

PUBLIC HEALTH

Health Care Reform

The Chinese government and Communist Party advanced policy priorities for health care reform during the Commission's 2016 reporting year.¹ Among them was a January 2016 announcement merging the New Rural Cooperative Medical Scheme (NRCMS) and the Urban Resident-Based Basic Medical Insurance Scheme (URBMI), two of China's three health insurance schemes,² to improve medical access and resources in rural areas for 802 million people covered by NRCMS³ and the distribution of benefits for 314 million people covered by URBMI.⁴ While precursor pilot projects that consolidated NRCMS and URBMI reported positive effects,⁵ uniform management of the merged schemes may be a challenge, according to one health official, because local-level governments are authorized to choose the government agency responsible for local oversight.⁶ In addition, migrant workers may lack adequate coverage under the merger unless the government addresses the limited portability of insurance benefits across provincial lines.⁷

Government entities also addressed the problem of "commotions at hospitals" (*yi'nao*) that have flared up over patient-doctor disputes and grievances with medical treatment,⁸ some of which have become violent and resulted in fatalities of medical personnel.⁹ Four ministries issued measures in March 2016 to improve hospital security.¹⁰ In addition, in the Ninth Amendment to the PRC Criminal Law, which became effective in November 2015, impeding medical care was specified as a "social order" disturbance under Article 290, thereby strengthening the legal basis to impose harsher criminal penalties in the prosecution of *yi'nao*.¹¹

Transparency and Accountability

Propaganda officials issued censorship directives to media outlets¹² to prohibit reporting on health-related issues deemed politically sensitive—such as patient-doctor disputes¹³ and scalping tickets to shorten patients' wait times in hospital lines¹⁴—or to limit coverage to authorized versions of the news—such as the U.S. Government's blocking two shipments of contaminated pharmaceutical products from Tianjin municipality for import to the United States.¹⁵ A state-funded news outlet's article in March 2016 about a business in Shandong province that distributed unrefrigerated vaccines in more than 20 provinces since 2010¹⁶ was "taken offline," and a censorship directive instructed that there be no further reprints or "hyp[ing]" of the article.¹⁷ The news about the vaccines generated considerable public concern,¹⁸ including joint letters from lawyer groups to high-level government entities that demanded government accountability, access to information, and stronger legal remedies.¹⁹ Official media and the government later reported on the government's actions to investigate the perpetrators of the illegal vaccine business as well as possible health risks from tainted vaccines.²⁰

Parents who advocated for government accountability over harm to their children's health and well-being encountered a range of official responses. In March 2016, for example, public security offi-

cials in Beijing municipality criminally detained five parent advocates for 30 days for protesting problematic vaccines.²¹ In April, authorities reportedly transferred 1,000 parents participating in a protest outside the National Health and Family Planning Commission in Beijing to an unofficial detention center.²² Some of the parents at that protest reportedly filed lawsuits before being detained.²³

Implementation of the PRC Mental Health Law

Forcibly committing individuals without mental illness to psychiatric facilities (*bei jingshenbing*) as a “form of retaliation and punishment by Chinese authorities against activists and government critics”²⁴ reportedly remains a serious problem in China²⁵ despite the PRC Mental Health Law’s (MHL) prohibition of such abuse.²⁶ Prior to the UN Committee against Torture’s review of China’s compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention) in November 2015, a network of human rights organizations highlighted the case of the ongoing psychiatric hospitalization of a former factory worker, Xing Shiku, as an example of the Chinese government’s disregard for its obligations as a State Party to the Convention.²⁷ Other cases of individuals who remain detained in psychiatric facilities against their will for reportedly politically motivated reasons include Xia Funian, Wang Hedi, Xu Dajin, Wang Shou’an, and Zhang Wenhe.²⁸

The Chinese government has prioritized mental health policy as part of the “right to health” in national human rights efforts in recent years,²⁹ yet officials and experts have observed a range of challenges in the implementation of the MHL since it became effective in 2013. These challenges include gaps in the legal framework regarding compulsory treatment³⁰ and involuntary hospitalization procedures;³¹ a need for more psychiatric facilities³² and community-based rehabilitation services,³³ and the psychiatrists and mental health specialists to staff them;³⁴ poor coordination of responsibilities among the government agencies tasked with mental health work;³⁵ and the financial burdens of accessing medical treatment without adequate insurance.³⁶ Some localities issued plans to implement the National Mental Health Work Plan (2015–2020)³⁷ with the launch of pilot projects in 37 municipalities³⁸ and the drafting of new or revised local mental health regulations.³⁹ A focus on individuals with severe mental disorders deemed at risk of violent behavior⁴⁰ is evident in the national and local mental health policy agendas.⁴¹ Wang Guoqiang, Vice Minister of the National Health and Family Planning Commission, reportedly stated in June 2016 that new pilot projects should “strengthen the management work of those with severe mental disorders who are at risk of causing disruptive incidents and troubles [*zhaoshi zhaohuo*].”⁴² A Party-run media outlet, however, reported that the rate of “disruptive” incidents committed by individuals with mental illness is lower than that of the population at large, yet public stigma against those with psychosocial disorders persists.⁴³

Rights Protection and Health-Based Discrimination

Although Chinese laws and regulations contain provisions to prohibit discrimination due to disability and some health-based conditions,⁴⁴ two Chinese scholars observed a gap between law and practice in rights protection for persons with disabilities in a law review article of March 2016, noting the “phenomenon of ‘heavy legislation, light implementation’” and infrequent citation in court decisions to laws protecting the rights of persons with disabilities.⁴⁵ Provisions on employment discrimination and the right to work in the PRC Law on the Protection of the Rights of Persons with Disabilities were cited in a case dating from 2014 among a group of 10 model cases published by the Supreme People’s Court in May 2016, all of which featured the protection of the rights of persons with disabilities.⁴⁶ In the 2014 case’s second instance (appeals) court decision, those provisions were used as the legal basis to dismiss the employer-defendant’s claim that the employee-plaintiff had misled the company by not stating she had a disability when she signed a labor contract.⁴⁷ In May, a court in Guizhou province awarded financial compensation to the plaintiff in a case that legal experts noted was the first in which a court found in favor of a plaintiff claiming employment discrimination due to HIV/AIDS.⁴⁸ The court verdict reportedly did not acknowledge the incident as employment discrimination.⁴⁹

Persons with disabilities and health-related conditions in China continued to face obstacles in attaining equal access to employment⁵⁰ and education.⁵¹ In July and August 2016, for example, official media outlets reported on two cases in which individuals with visual impairments were denied university enrollment⁵² and government employment⁵³ based on physical eligibility standards.⁵⁴ Five lawyers subsequently called for a governmental review of the physical eligibility standards for university enrollment.⁵⁵ Rights Defense Network, moreover, reported on blind individuals who faced harassment and detention for advocacy. In November 2015, authorities in Hefei municipality, Anhui province, took at least five blind advocates into custody for blocking an elevator while they sought to meet with the director of the Hefei branch of the China Disabled Persons Federation about access to welfare and social services.⁵⁶

Notes to Section II—Public Health

¹China's 13th Five-Year Plan, Hearing of the U.S.-China Economic and Security Review Commission, 27 April 16, Testimony of Yanzhong Huang, Senior Fellow for Global Health, Council on Foreign Relations and Professor, School of Diplomacy and International Relations, Seton Hall University, 2.

²State Council, Opinion on the Integration of Urban-Rural Residents' Basic Health Care Insurance System [Guowuyuan guanyu zhenghe chengxiang jumin jiben yiliao baoxian zhidu de yijian], issued 3 January 16; "Reconciling City and Country: China's Lessons for a Divided World," *Lancet*, Vol. 387, 23 January 16, 311; Xiong-Fei Pan, Jin Xu, and Qingyue Meng, "Correspondence: Integrating Social Health Insurance Systems in China," *Lancet*, Vol. 387, 26 March 16, 1274–75. The State Council Opinion stipulates that provinces and provincial-level municipalities and regions should develop comprehensive plans for the merger by June 2016 and detailed implementation plans by the end of 2016.

³"Reconciling City and Country: China's Lessons for a Divided World," *Lancet*, Vol. 387, 23 January 16, 311; Qingyue Meng et al., "Consolidating the Social Health Insurance Schemes in China: Towards an Equitable and Efficient Health System," *Lancet*, Vol. 386, 10 October 15, 1485, Table 1. Data are from 2013 official statistics.

⁴State Council, Opinion on the Integration of Urban-Rural Residents' Basic Health Care Insurance System [Guowuyuan guanyu zhenghe chengxiang jumin jiben yiliao baoxian zhidu de yijian], issued 3 January 16, sec. 1; "Reconciling City and Country: China's Lessons for a Divided World," *Lancet*, Vol. 387, 23 January 16, 311; Liu Jiaying and Shi Rui, "Urban-Rural Residents' Health Insurance Merged, but Jurisdiction of Management Authority Unknown" [Chengxiang jumin yibao binggui guanli quan guishu bukezhi], *Caixin*, 13 January 16.

⁵Qingyue Meng et al., "Consolidating the Social Health Insurance Schemes in China: Towards an Equitable and Efficient Health System," *Lancet*, Vol. 386, 10 October 15, 1487.

⁶Liu Jiaying and Shi Rui, "Urban-Rural Residents' Health Insurance Merged, but Jurisdiction of Management Authority Unknown" [Chengxiang jumin yibao binggui guanli quan guishu bukezhi], *Caixin*, 13 January 16.

⁷Xiong-Fei Pan, Jin Xu, and Qingyue Meng, "Correspondence: Integrating Social Health Insurance Systems in China," *Lancet*, Vol. 387, 26 March 16, 1274–75.

⁸"[Editorial] Curing 'Medical Commotions' Once and for All Will Necessarily Depend on Rational Communication Between Doctors and Patients" [[Shelun] genzhi "yi'nao" xu kao yihuan lixing goutong pingtail, Southern Metropolitan Daily, 1 April 16; Sarah Biddulph, "Resolving Medical Disputes and Causing Havoc in Hospitals (*Yinao*)" in *The Stability Imperative: Human Rights and Law in China* (Vancouver: UBC Press, 2015), 126–28, 135–36, 144–70.

⁹Chris Buckley, "A Danger for Doctors in China: Patients' Angry Relatives," *New York Times*, 18 May 16; China Digital Times, "Translation: Why One Doctor Put Down the Scalpel," 19 May 16. See also CECC, 2014 Annual Report, 9 October 14, 124.

¹⁰Hu Hao, "Four Ministries Jointly Issue Circular To Strengthen the Protection of Medical Order" [Si bumen lianhe xiafa tongzhi jiaqiang weihu yiliao zhixu], *Xinhua*, 30 March 16. See also Sarah Biddulph, "Resolving Medical Disputes and Causing Havoc in Hospitals (*Yinao*)" in *The Stability Imperative: Human Rights and Law in China* (Vancouver: UBC Press, 2015), 160–61.

¹¹Wu Liufeng, "Amendments to Criminal Law (Ninth) Will Be Implemented Next Month, for Disturbances at Hospitals and Substituting for Test-Takers, Criminal Sentences of at Most 7 Years" [Xing fa xiuzheng'an (jiu) xia yue shishi yi'nao, tikao zuigao huoxing 7 nian], *Western China Metropolitan Daily*, reprinted in China News Net, 19 October 15; PRC Criminal Law [Zhonghua renmin gongheguo xing fa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, 29 August 15, effective 1 November 15, art. 290. See also Sarah Biddulph, "Resolving Medical Disputes and Causing Havoc in Hospitals (*Yinao*)" in *The Stability Imperative: Human Rights and Law in China* (Vancouver: UBC Press, 2015), 150, 161–63.

¹²China Digital Times, a news aggregation website based in California, translates propaganda directives and posts them to its website under the heading Ministry of Truth at <http://chinadigitaltimes.net/china/directives-from-the-ministry-of-truth/>.

¹³"Minitrue: 21 Rules on Coverage of the Two Sessions," 6 March 16, reprinted in China Digital Times, 8 March 16, item 3; Didi Kirsten Tatlow, "What Chinese Media Mustn't Cover at the '2 Sessions,'" *New York Times*, Sinosphere (blog), 9 March 16.

¹⁴"Minitrue: 21 Rules on Coverage of the Two Sessions," 6 March 16, reprinted in China Digital Times, 8 March 16, item 19; Didi Kirsten Tatlow, "What Chinese Media Mustn't Cover at the '2 Sessions,'" *New York Times*, Sinosphere (blog), 9 March 16.

¹⁵China Digital Times, "Minitrue: Don't Hype Tainted Tianjin Pharma Products," 24 December 15.

¹⁶China Digital Times, "Minitrue: Unrefrigerated Vaccines Worth Hundreds of Millions of Yuan Flow Into 18 Provinces: Possibly Affecting Human Life" [Zhenlibu: shuyi yuan yimiao wei lengcang liuru 18 shengfen: huo yingxiang renming], 22 March 16; Li Jing, "Vaccine Scandal: Hundreds Involved Across 24 Provinces in China," *South China Morning Post*, 20 March 16.

¹⁷China Digital Times, "Minitrue: Don't Hype Article on Illegal Vaccines," 22 March 16.

¹⁸Chris Buckley, "China's Vaccine Scandal Threatens Public Faith in Immunizations," *New York Times*, 18 April 16.

¹⁹"Wang Shengsheng and 12 Other Lawyers' Letter to China's State Council: Request for the Protection of the Public's Right To Know and Right to Relief in the Vaccines Criminal Case" [Wang shengsheng deng 13 wei lushi zhi zhongguo guowuyuan: guanyu zai yimiao fanzui an zhong baohu zhiqing quan he juji quan de yaoqiu], 28 March 16, reprinted in Rights Defense Network; "Volunteer Lawyers Group Working on the Problem Vaccines Incident Make Suggestions Regarding Certification and Remedial Measures in the Problematic Vaccines Incident—

Permit Collective Lawsuits and Establish Relief Funds for Those Harmed by Medicine” [Wenti yimiao shijian zhiyuan lushi tuan guanyu yimiao anjian jianding yu jiuji jizhi de jianyi—yunxu jiti susong, jianli yao hai jiuji jijin], 9 April 16, reprinted in Rights Defense Network, 10 April 16; Michael Woodhead, “Illegal Vaccine Fallout: Clinics Deserted as Public Lose [sic] Confidence; Lawyers Support Patients’ Rights; Failure Blamed on ‘Private Market,’” China Medical News (blog), 29 March 16.

²⁰Chen Fei, “SPP To Supervise Handling of Illegal Vaccine Business Cases” [Zuigaojian guapai duban feifa jingying yimiao xilie an], Xinhua, 22 March 16; “Illegal Vaccine Business Case in Ji’nan, Shandong, Investigative Group From Multiple Agencies Arrives in Shandong and Starts Handling Investigative Work” [Shandong ji’nan feifa jingying yimiao xilie anjian bumen lianhe diaocha zu fu shandong kaizhan anjian diaocha chuli gongzuo], Xinhua, 29 March 16; National Health and Family Planning Commission, “Risk Assessment Report on Safety and Effectiveness of Suspect Vaccines From the Cases of the Illegal Vaccine Business in Ji’nan, Shandong” [Shandong ji’nan feifa jingying yimiao xilie anjian she’an yimiao jiezhong anquanxing he youxiaoxing fengxian pinggu baogao], 13 April 16.

²¹Rights Defense Network, “Vaccine Victim Yi Wenlong, Accused of ‘Picking Quarrels and Provoking Trouble’ Was Among Five Criminally Detained, All Were Released” [Bei kong “xunxin zishi” zao xingju de yimiao shouhaizhe yi wenlong deng wu ren yi quanbu shifang], 12 April 16. For an example of an individual detained for discussing the tainted vaccines on social media, see Human Rights Campaign in China, “Because Hunan Citizen Liu Junjun Discussed the Tainted Vaccines Incident in a WeChat Friend Group, Authorities Administratively Detained Him for Six Days for Intentionally Disrupting Public Order” [Hunan gongmin liu junjun yin zai weixin pengyou quan taolun du yimiao shijian zao dangju yi guyi raoluan gonggong zhixu zui xingzheng juliu liu tian], 6 April 16.

²²“Chinese Parents Sue Amid Protests Over Tainted Vaccines,” Radio Free Asia, 19 April 16.

²³Ibid.

²⁴Civil Rights & Livelihood Watch, “2015 Year-End Summary on Mental Health and Human Rights in China (Forced Psychiatric Commitment)” [2015 nian zhongguo jingshen jiankang yu renquan (bei jingshenbing) nianzhong zongjie], February 2016; Chinese Human Rights Defenders, “[CHRB] Forced Psychiatric Commitment of Dissidents Continues as Police Act Above Enacted Law (4/29–5/5, 2016),” 5 May 16.

²⁵Civil Rights & Livelihood Watch, “2015 Year-End Summary on Mental Health and Human Rights in China (Forced Psychiatric Commitment)” [2015 nian zhongguo jingshen jiankang yu renquan (bei jingshenbing) nianzhong zongjie], February 2016.

²⁶PRC Mental Health Law [Zhonghua renmin gongheguo jingshen weisheng fa], passed 26 October 12, effective 1 May 13, arts. 27, 30, 75(5), 78(1).

²⁷Network of Chinese Human Rights Defenders et al., “Civil Society Report Submitted to the Committee against Torture,” 26 October 15, para. 58. In 2014, a UN expert group that examines cases of arbitrary detention asserted that King’s detention in a psychiatric facility in Harbin municipality, Heilongjiang province, for more than seven years violated international legal norms. See UN Human Rights Council, Working Group on Arbitrary Detention, Opinions adopted by the Working Group on Arbitrary Detention at its 69th Sess., No. 8/2014 (China), A/HRC/WGAD/2014/xx, 20 May 14, paras. 41, 42, 47; Chinese Human Rights Defenders, “UN Working Group Finds China’s Psychiatric Detention of Petitioner ‘Arbitrary,’” 21 July 14. For more information on Xing Shiku, see the Commission’s Political Prisoner Database record 2011-00093.

²⁸Chinese Human Rights Defenders, “[CHRB] Forced Psychiatric Commitment of Dissidents Continues as Police Act Above Enacted Law (4/29–5/5, 2016),” 5 May 16.

²⁹State Council Information Office, “Assessment Report on the Implementation of the National Human Rights Action Plan of China (2012–2015),” 14 June 16, sec. 4.

³⁰“Open Solicitation of Comments on Compulsory Treatment Center Regulations, Standardizing System To Control Persons With Mental Illness Who Cause Disturbances” [Qiangzhi yiliaosuo tiaoli gongkai zhengqiu yijian guifan zhaoshi zhaohuo jingshenbingren guan zhi du], China National Radio, 10 June 16; Shen Fan and Zhao Fuduo, “Prevent ‘Forcible Commitment to Psychiatric Facilities,’ Scholar Recommends Compulsory Treatment Be Incorporated Into Human Rights Protection System” [Fangzhi “bei jingshenbing” xuezhe jianyi qiangzhi yiliao naru renquan baozhang tixi], Caixin, 15 June 16.

³¹Shen Fan and Zhao Fuduo, “Prevent ‘Forcible Commitment to Psychiatric Facilities,’ Scholar Recommends Compulsory Treatment Be Incorporated Into Human Rights Protection System” [Fangzhi “bei jingshenbing” xuezhe jianyi qiangzhi yiliao naru renquan baozhang tixi], Caixin, 15 June 16; Zhou Shenghao, “Under Laws and Regulations, Protecting the Rights of and Preventing Risks From Persons With Mental Illness” [Falü guizhi xia jingshen zhang’ai huanzhe de quanyi baozhang he fengxian fangkong], Sanming Municipality Public Security Bureau, last visited 15 May 16; Yang Shao and Bin Xie, “Approaches to Involuntary Admission of the Mentally Ill in the People’s Republic of China: Changes in Legislation From 2002 to 2012,” Journal of the American Academy of Psychiatry and the Law, Vol. 43, No. 1 (March 2015), 35–44.

³²Wei Fangchao, “Mental Health Work Plan Issued, Will Seek Responsibility When Persons With Severe Mental Disorders Cause Incidents” [Jingshen weisheng gongzuo guihua fabu yanzhong jingshen zhang’ai huanzhe zhaoshi jiang zhuize], China Internet Information Center, 18 June 15; National Health and Family Planning Commission, “October Regular Press Release Material: Situation on Progress Throughout Country on Mental Health Work” [10 yue lixing fabuhui cailiao: quanguo jingshen weisheng gongzuo jin zhan qingkuang], 9 October 15. According to official statistics, there are 1,650 psychiatric facilities and approximately 20,000 psychiatrists in China.

³³Li Hongmei, “In China, Individuals With Severe Mental Illness Reach 4.3 Million Persons” [Woguo yanzhong jingshenbing huanzhe da 430 wan ren], People’s Daily, 13 January 16; “Society Needs [Them], but No Way To Get a Business Registration” [Shehui you xuqiu dan gongshang zhuce meifa tongguo], China Youth Daily, 3 April 16.

³⁴ Shiwei Liu and Andrew Page, “Reforming Mental Health in China and India,” *Lancet*, 18 May 16.

³⁵ National Health and Family Planning Commission, “October Press Release Material: Situation on Progress Throughout Country on Mental Health Work” [10 yue lixing fabuhui cailiao: quanguo jingshen weisheng gongzuo jinzhan qingkuang], 9 October 15; Zhou Shenghao, “Under Laws and Regulations, Protecting the Rights of and Preventing Risks From Persons With Mental Illness” [Falu guizhi xia jingshen zhang’ai huanzhe de quanyi baozhang he fengxian fangkong], Sanming Municipality Public Security Bureau, last visited 15 May 16.

³⁶ Fiona J. Charlson et al., “The Burden of Mental, Neurological, and Substance Use Disorders in China and India: A Systematic Analysis of Community Representative Epidemiological Studies,” *Lancet*, 18 May 16, 12; Zhou Shenghao, “Under Laws and Regulations, Protecting the Rights of and Preventing Risks From Persons With Mental Illness” [Falu guizhi xia jingshen zhang’ai huanzhe de quanyi baozhang he fengxian fangkong], Sanming Municipality Public Security Bureau, last visited 15 May 16.

³⁷ State Council General Office, “National Mental Health Work Plan (2015–2020)” [Quanguo jingshen weisheng gongzuo guihua (2015–2020 nian)], 18 June 15. For examples of local implementing plans, see, e.g., “Sichuan Establishes Comprehensive Mental Health Services Management System” [Sichuan jianli jingshen weisheng zonghe fuwu guanli jizhi], *Sichuan Daily*, 18 April 16; Hangzhou Municipal People’s Government, Implementing Opinion on Further Strengthening Integrated Management Work on Mental Health [Hangzhou shi renmin zhengfu guanyu jinyibu jiaqiang jingshen weisheng zonghe guanli gongzuo de shishi yijian], issued 17 February 16; Inner Mongolia Autonomous Region People’s Government General Office, “Inner Mongolia Autonomous Region Implementing Plan for the ‘National Mental Health Work Plan (2015–2020)’” [Neimenggu zizhiqu shishi “quanguo jingshen weisheng gongzuo guihua (2015–2020 nian)” fang’an], 5 May 16.

³⁸ Li Huifang, “Chaoyang District, Beijing, Launches National Mental Health Integrated Management Pilot Project” [Beijing shi chaoyang qu quanguo jingshen weisheng zonghe guanli shidian gongzuo qidong], *People’s Daily*, 20 October 15. According to the *People’s Daily* report, there are 37 pilot sites throughout the country. For examples of pilot sites, see Wenquan Township People’s Government, “Haidian District, Beijing Municipality, Implementation Plan for Wenquan Township Fulfilling ‘Haidian District’s Launch of the National Mental Health Integrated Management Pilot Project’” [Guanyu wenquan zhen luoshi “haidian qu kaizhan quanguo jingshen weisheng zonghe guanli shidian gongzuo fang’an” de shishi fang’an], 25 April 16, reprinted in Haidian District People’s Government, 27 April 16; Yangpu District Health and Family Planning Commission et al., Shanghai Municipality, “Yangpu District, Shanghai Municipality Mental Health Integrated Management Pilot Project Implementing Plan (2015–2017)” [Shanghai shi yangpu qu jingshen weisheng zonghe guanli shidian gongzuo shishi fang’an (2015–2017)], 9 October 15; Huangpi District People’s Government Office, Wuhan Municipality, Hubei Province, “Implementing Plan for Huangpi District’s Launch of the National Mental Health Integrated Management Pilot Project” [Huangpi qu kaizhan quanguo jingshen weisheng zonghe guanli shidian gongzuo shishi fang’an], 22 January 16; Taicang City People’s Government, Suzhou Municipality, Jiangsu Province, “Taicang City Mental Health Integrated Management Pilot Project” [Taicang shi jingshen weisheng zonghe guanli shidian gongzuo fang’an], 14 March 16.

³⁹ Hangzhou Municipality People’s Congress, Zhejiang Province, Public Announcement on the Open Solicitation of Opinions on “(Draft) Decision on Revisions to ‘Hangzhou Municipality Mental Health Regulations’” [Guanyu gongkai zhengqiu “guanyu xiugai ‘hangzhou shi jingshen weisheng tiaoli’ de jue ding (cao’an)” yijian de gonggao], 29 April 16; Gansu Province People’s Government Legal Affairs Office, Gansu Province Mental Health Regulations (Review Draft) [Gansu sheng jingshen weisheng tiaoli (songshen gao)], 24 February 16.

⁴⁰ Wei Fangchao, “Mental Health Work Plan Issued, Will Seek Responsibility When Persons With Severe Mental Disorders Cause Incidents” [Jingshen weisheng gongzuo guihua fabu yanzhong jingshen zhang’ai huanzhe zhaoshi jiang zhuzi], *China Internet Information Center*, 18 June 15; “Seeking Responsibility When National Standards and Regulations Are Not Effective in the Management of Individuals With Serious Psychiatric Disorders” [Guanli zhaoshi zhaohuo deng yanzhong jingshen zhang’ai huanzhe you le guobiao, jianguan buli jiang zhuzi], *The Paper*, 28 January 16; “Enter the Inner World of an ‘Armed, Crazy Person,’ Seeing a Psychiatric Hospital’s Current Conditions” [Zoujin “wu fengzi” de neixin shijie tanfang jingshen bingyuan xianzhuang], *Chinese Business Review*, reprinted in *CNWest*, 9 May 16.

⁴¹ See, e.g., Taicang City People’s Government, Suzhou Municipality, Jiangsu Province, “Taicang City Mental Health Integrated Management Pilot Project” [Taicang shi jingshen weisheng zonghe guanli shidian gongzuo fang’an], 14 March 16, sec. 1(2.2, 7); Huangpi District People’s Government Office, Wuhan Municipality, Hubei Province, “Implementing Plan for Huangpi District’s Launch of the National Mental Health Integrated Management Pilot Project” [Huangpi qu kaizhan quanguo jingshen weisheng zonghe guanli shidian gongzuo shishi fang’an], 22 January 16, sec. 1(2); Yangpu District Health and Family Planning Commission et al., Shanghai Municipality, “Yangpu District, Shanghai Municipality, Mental Health Integrated Management Pilot Project Implementing Plan (2015–2017)” [Shanghai shi yangpu qu jingshen weisheng zonghe guanli shidian gongzuo shishi fang’an (2015–2017)], 9 October 15, sec. 3(2.4(3)); Liu Yang, “For Taking Good Care of Persons Suffering From Mental Disorders, Annual Stipend of 2,400 Yuan” [Kanhu hao jingshen zhang’aizhe nian jiang 2400 yuan], *Beijing Youth Daily*, 15 March 16.

⁴² National Health and Family Planning Commission, “Teleconference Convened in Beijing To Launch National Mental Health Integrated Management Pilot Projects” [Quanguo jingshen weisheng zonghe guanli shidian gongzuo qidong shipin huiyi zai jing zhao kai], 12 June 15. For more on the term *zhaoshi zhaohuo*, see Wei Xiong and Michael R. Phillips, translators, “Translated and Annotated Version of the 2015–2020 National Mental Health Work Plan of the People’s Republic of China,” *Shanghai Archives of Psychiatry*, Vol. 28, No. 1 (2016), endnote 24.

⁴³Yin Li, “The Difficult Road ‘Back Home’ for Those Recovering From Mental Illness” [Jingshen jibing kangfuzhe jiannan “huijia” lu], *Legal Daily*, 16 May 16.

⁴⁴National laws and regulations that promote equal access to employment and education and prohibit health-based discrimination include the PRC Law on the Protection of Persons with Disabilities [Zhonghua renmin gongheguo canji ren baozhang fa], passed 28 December 90, amended 24 April 08, effective 1 July 08, arts. 3, 30–40; PRC Employment Promotion Law [Zhonghua renmin gongheguo jiuwe cujin fa], passed 30 August 07, effective 1 January 08, arts. 3, 29, 30; State Council, Regulations on the Treatment and Control of HIV/AIDS [Aizhibing fangzhi tiaoli], issued 18 January 06, effective 1 March 06, art. 3; State Council, Regulations on the Employment of Persons with Disabilities [Canji ren jiuwe tiaoli], issued 14 February 07, effective 1 May 07, arts. 3, 4, 13, 27. See also Li Jing and Li Jianfei, “Current Trends in the Development of the Chinese Social Security System for People With Disabilities,” *Frontiers of Law in China*, Vol. 11, No. 1 (March 2016), 9–11.

⁴⁵Li Jing and Li Jianfei, “Current Trends in the Development of the Chinese Social Security System for People With Disabilities,” *Frontiers of Law in China*, Vol. 11, No. 1 (March 2016), 19.

⁴⁶Supreme People’s Court (SPC), “Kong X and Beijing X Management Company Labor Dispute Case” [Kong mou yu beijing mou wuye guanli gongsi laodong zhengyi jiu fen an], 13 May 16. Commission staff observed that the summary of the Kong X case on the SPC China Court Net website cited to the provisions on the right to work and anti-employment discrimination from the old version of the PRC Law on the Protection of the Rights of Persons with Disabilities (1990) rather than the current version of the law (revised in 2008). See PRC Law on the Protection of the Rights of Persons with Disabilities [Zhonghua renmin gongheguo canji ren baozhang fa], passed 28 December 90, effective 15 May 91, arts. 27, 34; PRC Law on the Protection of Persons with Disabilities [Zhonghua renmin gongheguo canji ren baozhang fa], passed 28 December 90, amended 24 April 08, effective 1 July 08, arts. 30, 38. In May, the SPC issued 10 model cases featuring rights protection of persons with disabilities. These cases included civil disputes over property rights, divorce, and employment, among others, and a criminal case of sexual violence. See Yang Qing, “Supreme People’s Court Publicizes 10 Model Cases on Protecting the Rights and Interests of Persons With Disabilities” [Zuigao renmin fayuan gongbu 10 qi canji ren quanyi baozhang dianxing anli], *China Court Net*, 13 May 16; Li Wanxiang, “SPC Publishes 10 Model Cases, Fulfills Laws and Regulations To Prohibit Discrimination Against Persons With Disabilities” [Zuigaofa gongbu 10 qi dianxing anli luoshi jinzhi qishi canji ren falu guiding], *China Economic Net*, 13 May 16.

⁴⁷Beijing Municipality No. 2 Intermediate People’s Court, Beijing Zhongshui Products Management Co., Ltd., and Kong X Labor Dispute Civil Appeal Judgment [Beijing zhongshui wuye guanli youxian gongsi yu kong x laodong zhengyi er shen minshi panjueshu], 19 August 14, reprinted in *OpenLaw*. Commission staff observed that the second instance (appeals) court decision in the Kong X case cited to the provisions on the rights to work and anti-employment discrimination from the old version of the PRC Law on the Protection of the Rights of Persons with Disabilities (1990) rather than the current version of the law (revised in 2008). See PRC Law on the Protection of the Rights of Persons with Disabilities [Zhonghua renmin gongheguo canji ren baozhang fa], passed 28 December 90, effective 15 May 91, arts. 27, 34; PRC Law on the Protection of Persons with Disabilities [Zhonghua renmin gongheguo canji ren baozhang fa], passed 28 December 90, amended 24 April 08, effective 1 July 08, arts. 30, 38. For the first instance trial verdict, which did not cite to the PRC Law on the Protection of the Rights of Persons with Disabilities, see Beijing Municipality Xicheng People’s Court, Kong Xia and Beijing Zhongshui Products Management Co., Ltd., Labor Dispute First Instance Civil Judgment [Kong xia yu beijing zhongshui wuye guanli youxian gongsi laodong zhengyi yishen minshi panjueshu], 19 March 14, reprinted in *OpenLaw*.

⁴⁸Han Linjun, “Plaintiff Wins Lawsuit in HIV/AIDS Employment Discrimination Case in Guizhou” [Guizhou aizhibing jiuwe qishi an yuangaog shengsu], *Beijing Times*, 12 May 16.

⁴⁹*Ibid.*

⁵⁰See, e.g., Tan Jun, “Person With Disability From Hunan Ranked First in Civil Servant Exam Ultimately Not Hired, Physical Eligibility Standards Are Said To Be Employment Discrimination” [Hunan yi canji ren kao gongzhi chengji di yi zuizhong luoxuan, tujian biao zhun bei zhi jiuwe qishi], *The Paper*, 17 August 16; “Eliminate Systemic Employment Discrimination Against Persons With Disabilities” [Xiaochu canji ren jiuwe de zhiduxing qishi], *Securities Times*, 19 August 16; “Refused Employment Due to Being HIV-Positive, Young Guy in Jiangxi Sues Human Resources Department” [Yin ganran aizi quzhi zao ju, jiangxi xiao huo qisu rensheju], *China Free Press*, 14 April 16.

⁵¹See, e.g., Luo Ruiyao, “China Still Has 83,000 Disabled Children Deprived of an Education, Special Education Situation Is Difficult” [Zhongguo reng you 8.3 wan canji ertong shixue tejiao xingshi jianju], *Caixin*, 1 December 15; Tan Jun, “Person With Disability From Hunan Ranked First in Civil Servant Exam Ultimately Not Hired, Physical Eligibility Standards Are Said To Be Employment Discrimination” [Hunan yi canji ren kao gongzhi chengji di yi zuizhong luoxuan, tujian biao zhun bei zhi jiuwe qishi], *The Paper*, 17 August 16.

⁵²Wang Xiaofang, “Parents Questioned Medical School’s Refusal To Admit Student With Low Vision” [Yixueyuan jushou shican kaosheng zao jiazhang zhiyi], *Beijing Youth Daily*, 26 July 16. See also Zhang Min and Jiang Xin, “Admissions Refused for Henan Student With Weak Color Vision, University Says It’s Fair and Legal” [Henan seruo kaosheng bei tuidang suobao daxue cheng heli hefa], *China Youth Daily*, 20 July 16.

⁵³Tan Jun, “Person With Disability From Hunan Ranked First in Civil Servant Exam Ultimately Not Hired, Physical Eligibility Standards Are Said To Be Employment Discrimination” [Hunan yi canji ren kao gongzhi chengji di yi zuizhong luoxuan, tujian biao zhun bei zhi jiuwe qishi], *The Paper*, 17 August 16; Qian Fengwei, “Calling for Equal Treatment in Employment of Persons With Disabilities” [Canji ren jiuwe huhuan pingdeng duidai], *Beijing Morning Post*, reprinted in *Xinhua*, 18 August 16.

⁵⁴ See Ministry of Education, Guiding Opinion on Regular University-Level Student General Admissions Physical Eligibility Work [Putong gaodeng xuexiao zhaosheng tijian gongzuo zhidao yijian], 3 March 03; Ministry of Human Resources and Ministry of Health, Civil Servant General Recruitment Physical Eligibility Standards (Trial) [Gongwuyuan luyong tijian tongyong biao zhun (shixing)], issued 17 January 05, reprinted in State Administration of Civil Service, 29 October 08.

⁵⁵ “Discussing the Problem of Chinese Disabled Persons’ Enjoyment of the Right to Higher Education” [Tantao zhongguo canzhang renshi xiangshou gaodeng jiaoyu quanli de wenti], Radio Free Asia, 12 August 16. See also CECC, 2013 Annual Report, 10 October 13, 122–23; CECC, 2012 Annual Report, 10 October 12, 112.

⁵⁶ Rights Defense Network (RDN), “Blind Persons From Hefei Criminally Detained at Province’s Disability Federation Office While Asking To Meet With Director, Family Members of the Blind Persons Say Disability Federation Is Making Local Police Harass Disabled Persons” [Hefei shi mang ren dao sheng canlian yaoqiu jian canlian lingdao bei xingju, mang ren jiaren zhi canlian zhishi jingcha zhenya canji ren], 25 March 16. According to RDN, in December 2015, authorities in Hefei municipality, Anhui province, arrested five of the blind advocates on the charge of “gathering a crowd to disturb social order.” RDN reported that authorities released one individual (unnamed in the article) on bail (“release on guarantee pending investigation”). For information on the other four cases, see the Commission’s Political Prisoner Database records 2016-00244 on Li Xiaojun, 2016-00246 on Gao Junkai, 2016-00247 on Xu Zimao, and 2016-00248 on Fei Qinxu.