA: strengthen universal access to sexual and reproductive health and rights (SRHR) and Gender-based Violence information and services, and advocate disability data generation.
- UNDP: access to justice for persons with disabilities
- ILO: employment and decent work for persons with disabilities
- UN Women: Research on gender gaps between men with disabilities and women with disabilities and support the advocacy of the rights of women and girls with disabilities.

¹ Committee on the Rights of Persons with Disabilities. (2022). Replies of China to the list of issues in relation to its combined second and third periodic reports (CRPD/C/CHN/RQ/2-3).

OTHER STAKEHOLDERS

Academic institutions or think tanks play an important role in the sector, due to their access to policy making channels. However, not all academics are aligned with the CRPD. OPDs are concerned that some academic institutions regard disability as an object of research but do not meaningfully engage OPDs, displacing rather than amplifying the voices of persons with disabilities.

Private sector is increasingly active in disability inclusion, due to shifting funding structure for OPDs/CSOs, domestic policy incentives for disability-inclusive employment and services, and global corporate cultural change towards Environmental, Social and Governance (ESG), diversity, equity, and inclusion (DEI), and corporate social responsibility (CSR). However, balancing the interests of business clients and the disability community is a challenge, which needs to involve different stakeholders, including government, disability advocates, and businesses themselves.

SUMMARY OF STAKEHOLDER COORDINATION ANALYSIS

The current coordination mechanism for disability-related actions in China is dominated by the CDPF and its local networks. However, this mechanism tends to pigeon-hole disability as the responsibility of the CDPF and lacks support from mainstream ministries. Coordination mechanisms between the government and other disability organizations are inconsistent, with limited opportunities for independent organizations to engage with the government. The power imbalance between the government and disability organizations makes meaningful dialogue difficult. Resource mobilization and low awareness of the social model of disability are identified as capacity gaps.

4.2 Preconditions for disability inclusion

A critical new element of the UNPRPD strategy is its focus on the essential preconditions for disability inclusion to advance the CRPD. These preconditions must be met to address the requirements of persons with disabilities across all sectors. The following findings focus on the preconditions.

EQUALITY AND NON-DISCRIMINATION

China has ratified the CRPD and has several laws and regulations related to disability rights, but significant gaps still exist compared to the CRPD's standards. A crucial gap exists between the definitions of disability in the LPPD and CRPD, resulting in different approaches to addressing disability-related issues.

China has made efforts to align its laws with the CRPD, including prohibiting disability discrimination. However, there are still barriers to equity, such as policies that don't fully align with the social model of disability and limited legal guarantees for anti-discrimination and reasonable accommodations. In addition, there are issues with violence prevention, supported decision-making, access to justice, and political participation for persons with disabilities. The most fundamental barrier is the social prejudice and discrimination against persons with disabilities.

The latest five-year plan in China focuses on livelihood and employment, social protection, and basic public services for persons with disabilities.

Key findings

China has more than 80 laws and 50 administrative regulations directly related to the interests of persons with disabilities and has regularly updated its national strategy for disability since 1991. Translating these commitments into better inclusion requires efforts to better align disability-related policies and laws with the social model of disability, meaningfully engage OPDs independent from the state in decision making, and fully implement accessibility, reasonable accommodations, and anti-discrimination provisions. Culturally, the charity or medical model of disability remains dominant in public attitudes.

INCLUSIVE SERVICE DELIVERY

Disability assessment and referral services

The current disability determination system in China does not align with international models, as it does not consider social and environmental factors or temporary impairments. Only 44.7% of the estimated 85 million persons with disabilities hold a disability certificate, with men making up 57.8% of certificate holders. Those who do not have a certificate are excluded from accessing government support and services. The low certificate holding rate is due to stigma, lack of information, and inaccessibility of the determination system.

Disability support services

Disability support services, including social protection, nursing care, rehabilitation, education, vocational training, and employment services, are mainly funded by the government and delivered through various providers. The number of service providers relative to certificate holders is unknown, but there are commissioners at the county, village, and community levels responsible for coordination and support. Rehabilitation services are mainly provided by the health system, the DPF, and civil society organisations, with priority given to children aged 0-6. As of 2017, 65.6% of persons with disabilities had access to rehabilitation services.

In recent years, China has made progress in expanding rehabilitation services for persons with disabilities, focusing on community-based rehabilitation and the provision of assistive technologies. However, there are still gaps in obtaining affordable and customized assistive devices. Care services for persons with disabilities include home-based care, day care, and residential care, but the responsibility mostly falls on family members.

Mainstream services

a. Social protection

China has a social protection system for persons with disabilities, which includes welfare subsidies, social insurance subsidies, and special assistance. The country has achieved wide coverage of social protection, but economic marginalization of persons with disabilities still persists. The lowest-income households receive a relatively low average income from social protection.

b. Health and SRHR

Disability is seen as a target for prevention and clinical rehabilitation in China's health policies, with a focus on accessibility and medical services for people with disabilities. However, access to general healthcare is uneven, with high rates of unmet healthcare needs among persons with disabilities, particularly those with multiple disabilities and children. Disaggregated health data for persons with disabilities are not readily available.

People with disabilities, particularly women and young persons, face additional barriers in accessing sexual and reproductive healthcare. They are at higher risk of sexual violence, forced abortion, contraception, and sterilization, yet have limited access to information and services. A study in China found that less than 20% of young persons with disabilities reported having counselling, referral services, or free contraceptives in their schools or communities. There are disparities in healthcare access for people with disabilities, especially in prenatal care and delivery services, with rural areas and poor households being most affected. Efforts from organizations like UNESCO, UNFPA, Marie Stopes International, and Youren Foundation have provided comprehensive sexuality education for persons with disabilities. There are policy initiatives in place in China, such as the Anti-Domestic Violence Law, the Healthy China 2030 Plan, and the China Reproductive Health Strategic Framework, that aim to protect the sexual and reproductive health rights of persons with disabilities and provide more inclusive services.

c. Education

China has made efforts to ensure access to education for persons with disabilities, with a current enrolment rate of over 95% in compulsory education. Inclusive education is prioritized according to the revised Regulations on the Education of Persons with Disabilities, emphasizing anti-discrimination and the general education approach. The number of students with disabilities at regular schools in China has increased from 239,000 in 2015 to 439,000 in 2020.

In practice, the country follows a “double-track approach” that promotes both special education and inclusive education. Challenges to inclusive education include large class sizes, lack of special education expertise among teachers, limited resources, and ableist attitudes. Access to education is still uneven, particularly in remote and rural areas. Students with disabilities have lower levels of education and less access to support services. Fewer students with disabilities receive post-compulsory education compared to students without disabilities. Vocational education for persons with disabilities is disproportionately located in large cities and lacks capacity. Higher education remains largely inaccessible to persons with disabilities.

Persons with disabilities face barriers such as low primary school enrolment rates, high dropout rates, stigma, inadequate support, and limited options in higher education. The Chinese government has introduced policies to improve employment opportunities for persons with disabilities, including the adoption of an employment quota scheme. However, the enforcement of this policy has been poor.

d. Employment

Many persons with disabilities in China face barriers to inclusive employment, with the majority ending up renting their certificates to private companies for income. The labour participation rate remains low for persons with disabilities, with the majority employed in agriculture, cultivation, or temporary/part-time jobs. Persons with intellectual disabilities are particularly marginalized in the job market. The funding scheme for disability employment also presents conflicts of interest. Systemic barriers to inclusive employment include inadequate access to education, lack of anti-discrimination laws, and a lack of disability-inclusive policies and role models.

The lack of inclusion and discriminatory attitudes towards persons with disabilities in employment, as well as the lack of accessibility and accommodations in the workplace, are significant challenges. However, the ILO’s Global Business and Disability Network (GBDN) China Chapter is making progress in promoting inclusive employment practices in the private sector. The government’s recent effort to promote public sector employment of persons with disabilities is also seen as an opportunity. In terms of access to justice, persons with disabilities face challenges such as limited legal knowledge, unaffordability of legal services, restricted legal capacity for those under guardianship, and lack of support in communication and information accessibility.

Among persons with disabilities working at state institutions, those with physical disabilities and less severe disabilities are preferred. In 2021, a policy guidance was issued by the CDPF and four other ministries and departments, requiring public sector employers to define physical exam requirements for candidates with disabilities and not base judgments on their health.

e. Justice

Women with disabilities face greater vulnerability to rights infringement and have limited access to justice. Social discrimination and prejudice hinder their ability to navigate the judicial system effectively and undermines their confidence. The report suggests that improving equal access to justice requires greater accessibility support and reasonable accommodations in the judicial process. In China, there are policies and laws to protect the political participation rights of people with disabilities, including facilitating voting in elections and providing Braille ballots. Mechanisms for participating in public and political life in China include voting, joining representative bodies, and working for state organs. However, there is no specific quota for persons with disabilities in these bodies. Challenges in achieving equal access to justice include the lack of reasonable accommodations in political processes, discriminatory attitudes, and limited access to equal education.

Key findings

Among 85 million officially estimated persons with disabilities, 38 million (44.7%) hold a disability certificate as of 2021. The task for service provision is daunting given the huge and diverse demands, and China has reached impressive coverage of services, especially in social protection and rehabilitation. To better align with the CRPD, the next step is to shift the focus from welfare provision to social inclusion, from special needs to inclusive services. This would require better rights awareness, accessibility, and reasonable accommodations in mainstream services, such as health, education, and employment; stronger support for caregiving instead of demanding family responsibilities; and more equitable allocation of resources for marginalized communities, such as persons with disabilities in rural areas, persons with severe or multiple disabilities, women with disabilities, and persons with intellectual or psychosocial disabilities.

ACCESSIBILITY

China has implemented various regulations, rules, and normative documents to promote accessibility. The main regulation is the Regulations on the Construction of Barrier-free Environments (2012), which sets construction standards for barrier-free facilities. China has also incorporated accessibility into national development plans and adopted national accessibility standards. China has ratified the Marrakesh Treaty to facilitate access to published works for persons with disabilities. Efforts have been made to modify the accessibility of internet applications, with over 800 government entities and 320 websites passing accessibility audits and adding accessibility features. China has also issued plans and standards for sign language and Braille. A draft Law on Construction of Barrier-Free Environments is being discussed, with some concerns about enforcement and accountability.

Despite increased policy commitment and investment, barriers in the built environment remain for persons with disabilities in China. A national survey conducted in 2017 showed that the overall coverage of barrier-free facilities in Chinese cities was only 40%. Existing facilities were often unavailable, occupied, under-maintained, and poorly designed. Lack of accessible facilities, information, transport, services, and negative attitudes were identified as the top barriers faced by persons with disabilities. The gaps in accessibility are particularly pronounced in rural areas.

The current accessibility situation in China is fragmented and uneven. The legislative system for information accessibility is incomplete and existing standards are encouraged rather than mandatory. There are gaps in sign language interpretation services, and policies prioritize speech therapy and hearing rehabilitation over sign language acquisition. Accessibility gaps include low public awareness, weak enforcement of laws and standards, and lack of participation of people with disabilities in designing and evaluating accessibility.

Key findings

China has issued more than 450 regulations, rules and normative documents on accessibility implementation and management. In recent years, campaigns are carried out to improve access to information. A further welcoming development is the new Law on Construction of Barrier-Free Environments, passed on June 28, 2023. The effects of these policies depend on strong enforcement, sufficient remedies, and the meaningful engagement of persons with disabilities in the design, monitoring, and evaluation of accessibility tools and rules, with considerations of diverse needs among marginalized communities, such as deaf people/persons with hearing impairments, persons with intellectual disabilities, and persons with psychosocial disabilities.

CRPD-COMPLIANT BUDGETING

The government allocated over CNY 180 billion from 2013 to 2017 for disability-related programs. In 2021, the national public budget expenditure on disability affairs was CNY 70.6 billion, accounting for 0.287% of the total national general public budget expenditure. The expenditures included subsidies, rehabilitation, employment, administrative costs, and other expenses. CNY 16.1 billion was spent on special education, amounting to 0.43% of total education expenditures. The 2017 Regulations on the Education of Persons with Disabilities state that a certain proportion of local government funds for compulsory education should be set aside for children and adolescents with disabilities, but the specific proportion is not specified.

Funding for education of persons with disabilities is primarily allocated to special schools, and inclusive education in regular schools lacks financial support. The Action Plan for Special Education Development aims to increase government expenditure on education for children with disabilities. However, there are issues with the disability employment security fund, which incentivizes employers to pay fines rather than hiring persons with disabilities. The distribution and expenditures of the fund lack transparency, and there are concerns about the reliability of data on disability.

Key findings

According to the Ministry of Finance, in 2021, the national public budget expenditure on disability affairs was CNY 70.6 billion, roughly 0.287% of the total national general public budget expenditure. Majority of the disability budget (43.3%) was spent on living and care subsidies. Inclusive services such as inclusive education and employment, as championed by the CRPD, need stronger financial support.

ACCOUNTABILITY AND GOVERNANCE

Inclusive evidence and data gathering systems

The lack of disaggregated data by disability in national statistical datasets is identified as a data gap. Informants suggest the need for updated accounting of persons with disabilities, including those without disability certificates, data on people who newly acquired disabilities, data on marginalized communities, inclusive education and employment data, language use among people with hearing impairments, economic impact of employment of persons with disabilities, and mainstream national data disaggregated by disability.

National accountability mechanisms

The effectiveness of the State Council Committee on Disabled Persons' Work in mainstreaming the CRPD across sectors and levels of government is questioned, and there is no independent mechanism to monitor the implementation of the CRPD. CSOs involved in CRPD reporting are generally specialized associations funded by the CDPF, and independent OPDs are underrepresented. China's disability-related policies and laws are not fully aligned with the social model of disability, and OPDs lack meaningful participation in policymaking. China's legal system lacks anti-discrimination frameworks and effective provisions for reasonable accommodations.

Key findings

The Committee on the Rights of Persons with Disabilities recommends an independent mechanism appointed to monitor the implementation of the CRPD. The CDPF regularly collects data from disability certificate holders and publishes annual updates in its key mandates. Yet, the data is covering only parts of the population with disabilities, and it is not specifically aligned with the definition of disability or priority areas of the CRPD or SDGs. Comprehensive data, disaggregated by disability, in mainstream statistical efforts need enhancement.

4.3 Cross-cutting approaches: Participation, gender, inequalities

The UNPRPD has adopted three cross-cutting approaches to be intrinsically applied across all of UNPRPD MPTF's work, including its structures, programmes, and processes to ensure full and meaningful participation of all persons with disabilities.



Participation:

Enabling full and effective participation of persons with disabilities



Inequalities:

Ensuring the inclusion of marginalized and underrepresented groups of persons with disabilities



Gender:

Addressing gender inequality and advancing the rights of women and girls with disabilities

PARTICIPATION

The CDPF and its networks, ministries, OPDs, parent groups, CSOs, development partners, academia, and private sector form a vibrant sector working on the issue of disability in China. The challenge is to strengthen meaningful coordination within the government, and between OPDs and different stakeholders, especially when the social model of disability is not yet the consensus, resulting in scattered resources devoted to divergent, sometimes opposing, directions.

OPDs independent from the government in China have limited involvement in policymaking and decision-making, according to consultations. Most laws and regulations related to disability do not include formal input from non-state affiliated OPDs. However, some independent OPDs have used informal channels to influence policy and lawmaking, such as collaborating with academics and key decision-makers. Formal mechanisms for participation are selective and accessed primarily by government-endorsed individuals with disabilities, who take a service-oriented approach rather than a rights-based one. Meaningful dialogues are challenging due to power imbalances and a lack of recognition of OPDs' leadership in disability inclusion. Improvement areas for OPDs' engagement with duty bearers include better knowledge of existing policies, access to official channels, coordination with policymakers and advocates, awareness of OPDs' expertise and capacity, and mechanisms that prioritize the voices of independent OPDs. Additionally, a significant proportion of certified persons with disabilities in China are considered to be under relative poverty, despite efforts to lift people with disabilities out of absolute poverty.

GENDER

Women with disabilities account for 49.33% of the total population with disabilities. Women face continued barriers in various aspects of life, including care, marriage, social life, reproductive health care, and employment opportunities. A survey revealed that 33% of women with disabilities were once told to discontinue their education, and 54.3% were unemployed. Many faced rejections for job opportunities due to their disability or gender. Those who were employed often did not receive support in terms of workplace accessibility or equal pay. Additionally, over half of the women reported a monthly income lower than CNY 2,000, and 36.3% experienced a loss of income due to COVID-19. The CDPF and various international organizations have called for actions to improve the standard of living, health, and education for women and girls with disabilities. In China's National Plan on Implementation of the 2030 Agenda for Sustainable Development, disability is explicitly mentioned in relation to quality education, decent work and economic growth, and reduced inequalities. The plan includes actions to improve preschool education funding, special education rights, and access to education for vulnerable groups, including children with disabilities.

INEQUALITIES

Voices of persons with disabilities and their representative groups, remain marginalized in the decision making, policy making, and humanitarian and development programming about disability. Among them, persons with disabilities in rural areas, persons with intellectual or psychosocial disabilities, and women with disabilities, are most disadvantaged.

4.4 Disability inclusion in broader development, humanitarian and emergency contexts

NATIONAL DEVELOPMENT PLANS

Disability is explicitly mentioned in China's National Plan on Implementation of the 2030 Agenda for Sustainable Development in relation to education, work, and reduced inequalities.

China has included various measures to improve education, employment, and economic inclusion for people with disabilities as part of their plans towards achieving the SDGs. Concrete achievements include increased enrolment rates for children with disabilities in compulsory education and increased employment opportunities for people with disabilities. However, China has not established an independent mechanism for monitoring the rights of persons with disabilities, and there is no specific evidence regarding the implementation of disability-related goals in China's Action Plan. The government has formal mechanisms in place to facilitate the participation of disabled people in policymaking and decision-making, but there is room for improvement in ensuring their representation and participation.

The UNSDCF 2021-2025 with China includes support for disability-related outcomes. Although other bilateral agencies and donors engage in disability rights, their focus is often on disability-specific issues rather than mainstreaming disability.

CLIMATE CHANGE, DISASTER RISK REDUCTION AND HUMANITARIAN ACTION

Climate change poses disproportionate health risks to vulnerable populations, including older people and those living in poverty, which significantly overlap with China's persons with disabilities. However, persons with disabilities are generally not included in climate change analyses, plans, and programs in China.

China's current laws and policies on disaster risk reduction (DRR) do not explicitly address the protection and inclusion of persons with disabilities. The Ministry of Emergency Management focuses more on preventing disability rather than providing disability-inclusive services. COVID-19 highlighted the lack of disability inclusivity in China's emergency response system, leading to policy recommendations for the protection of persons with disabilities and the strengthening of DRR services for them. Additionally, the civil code includes provisions for temporary caregiving services during emergencies, triggered by the tragic death of a teenager with cerebral palsy.

COVID-19 RECOVERY

Persons with disabilities have experienced disruptions in healthcare, employment, education, and access to essential supplies during COVID-19 lockdowns. The Law on Prevention and Treatment of Infectious Diseases in China overlooks the needs of persons with disabilities in terms of access to information, basic goods and services, medications, and assistive devices. However, there have been initiatives by organizations and individuals with disabilities to support their communities, including providing accurate information and distributing medical supplies. Handbooks and guidelines have been created to address the needs of persons with disabilities during the pandemic.

5 CONCLUSIONS

The government budgeting in China prioritizes welfare provision over rights protection, with power imbalances between duty bearers and rights holders. Independent OPDs lack access to government resources and face difficulties in participating in policy making and decision making. Rural areas, where the majority of disabled population resides, have limited access to development programs. Gender and disability are often considered in isolation, resulting in the lack of gender awareness in disability inclusion programs and policies – and vice versa.

However, there are emerging opportunities, including the government target of generating one million new jobs for persons with disabilities over three years and the adoption of disability inclusion in the private sector's Environmental, Social and Governance framework.

This Situational Analysis reaffirms the importance of close partnerships between stakeholders, and the leadership of OPDs in making decisions about disability towards inclusion. Key recommendations of the report include: building meaningful mechanisms to enhance OPD participation that combines OPDs' expertise and other stakeholders' access to policy making; strengthening partnerships with specific government departments beyond its DPFs, especially at local levels; and leveraging ongoing policy windows in accessibility, employment, and health.



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