

UN CRC	Ratification Date	Care-Related Concluding Observations
<p data-bbox="219 328 488 357">CRC/C/CHN/CO/3-4</p> <p data-bbox="188 400 504 740">Concluding observations on the combined third and fourth periodic reports of China, adopted by the Committee at its sixty-fourth session (16 September–4 October 2013)</p>	<p data-bbox="562 328 741 357">2 March 1992</p>	<p data-bbox="792 328 1010 357">29 October 2013</p> <p data-bbox="792 400 1771 429"><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx</a></p> <p data-bbox="792 472 2056 539"><b>E. Family environment and alternative care (arts. 5, 18 (paras. 1–2), 9–11, 19-21, 25, 27 (para. 4) and 39 of the Convention)</b></p> <p data-bbox="792 582 1055 611"><b>Family environment</b></p> <p data-bbox="792 654 2047 879">48. The Committee notes with concern that due to the restrictive hukou policy, many migrant parents face the difficult choice of leaving their children behind, resulting in 55 million children growing up without one or both parents in rural mainland China. In this regard, the Committee expresses concern that instead of tackling the root causes of abandonment of children, the State party continues to adopt policies that often promote institutionalization of left-behind children, including in boarding schools.</p> <p data-bbox="792 922 2085 1107">50. The Committee is concerned that women from mainland China who are married to residents of Hong Kong, China and also have children who are residents of Hong Kong, China are not able to obtain residence permits in Hong Kong, China, and thus regularly have to go to mainland China to renew their one-way entry permits, and that they are not entitled to work or family support in Hong Kong, China, creating an unstable and vulnerable family situation for their children.</p> <p data-bbox="792 1150 2007 1257"><b>51. In accordance with article 9, the Committee recommends that Hong Kong, China take all necessary measures to facilitate family reunification, including by granting these mothers residence permits in Hong Kong, China.</b></p>

	<p><b>Children deprived of a family environment</b></p> <p>52. The Committee is seriously concerned about the widespread abandonment of children in mainland China, particularly children with disabilities and girls, mainly due to the State party's family planning policy and discrimination and stigma attached to children with disabilities and girls. Furthermore, while it notes that the NPCD calls for an increase in qualified child welfare professionals by 2020, the Committee is concerned that the NPCD and other new policies advocate for the establishment of children's homes and offer greater funding for such institutions than for kinship and community-based care, which could unintentionally create incentives for government agencies to institutionalize children rather than seek community-based alternative care options.</p> <p>53. The Committee is concerned about the absence of procedures for regular review of the placement of children in care in Hong Kong, China and the lack of legislation on the termination of parental rights when necessary. It is also concerned about the insufficient professional support and care provided to families and children in Hong Kong, China and that the best interests of the child and the right of the child to be heard are not sufficiently considered in family crisis situations. The Committee is concerned that in Hong Kong, China and Macao, China, children deprived of family care are placed in residential institutions rather than in family-based care.</p> <p><b>54. The Committee urges the State party to take immediate steps in mainland China to eliminate the widespread stigma in relation to girls and children with disabilities and reform its family planning policy, in an effort to address the root causes of the abandonment of girls and children with disabilities. It further recommends that, in all areas under the State party's jurisdiction, the best interests of the child be prioritized in all decisions about alternative care for children and that community-based, family-type care be preferred over institutionalization. The Committee further recommends that the State party continue to increase the number of professionals working with children and provide training to all professionals, including through allocation of additional government resources.</b></p> <p><b>55. The Committee recommends that Hong Kong, China implement the Law Reform Commission's</b></p>
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<b>Country Report</b>		
<a href="http://www.bettercarenetwork.org/BCN/details.asp?id=31811&amp;themeID=1001&amp;topicID=1006">http://www.bettercarenetwork.org/BCN/details.asp?id=31811&amp;themeID=1001&amp;topicID=1006</a>		
<b>OPSC to CRC</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	3 December 2002	
<b>OPAC to CRC</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	20 February 2008	
<b>ICCPR</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
<b>ICESCR</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	27 March 2001	
<b>CEDAW</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	4 November 1980	

CRPD	Accession Date	Care-Related Concluding Observations
	<p>1 August 2008</p>	<p>15 October 2012</p> <p><a href="http://www.ohchr.org/EN/HRBodies/CRPD/Pages/Session8.aspx">http://www.ohchr.org/EN/HRBodies/CRPD/Pages/Session8.aspx</a></p> <p><b>III. Principle areas of concern and recommendations B. Specific rights (arts. 5-30)</b></p> <p><b>Children with disabilities (art. 7)</b></p> <p>13. The Committee fears that children with disabilities in the State party are at a high risk of abandonment by their parents and are often placed in isolated institutions. For those children with disabilities living at home in rural areas, the Committee is concerned at the lack of community-based services and assistance.</p> <p><b>14. The Committee urges the State party to take measures to fight the widespread stigma in relation to boys and girls with disabilities and revise their strict family planning policy, so as to combat the root causes for the abandonment of boys and girls with disabilities. It asks the State party to provide sufficient community-based services and assistance also in rural areas.</b></p> <p><b>Right to life (art. 10)</b></p> <p>19. The Committee expresses its utmost concern about the abduction of persons with intellectual disabilities, most of them children, and the staging of “mining accidents” in Hebei, Fujian, Liaoning and Sichuan, resulting in the victim’s death in order to claim compensation from the mine owners.</p> <p><b>20. The Committee strongly urges the State party to continue investigating these incidents and prosecute all those responsible, and impose appropriate sanctions. It also asks the State party to implement comprehensive measures to prevent further abductions of boys with intellectual disabilities and provide remedies to the victims.</b></p>

		<p><b>Liberty and security of the person (art. 14)</b></p> <p>25. The Committee is concerned that the deprivation of liberty on the grounds of disability is allowed in the State party, and that involuntary civil commitment is perceived as a tool to maintain the public order. In this context, the Committee finds it disturbing that many persons with actual or perceived impairments are involuntarily committed to psychiatric institutions for various reasons, such as being petitioners. In addition, the Committee is concerned that many persons who indeed live with intellectual and psychosocial impairments and require a high level of support lack the adequate resources for their medical and social care and are thus permanently confined at home.</p> <p><b>26. The Committee recommends the abolishment of the practice of involuntary civil commitment based on actual or perceived impairment. In addition, the Committee asks the State party to allocate more financial resources to persons with intellectual and psychosocial disabilities who require a high level of support, in order to ensure social support and medical treatment outside their own home when necessary.</b></p> <p><b>Freedom from exploitation, violence, and abuse (art. 16)</b></p> <p>29. The Committee is deeply troubled by the reported incidents of abduction and forced labour of thousands of persons with intellectual disabilities, especially children, such as the occurrence of slave labour in Shanxi and Henan.</p> <p><b>30. The Committee strongly urges the State party to continue investigating these incidents and prosecute the perpetrators. The Committee asks the State party to implement comprehensive measures to prevent further abductions of persons with intellectual disabilities and provide remedies to the victims, by including data collection on the prevalence of exploitation, abuse and violence against persons with disabilities.</b></p>
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		<p>only students with certain kinds of impairments (physical disabilities or mild visual disabilities) are able to attend mainstream education, while all other children with disabilities are forced to either enrol in a special school or drop out altogether.</p> <p><b>36. The Committee wishes to remind the State party that the concept of inclusion is one of the key notions of the Convention and should be especially adhered to in the field of education. In this regard, the Committee recommends that the State party reallocate resources from the special education system to promote the inclusive education in mainstream schools, so as to ensure that more children with disabilities can attend mainstream education.</b></p> <p><b>Freedom from exploitation, violence, and abuse (art. 16)</b></p> <p>65. The Committee is concerned about the incidents of women and girls with intellectual disabilities being subjected to sexual violence.</p> <p><b>66. The Committee suggests that Hong Kong, China, continue investigating these incidents and prosecute the perpetrators and all those responsible. It also recommends that sex education be taught to children and adolescents with intellectual disabilities and that the law enforcement personnel be trained on handling violence against women and girls with disabilities.</b></p>
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<b>UPR</b>	<b>Date of Consideration</b>	<b>Link to Page</b>
	<b>22 October 2013</b>	<a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/CNSession17.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/CNSession17.aspx</a>
<b>Hague Intercountry Adoption</b>	<b>Accession Date</b>	<b>Link to Country Profile</b>
	<b>3 July 1987</b>	<a href="http://www.hcch.net/index_en.php?act=states.details&amp;sid=30">http://www.hcch.net/index_en.php?act=states.details&amp;sid=30</a>

**Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities

ICCRP	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review