

## **Feedback on question 1 from Secretariat of United Nations**

**1 Please provide current information on the human rights situation of older people including challenges and threats that may hinder the full realization of human rights of older people;**

### **Protection of the Rights and Interests of Older people in China**

China is a big country with a large population of older people. In 2009, the Chinese elderly population aged 60 and above reached 167.14 million, accounting for 12.5% of the total population. Elderly population aged 65 years old and above reached 113.09 million, accounting for 8.5% of the total population. It is predicted that by the mid of this century, the population of Chinese older people will exceed 400 million, accounting for more than 30% of total population. The large number of elderly population, fast development of population aging, unbalanced regional development, and aging before getting rich is always the main features of population aging in China.

Chinese nation has the tradition of respecting and caring for older people. Chinese Government has always believed that older people are valuable wealth of society and creators, successors and disseminators of material and spiritual civilization of the country, so Chinese government has always regarded older people as an important part of society and thus taken a series of effective measures to protect their legitimate rights and interests, and actively promoted and advocated social virtues of respecting, caring for and helping them and respected and advocated and encouraged them to participate in social development in various ways.

#### **Firstly, establish national mechanisms to protect the rights and interests of older people**

Chinese government adheres to "party-led, society-involved, nationally concerned" policies and develops a working objective: "older people shall be supported, enjoy medical care and education, contribute to the society, engage in life-long learning and live happily", and strengthens the formulation of laws and regulations on older people, formulates development plans for them, improve the work mechanisms for older people and creates good conditions for safeguarding the rights and interest of older people.

Since the foundation of the PRC, the state has enacted a series of laws, regulations and policies on safeguarding social securities, benefits and services, elderly health, cultural education and sports and community involvement for older people. In 1996, the Standing Committee of National People's Congress promulgated the "Law of the People's Republic of China on the Protection of Rights and Interests of the Aged" which has made comprehensive provisions on various rights and interests reserved to older people. In 2005, 21 ministries of the state jointly issued a "Circular on strengthening the preferential treatment for older people", which put forward preferential services and special regard for older people in terms of economic support, health care, daily life, cultural and sports leisure and rights protection. At present, 31 provinces (autonomous regions and

municipalities) of China have issued special local regulations and preferential policies to protect the rights and interests of older people and initially formed a legislative framework for older people, which is based on the “Constitution of the People’s Republic of China” and takes “Law of the People’s Republic of China on the Protection of Rights and Interests of the Aged” as the principal part and includes relevant laws, administrative regulations, regulations of the State Council’s departments, local regulations and policies, and thus lays a good legal and policy foundation for safeguarding interests and rights for older people.

Chinese government has successively promulgated and implemented "The Seven-year Development Plan on China’s Ageing Work(1994-2000)", "The 10<sup>th</sup> Five-year Development Plan on China’s Aging Work (2001-2005)" and “The 11<sup>th</sup> Five-Year Development Plan on China’s Aging Work”. Departments of the State Council and local governments at all levels have respectively developed their own action plans on ageing. Supervision and evaluation system have been adopted, midterm and final evaluation conducted on the implementation of the plan. Meanwhile, China has established its statistical indicator system and working system for ageing work, which provides basic data for formulating plans and improving supervision and assessment mechanism. Since the 1980’s, China has carried out investigations on older people throughout the country for four times and provided an important basis to understand the situation and needs of older people.

In 1999, the State Council set up the China National Working Commission on Ageing (CNWCA), to plan and coordinate and guide the country's aging work and research, formulate development strategies and major policies for older people, coordinate and promote the relevant departments to implement aging service development planning, guide, supervise and inspect aging work of local governments to push ahead joint efforts on protecting the rights and interests of older people. Director of CNWCA is concurrently served by a vice premier of the Sate Council. CNWCA is composed by 28 departments of the State and commissioners are ministers of member departments. CNWCA has an executive office, responsible for its daily work. At present, China has basically established the Aging Working Commission and their executive bodies at all levels, from provinces (autonomous regions and municipalities), through prefectural (city, state, league), county (city, district, and banner) to township (street). There are assigned people in village (neighborhood) committee to be responsible for the ageing work. So the working network from the central to the local area has been initially formed, providing organizational guarantee for safeguarding rights and interests of older people.

### **Secondly, establish a sound social security system for older people**

Chinese government has continuously improved the social old-age security system, expanded coverage of social security, and gradually improved the pension level with the economic development. Currently a more comprehensive social security system has been initially established, which is based on social insurance, social relief and social welfare, focused on basic pension, basic medical care and minimum living security system, supplemented by charity and commercial insurance. By the end of 2010, basic old-age insurance for urban employees covered 256.73 million people in China. Since 2005, the

country has successively increased the level of basic pension for enterprise retirees for 6 consecutive years, especially for those **retired in the earlier periods of time** and earning a low pension. The new-type rural old-age insurance has gradually expanded the number of its beneficiaries to 37.45 million people. **Rural age-care arrangement** has stepped onto a statutory track. Incentive policies are also adopted in rural areas for rural households practicing family planning policy. The rural couples who have only one child or two girls will be given special incentives by the central and local government after they are over sixty years old. By the end of 2009, the incentive recipients had reached 3.03 million.

Old-age medical security system has continuously improved, basic medical insurance for urban residents has been fully spread out and new rural cooperative medical system has fully covered the rural areas. The goal of Every Senior Citizen Be Provided With Medical Care Policy has come to further realization. Healthcare for the older people has been included in basic public health services of the country. Older people of 65 years old and above shall be **entitled for** free health check on a regular basis funded by the government, enabling older people to early detect disease and manage chronic disease.

Social assistance system has been further improved. Urban and rural minimum living security system, rural "five guarantees" support, medical assistance and other special assistance and temporary assistance system have been further improved. And **the level of endowment** has continued to improve, better safeguarding the basic livelihood of the older people in poverty. By the end of 2009, 23.477 million rural residents of the country applied for minimum living assistance, **among whom** 3.335 million was older people, accounting for 14.2%. Categorized protection policies have been adopted, **and older people who lose the ability to work, have illness, disability or other difficulties have enjoyed especially increased level of assistance.** By the end of 2009, there were totally 5.534 million targeted eligible Five-guarantee beneficiaries who have been absolutely covered by the policy.

### **Thirdly, positively develop **social services for old people****

Chinese government has been strengthening its efforts to develop community care services to improve supporting environment of home-based **care** service. Meanwhile it strongly encourages the development of institutional **care** to meet the diversified needs of older people. A social service system has been established, which is based on home care, supported by community services and supplemented by institutional **care**. At present, there are 175,000 various community service centers in China, 693,000 **convenient-service outlets**, and nearly half of the urban community and 80% of rural towns have service facilities and sites for older people. In-house service, appointed service, and itinerant services are adopted cross the country, providing daily care, home care, emergency and other handy services for older people. There are totally 38,060 social welfare institutions, older people's homes, nursing homes and apartments for the elderly, which have 2,662,000 beds in total and accommodate nearly 2,109,000 people. The state has promulgated the "Basic Norms of Social Welfare Institution for Older people", "Specification of Building Design for Older people" "Design Standard of Residential Building for Older people" in order to standardized care service infrastructure for older

people.

Occupational accreditation and staff evaluation system has been enforced vigorously for professional social workers to improve knowledge and skills of service providers for older -people. Volunteer activities have been promoted and volunteer organizations developing fast. A nationwide volunteer campaign "Sunglow Action" for senior citizen, has been launched to mobilize and organize young people and the public to join in providing daily care, health care, legal aid and many other services by grouping agecare institutions with suitable home-confined older people. We have continued to implement the "Sunglow Action", the volunteer service for older people and other volunteer services. By the end of 2009, totally more than 10 million young volunteers had provided various forms of voluntary service for hundreds of thousands of older people through various ways.

#### **Fourthly, enrich the cultural and spiritual life of older people**

Chinese government attaches importance to developing culture and education of older people, enrich their cultural life, continues to meet their spiritual and cultural needs. Large and medium cities have been gradually equipped with fully functional facilities and centers for older people, county (city, district, qi) established cultural activity centers, cultural activity stations in townships, and cultural activity rooms in grass-root villages (community). Currently, cultural activity facilities for older people in the urban and rural areas reach 700,000. The public cultural service facilities funded by the State such as libraries, cultural centers, art galleries, museums, science museums and other public cultural facilities and public cultural places like parks, gardens, tourist attractions are open to older people freely or in preferential condition. The conditions of social and cultural life for older people continue to improve.

The country pays attention to secure the educational right of older people by increasing investment, and actively supporting and promoting rapid development of education for older people. Governments at all levels, relevant departments and enterprises and institutions have founded a number of demonstration universities for older people, while relying on the existing cultural facilities of provinces, municipalities and counties to develop elderly education from multiple channels and multiple levels, and striving to achieve the objective of "having universities for the older people in every county", and gradually expanding them to the communities, towns and counties. Modern media means have been fully used in television and network schools targeting at older people in some place to cover more older people. Currently, a multi-level, multi-form, more academic, multidisciplinary education system for older people has been initially formed. Through the study, older people can expand knowledge, enrich life, cultivate taste, improve health and serve society. At present, all kinds of schools and universities for older people reach more than 40,000, with an enrollment of over 4.3 million.

#### **Fifthly, encourage older people to participate in social development**

The government pays attention and cherishes the knowledge, experience and skills owned by older people and respects for their fine qualities, actively creates conditions to fully exert their expertise, encourages and supports them to involve in the society and

participate in social development. There is a section in the "Law of the People's Republic of China on the Protection of Rights and Interests of the Aged" to protect the rights and interest of older people to participate in social development. An important part of various ageing development plans is to encourage older people to participate in social development, and a special policy regarding full display of experts and role of retired high-level cadres and professional and technical personnel has been formulated. In urban areas, the governments at all levels, based on the economic, social and scientific development needs, lead older people to participate in educational training, technical consultation, medical and health, scientific and technological application development and education and care for the young generation. In rural areas, younger and healthy older people are encouraged to engage in planting, breeding and processing industries. The number of national associations for older people including China Senior Professors Association, Association of Senior Scientists and Technicians, Legal Worker's Association for Senior Citizen has grown to be 14, with their branches throughout the whole country. The mass organization for older people in grass-root urban and rural areas has been rapidly developed. More than 800,000 associations for older people have been established, with members of more than 35 million. This has played an active role in organizing older people to participate in building the grass-roots community, social welfare activities and maintaining their own rights and interests of older people. From 2003, the country launched "Silver Age Action" which encouraged senior intellectuals to exert their scientific and technological knowledge and business expertise in the western regions and less developed local areas of China. So far, the total number of beneficiaries receiving medical treatment from the Action is more than 200,000 in 24 provinces (autonomous regions and municipalities), and 38,000 medical practitioners and teachers have been trained.

#### **Sixthly, strengthen the judicial protection and legal supervision of rights and interests of the older people**

The people's court has seriously heard the criminal case of abusing, abandoning and hurting older people, punished the criminals who cause personal injury and infringe upon the property rights of older people according to law and given priority to hearing and executing lawsuit brought by older people regarding to pension and health care and other disputes. Some of the grass-root people's court have established a special court and jury system to handle disputes involving older people. The Supreme People's Court has formulated provisions on judicial assistance, under which, litigation fees charged to poor older people can be deferred, reduced and exempted. Judicial and administrative departments have been actively providing legal aid and legal services to older people. Legal aid and legal service organizations have provided priority or preference service for older people. By the end of 2009, China had established 19,909 legal aid centers for older people at all levels, 135,704 coordination organizations for older people. The grass-root self-governed organizations like community committees and village committees, grass-root people's mediation organizations and associations for older people have undertaken a lot of mediation and service work. Legal protection and legal service network system for older people have been initially established and legal rights of older people has been better safeguarded.

Standing committee of the People's Congress at all levels has carried out regular or irregular inspection on law enforcement and promoted relevant governmental departments to perform their duties according to the law, so as to enforce the lawful rights and interests of older people into practice. The People's Political Consultative Conference at all levels has performed democratic supervisory functions and offered advice and suggestions for government to improve the protection of rights and interests for older people. Government at all levels has set up departments of petitions and appeals to open the supervisory channels for the masses. Older people can assert their own rights and interests through the form of correspondence and visitation, reflecting the views and suggestions. News and media plays its duty of supervising over public opinion in various forms regarding the protection of rights and interests of older people.

### **Seventhly, strengthen advocacy on safeguarding rights and interests of older people**

Chinese government attaches importance to advocacy on laws, regulations and policies related to older people, and integrates the "Law of the People's Republic of China on the Protection of Rights and Interests of the Aged" into the "Third Five-Year" (1996-2000), "Fourth Five-Year" (2001-2005) and the "Fifth Five-Year" (2006-2010) **legal publicity** plan. Chinese government has also carried out various kinds of education activities to strengthen the awareness of whole society and older people themselves of safeguarding their legal rights and interests. The National Committee on Aging, jointed by other ministries, has initiated activities of selecting and awarding models of respecting their parents and older people and circulated their deeds. Governments at all levels have vigorously propagated in various forms the Chinese tradition of respecting and caring for older people to enhance respect-older-people awareness. Seniors' Day has been commonly set up in the country. In the annual Double Nine Festival, a traditional Chinese festival for older people, relevant government departments organize large-scale celebration and education campaigns. Juveniles are one of target groups for such activities and campaigns, and respect for older people has been included into the curriculum of elementary and middle schools. Education activities on "respect and care for senior citizen" has been carried out among young people to promote the social customs of respecting and caring for older people in society.

Through years of efforts, China has made remarkable progress in protecting the rights and interests of older people. However, as a developing country with a large population of older people, China still faces many problems and challenges in realizing various rights and interests of older people and continuously improving the quality of their life: regulations, policies and systems related to older people are not perfect yet, social security system needs to further improved, and their living standard is still relatively low in general. The poverty of older people in some rural areas is still conspicuous, cases on infringing upon the rights and interests of older people are sometimes reported and atmosphere of respecting for older people in whole society to be further promoted. Chinese government has attached great importance to above issues and is actively organizing the revision of "Law on the Protection of Rights and Interests of the Aged". The NPC Standing Committee has decided to carry out a comprehensive and executive survey on protecting the rights and interests of older people this year, based on which, policy recommendation

shall be put forward. The National 12<sup>th</sup> Five-Year Plan on Economic and Social Development has regarded the following issues as important contents: establish a sound basic public service system, improve social security system covering the urban and rural residents, accelerate the reform of medical and health care, positively respond to population aging, pay attention to exert family and community functions, prioritize the development of social age care, foster and strengthen ageing services industry. An overall arrangement on China's ageing work during 12<sup>th</sup> Five-year period will be included in the national 12<sup>th</sup> Five-Year Plan, which is being drafted now. One of the actions is to be led by National Development and Reform Commission, Ministry of Civil Affairs and the National Committee on Aging to formulate the plan of building the basic agecare service system. Chinese government will actively adopt more effective strategies, make efforts to promote the coordinative development between aging cause and economy and society and enable older people to enjoy the economic and social development results.

## **Feedback on question 2—9 from Secretariat of United Nations about the rights of older people**

**2 Please list the existing legislation, policies and projects on protection and promotion of human rights of senior citizens;**

The Constitution of the People's Republic of China

<http://english.peopledaily.com.cn/constitution/constitution.html>

The General Principles of the Civil Law of the People's Republic of China

[http://www.bokee.net/newcirclemodule/article\\_viewEntry.do?id=751788&circleId=113529](http://www.bokee.net/newcirclemodule/article_viewEntry.do?id=751788&circleId=113529)

Marriage Law of the People's Republic of China

<http://blog.voc.com.cn/blog.php?do=showone&type=blog&cid=104&itemid=535145>

Law of the People's Republic of China on the Protection of Rights and Interests of Women

[http://e.3edu.net/flyy/E\\_6123\\_2.html](http://e.3edu.net/flyy/E_6123_2.html)

Law of the People's Republic of China on the Protection of Disabled Persons

<http://review.jcrb.com/200803/ca689900.htm>

[http://www.110.com/fagui/law\\_312824.html](http://www.110.com/fagui/law_312824.html)

Law of the People's Republic of China on the Protection of Rights and Interests of the Aged

[http://www.eduzhai.net/yingyu/615/763/yingyu\\_246484.html](http://www.eduzhai.net/yingyu/615/763/yingyu_246484.html)

Decision of State Council of the CPC Central Committee on Strengthening the Work for Senior Citizens

<http://wenku.baidu.com/view/ac3aa9c75fbfc77da269b1d0.html>,

Opinions of 21 Ministries on Strengthening the Preferential Treatment on the Senior Citizens

<http://china.findlaw.cn/info/baozhangfa/shyf/lnyd/84771.htm>

The Tenth Five-Year Outline Plan for Developing Senior Citizen Cause in China

[http://www.china.com.cn/law/flfg/txt/2006-08/08/content\\_7058251.htm](http://www.china.com.cn/law/flfg/txt/2006-08/08/content_7058251.htm),

The "Eleventh Five-Year Plan" for Developing Senior Citizen Cause in China

<http://wenku.baidu.com/view/e7391aea81c758f5f61f67e9.html>

**3 Please list the existing legislation, policies and projects that address the discrimination issues for senior citizens including measures to address multiple discrimination (for example age discrimination and sex discrimination);**



The Constitution of the People's Republic of China

Law of Succession of the People's Republic of China

<http://www.oklink.net/flfg/law/40101.htm>

<http://www.59edu.com/hangye/Legal/201101/23457.html>

Marriage Law of the People's Republic of China

The General Principles of the Civil Law of the People's Republic of China

Law of the People's Republic of China on the Protection of Rights and Interests of the Aged

Law of the People's Republic of China on the Protection of Disabled Persons

Law of the People's Republic of China on the Protection of Rights and Interests of Women

Population and Family Planning Law of the People's Republic of China

<http://www.chinalawedu.com/news/23223/23228/22560.htm>

**4 Please list the existing legislation, policies and projects that address violence and abuse of the senior citizens in public and private occasions.**

The Constitution of the People's Republic of China

Criminal Law of the People's Republic of China

<http://wenku.baidu.com/view/9daa3e3467ec102de2bd89f2.html>

Marriage Law of the People's Republic of China

<http://wenku.baidu.com/view/88cbb0f80242a8956bece4ed.html>

Law of the People's Republic of China on the Protection of Rights and Interests of the Aged

Adoption Law of the People's Republic of China

<http://law.vdolaw.com/Articleshow3g.asp?id=541>

Law of the People's Republic of China on Public Security Administration Punishments

<http://law.vdolaw.com/Articleshow3g.asp?id=604>

Law of the People's Republic of China on the Protection of Rights and Interests of Women

Law of the People's Republic of China on the Protection of Disabled Persons

A Number of Opinions on the Prevention and Combating Domestic Violence

**5 Please list the existing legislation, policies and projects that are related to services and facilities for senior citizens, for example, senior citizens' ability to act, product design for senior citizens, long-term care, primary care and adult continuing education for senior citizens;**

**(1) Comprehensive regulations and policies relating to the services and facilities for senior**

**citizens**

Instruction Opinions of the State Council on the Development of Urban Community Health Service

Opinions of the State Council on Strengthening and Improving Community Service Work

The "Eleventh Five-Year" Community Service System Development Plan drafted by the National Development and Reform Commission

Opinions of the Ministry of Civil Affairs on Accelerating the Development of Community Services and Circulation of the Ministry of Civil Affairs on Printing and Distributing "Standards of National Model Community Service"

Interim Measures on Management of Social Welfare Agencies

Basic Standards of Construction of Model City in the Communities all over China

Opinions on Supporting the Social Forces to Set Up Social Welfare Agencies

Outline for the Development of Food and Nutrition in China (2001-2010)

Instruction Opinions of the Ministry of Health on Community Health Care Management

Basic Norms of Social Welfare Organizations for Persons with Disabilities

**(2) Special legislation on services and facilities for senior citizen**

Circular of the National Committee on Aging and the Development and Reform Commission and other departments transmitted by the General Office of the State Council on the Notice of Accelerating the Development of Pension Services

Interim Measures on Management of Rural Homes for Senior Citizens

Implementation Plan of "Starlight Program of Community Welfare Service for Senior Citizens" by the Ministry of Civil Affairs

Implementation Plan of "Sunglow Program for Providing Care Service and Facilities Construction for the Five Guarantee in Rural Areas"

Circular of the Ministry of Construction, Ministry of Civil Affairs, Ministry of Transport, Ministry of Railways, Public Security Bureau, General Administration of Civil Aviation of China, China National Tourism Administration, All-China Women's Federation, China Association for the

# Aged and China Disabled Persons' Federation on Printing and Distributing the Eleventh Five-Year Implementation Plan of Barrier-Free Facility Construction

Circular of Ministry of Construction, Ministry of Civil Affairs, China National Committee on Aging and China Disabled Persons' Federation on Strengthening the Construction and Management of Barrier-Free Facilities

Basic Norms of Social Welfare Institutions for Senior Citizens

Specification of Building Design for Senior Citizens

Design Standard of Residential Building for Senior Citizens

Specification of Facility Planning for Urban Senior Citizens

Circular of Central Organization Department, Ministry of Culture, Ministry of Education, Ministry of Civil Affairs and China National Committee on Ageing on Educating Senior Citizens

## **6 Please list the existing legislation, policies and projects on social protection measures for senior citizens (including the right to work, the right to enjoy social security, etc.)**

### **(1) Comprehensive legislation**

The Constitution of the People's Republic of China

Labor Law of the People's Republic of China

Law of the People's Republic of China on the Protection of Rights and Interests of the Aged

Population and Family Planning Law of the People's Republic of China

<http://www.lawyer86.com/htm/3319.html>

Law of the People's Republic of China on the Protection of Rights and Interests of Women

Law of the People's Republic of China on the Protection of Disabled Persons

Social Insurance Law of the People's Republic of China

[http://www.npc.gov.cn/npc/xinwen/2010-10/28/content\\_1602435.htm](http://www.npc.gov.cn/npc/xinwen/2010-10/28/content_1602435.htm)

### **(2) Endowment and medical insurance**

Decision of the State Council on Establishing a Unified Basic Endowment Insurance System for Enterprise Employees

Decision of the State Council on Establishing a Unified Basic Endowment Insurance System for Enterprise Employees (1997)

Circular of Ministry of Labour and Social Security on Improving the Basic Endowment Insurance Policies for Urban Employees (2001) (Appendix 14)

Circular of Ministry of Labour and Social Security on Working for the Basic Endowment Insurance in Rural Areas (2003)

Circular of China Insurance Regulatory Commission on Printing and Distributing "A Number of Instruction Opinions on Accelerating the Development of Endowment Insurance " (2004)

Instruction Opinion of the State Council on Carrying out the Social Endowment Insurance Pilot in the New Rural Area (2009)

Decision of the State Council on Establishing the Basic Medical Insurance System for Urban Workers (1998)

Circular of the Ministry of Health and Other Departments Transmitted by the General Office of the State Council on Opinions of Establishing New Rural Cooperative Medical System (2003)

### **(3) Welfare**

Opinions of Strengthening Preferential Treatment for the Senior Citizens

Regulations on Providing the Care for the Rural Five-Guarantee (2006)

Circular on the Implementation of the " Regulations on Providing the Care for the Rural Five-Guarantee" (2006)

Circular Transmitted by the General Office of Ministry of Civil Affairs on Policies of Establishing Old Age Allowance System in Ningxia (2009)

### **(4) Relief**

Minimum Living Protection Ordinance (1999)

Circular of Ministry of Civil Affairs on Strengthening the Relief for AIDS Patients, their Family Members and Orphans in Difficult Living Conditions (2004)

Circular of the State Council on Establishing the Minimum Living Security System in Rural Areas

Opinions on Further Improving Urban and Rural Medical Assistance System

Circular of the Ministry of Civil Affairs, Ministry of Personnel Management, Ministry of Finance on Allocating One-Time Pension Payment for Dead Retirees (2007)

Circular of Ministry of Civil Affairs, Ministry of Finance, the Ministry of Labor and Social Security on Arranging Urban Residents Who Have Difficult Living Conditions to Participate in Basic Medical Insurance (2007)

**7 Please list the existing legislation, policies and projects on systematic collection, update and**

**analysis of data classified by ages;**

**(1) Regulations**

Statistics Law of the People's Republic of China

[http://www.stats.gov.cn/tjgl/swdcglgg/xgfg/t20020329\\_402209304.htm](http://www.stats.gov.cn/tjgl/swdcglgg/xgfg/t20020329_402209304.htm)

Law of the People's Republic of China on the Protection of Disabled Persons

<http://review.jcrb.com/200803/ca689900.htm>

[http://www.110.com/fagui/law\\_312824.html](http://www.110.com/fagui/law_312824.html)

**(2) Project**

Tracking Study on China's Urban and Rural Elderly Population (2006) (conducted every five years)

The Second National Sample Survey on the Disabled Person(2006)

Men and Women of Chinese Society - Facts and Figures

The Second Survey of Chinese Women (2000)

The Third Survey of Chinese Women (2010)

**8 Please list the existing legislation, policies and projects on promoting the male and female senior citizens to actively participate in community life, political life and cultural life;**

**(1) Comprehensive legislation**

Organic Law of the Urban Residents Committees of the People's Republic of China

<http://www.for68.com/new/2006/5/pa1649244020815600214124-0.htm>

The Organic Law of the Villagers Committees of the People's Republic of China

<http://www.chinalawedu.com/news/23223/23228/22926.htm>

Law of the People's Republic of China on the Protection of Rights and Interests of Women

[http://e.3edu.net/flyy/E\\_6123\\_2.html](http://e.3edu.net/flyy/E_6123_2.html)

Law of the People's Republic of China on the Protection of Disabled Persons

<http://review.jcrb.com/200803/ca689900.htm>

[http://www.110.com/fagui/law\\_312824.html](http://www.110.com/fagui/law_312824.html)

Law of the People's Republic of China on Physical Culture and Sports

<http://www.chinalawedu.com/news/23223/23228/23560.htm>

Circular of the State Council on Printing and Distributing National Fitness Program

Regulations of Public Cultural and Sports Facilities

Opinions of the General Office of the CPC Central Committee and State Council on Further Strengthening Rural Culture Construction

Circular of the Ministry of Culture, State Planning Commission and Ministry of Finance transmitted by the General Office of the State Council on Further Strengthening the Grassroot Cultural Construction.

Circular of the Ministry of Culture and Ministry of Education on Sharing the Grass-root Culture and Education Resources

## **(2)Special legislation for senior citizens**

Law of the People's Republic of China on the Protection of Rights and Interests of the Aged

Circular of Central Organization Department, Ministry of Culture, Ministry of Education, Ministry of Civil Affairs and China National Committee on Ageing on Well Educating the Senior Citizens

Circular of the State General Administration of Sports on Strengthening the Physical Work for Senior Citizens

Circular of the Central Organization Department, Ministry of Culture, Ministry of Education, Ministry of Civil Affairs and China National Committee on Ageing on Well Educating the Senior Citizens.

Circular of the China National Committee on Ageing on Printing and Distributing "Pilot Program of Organizing Senior Intellectuals to Assist Western Development "

Circular of Eight Institutions Including China Youth Concern Committee on Displaying the Role of Five Groups of Senior Citizens in Strengthening and Improving Ideological and Moral Construction of Minors (2004)

The Eleventh Five-Year Plan of China Aging Development

**9 Please list the existing legislation, policies and projects on senior citizens who are relieved through judicial remedy and judicial means after their rights and interests are violated. Please also mention the special mission of the human rights body like the National Human Right Organization which can address human rights issues**

### **(1) Comprehensive legislation**

Arbitration Law of the People's Republic of China

<http://review.jcrb.com/200803/ca689924.htm>

[http://www.weihai.gov.cn/xxgk/xxgk\\_default.asp?id=138410](http://www.weihai.gov.cn/xxgk/xxgk_default.asp?id=138410)

Civil Procedure Law of the People's Republic of China

[http://blog.tianya.cn/blogger/post\\_show.asp?BlogID=806875&PostID=11132917](http://blog.tianya.cn/blogger/post_show.asp?BlogID=806875&PostID=11132917)

[http://www.foreignercn.com/index.php?option=com\\_content&task=view&id=1124&Itemid=48](http://www.foreignercn.com/index.php?option=com_content&task=view&id=1124&Itemid=48)

Criminal Law of the People's Republic of China

PRC Criminal Law Amendment Act (7)

<http://www.chinalawandpractice.com/Article/2179869/PRC-Criminal-Law-Amendment-Act-7.html>

<http://www.lawinfochina.com/law/display.asp?id=354>

[http://www.invchina.net/en/news\\_detail.asp?id=887&cid=204](http://www.invchina.net/en/news_detail.asp?id=887&cid=204)

Law of the People's Republic of China on Donations for Public Welfare

<http://review.jcrb.com/200803/ca689703.htm>

<http://www.chinalawedu.com/news/23223/23228/22856.htm>

Marriage Law of the People's Republic of China

<http://blog.voc.com.cn/blog.php?do=showone&type=blog&cid=104&itemid=535145>

Law of the People's Republic of China on the Protection of Rights and Interests of Women

[http://e.3edu.net/flyy/E\\_6123\\_2.html](http://e.3edu.net/flyy/E_6123_2.html)

Law of the People's Republic of China on the Protection of Disabled Persons

<http://review.jcrb.com/200803/ca689900.htm>

[http://www.110.com/fagui/law\\_312824.html](http://www.110.com/fagui/law_312824.html)

Legal Aid Ordinance (2003)

Circular of the Supreme People's Court on Printing and Distributing "Regulations on Providing Justical Assistance to Those Who are indeed difficult in Finance (2005)

A number of Observations on the Prevention and Combating Domestic Violence

## **(2) Laws and regulations related to senior citizens**

Law of the People's Republic of China on the Protection of Rights and Interests of the Aged

<http://www.china.org.cn/english/government/207403.htm>

Circular of China National Committee on Aging on Earnestly Protecting the Rights and Interests of Senior Citizens and its Law Enforcement Supervision

## 对联合国秘书处关于老年人权益问题的答复（问题 1）

1、请提供当前有关老年人人权状况的信息，包括可能阻碍全面实现老年人人权的挑战和威胁因素；

### 中国老年人权益保障状况

中国是一个老年人口大国，2009 年，中国 60 岁及以上老年人口达到 1.6714 亿，占总人口的 12.5%。65 岁及以上人口 1.1309 亿，占总人口的 8.5%。据预测，到本世纪中叶，中国老年人口总量将超过 4 亿，占总人口的 30%以上。老年人口数量大、人口老龄化发展速度快、区域发展不平衡、未富先老是中国人口老龄化的主要特征。

中华民族有着尊老养老的传统美德，中国政府始终认为，老年人是社会的宝贵财富，是国家物质文明和精神文明的创造者、继承者和传播者。中国政府一贯把老年人作为社会的重要组成部分，采取一系列有力措施保障老年人的各项合法权益，积极弘扬尊老养老助老的社会风尚，尊重、提倡和鼓励老年人继续以各种方式参与社会发展。

#### 一、建立保障老年人权益的国家机制

中国政府坚持“党政主导、社会参与、全民关怀”的老龄工作方针，制定了“老有所养、老有所医、老有所教、老有所学、老有所为、老有所乐”的工作目标，加强老龄法律法规政策建设，制定老龄事业发展规划，健全老龄工作体制机制，为保障老年人权益创造了良好条件。

中华人民共和国成立以来，国家颁布了一系列包括老年社会保障、老年福利与服务、老年卫生、老年文化教育和体育以及社会参与等多方面内容的法律法规和政策。1996 年，全国人大常委会颁布了《中华人民共和国老年人权益保障法》，对老年人各项权益及其保护做了全面的规定。2005 年，国家 21 个部委联合下发了《关于加强老年人优待工作的意见》，在经济供养、医疗保健、生活服务、文体休闲和维权服务等方面提出了对老年人实行优先优惠服务和照顾的要求。目前，全国 31 个省（区市）都出台了当地保障老年人权益的专项法规和优待老年人的政策，初步形成了以《中华人民共和国宪法》为基础，《中华人民共和国老年人权益保障法》为主体，包括有关法律、行政法规、地方性法规、国务院部门规章、地方政府规章和有关政策在内的老龄法律法规政策体系框架，为发展老龄事业，开展老年人权益保障工作奠定了较好的法律和政策基础。

中国政府先后颁布实施了《中国老龄工作七年发展纲要（1994—2000年）》、《中国老龄事业发展“十五”计划纲要（2001—2005年）》和《中国老龄事业发展“十一五”规划》，国务院有关部门和地方各级人民政府，分别制定本部门老龄工作行动计划和本地方老龄事业发展规划。国家建立督查和评估制度，对规划的实施情况进行期中和期末检查，推动规划的落实。同时，建立了老龄事业统计指标体系



和老龄统计工作制度，为制定规划和完善督查评估工作提供了基础数据。上世纪八十年代以来，先后四次进行了全国范围的老年人口状况调查，为了解老年人状况和需求提供了重要依据。

1999年，国务院成立了全国老龄工作委员会，统筹规划和协调指导全国的老龄工作，研究、制定老龄事业发展战略和重大政策，协调和推动有关部门实施老龄事业发展规划，指导、督促和检查各地老龄工作，推动各方面共同做好老年人权益保障工作。全国老龄工作委员会主任由一位国务院副总理担任，成员单位由国家28个部门组成，委员由各成员单位一位部级领导担任。委员会下设办公室，负责日常工作。目前，全国已基本建立起省（自治区、直辖市）、地（市、州、盟）、县（市、区、旗）、乡镇（街道）各级老龄工作委员会及其办事机构，村（居）民委员会有专人负责老龄工作，初步形成了从中央到地方的工作网络。为维护老年人权益提供了组织保障。

## 二、建立健全老年社会保障体系

中国政府不断完善社会养老保障制度，扩大社会保障覆盖面，随经济发展逐步提高养老水平。目前已经基本建立起了以社会保险、社会救助、社会福利为基础，以基本养老、基本医疗、最低生活保障制度为重点，以慈善事业、商业保险为补充的较为完善的社会保障体系框架。截至2010年末，全国城镇职工基本养老保险覆盖25673万人。从2005年起，国家连续6年提高企业退休人员基本养老金水平，并向退休早、养老金水平低的人员倾斜。新型农村社会养老保险逐步扩大实施范围，领取基本养老金人数已达3745万人，农村老年人养老开始有了制度性安排。农村实施部分计划生育家庭奖励扶助制度，对农村只有一个子女和两个女孩的计划生育家庭，在夫妻年满六十周岁后，由中央和地方财政安排专项资金进行奖励扶助。截至2009年底，奖励扶助对象已达303万人。

老年医疗保障制度不断完善，城镇居民基本医疗保险全面推开，新型农村合作医疗基本实现全覆盖，“老有所医”进一步落实。老年人保健列入了国家基本公共卫生服务内容，65岁以上老年人由政府出资定期开展免费健康体检，为老年人早期发现疾病和慢性病管理提供了条件。

社会救助制度进一步健全。城乡最低生活保障制度，农村“五保”供养、医疗救助等专项救助和临时性救助制度进一步健全，救助标准不断提高，较好保障了贫困老年人的基本生活。截至2009年底，全国城市低保对象2347.7万人，其中老年人333.5万人，占14.2%。各地积极推进分类施保措施，对丧失劳动能力、患病、残疾等特殊困难老年人提高了补助水平。截至2009年底，全国共有农村五保供养对象553.4万人，基本实现应保尽保。

## 三、积极发展社会养老服务

中国政府大力发展社区为老服务，不断改善老年人居家养老的支持环境。同时，积极推进机构养老服务，努力满足老年人多样化的为老社会服务需求，初步建立以居家养老为基础、社区服务为依托、机构养老为补充的为老社会服务体系框架。目前，全国各类社区服务中心达到17.5万个，城市便民利民服务网点69.3万个，近半数的城镇社区和80%的农村乡镇建有为老服务设施和场所。各地采取上门服务、定点服务和巡回服务等方式，为老年人提供生活照料、家政服务、紧急救援以及其他便利老年人的服务项目。全国共有社会福利院、敬老院、养老院、老年

公寓和老年护理院等养老服务机构 3 8 0 6 0 个，床位 2 6 6 . 2 万张，入住老年人近 2 1 0 . 9 万人。国家出台了《老年人社会福利机构基本规范》、《老年人建筑设计规范》、《老年人居住建筑设计标准》等，规范养老服务的基础设施建设。

各地、各部门大力推行专业社会工作者职业水平考试认证和社工专业技术岗位评聘工作，提高养老服务队伍专业素质和为老服务水平。同时大力倡导社会为老志愿服务，积极发展志愿者组织，在全国范围开展志愿者为老服务“金晖行动”，组织动员广大青少年和其他社会公众加入为老服务志愿者行列，通过与养老机构和居家老年人结对帮扶等形式，为老年人提供生活照料、医疗保健、法律援助等多方面服务。继续实施“志愿者为老服务金晖行动”等志愿服务，截至 2009 年底，全国共有 1000 多万人次的青年志愿者通过多种方式，为上百万名老年人提供了多种形式的志愿服务。

#### 四、丰富老年人精神文化生活

中国政府重视发展老年文化教育事业，丰富老年人的精神文化生活，不断满足老年人精神文化需求。在大中城市逐步建设设施完备、功能齐全的综合老年活动中心，在县（市、区、旗）建立老年文化活动中心，乡（镇）、街道设立老年活动站（点），基层村（社区）开设老年活动室。目前城乡老年文体活动设施达到 7 0 万多个。国家财政支持的图书馆、文化馆、美术馆、博物馆、科技馆等公共文化服务设施以及公园、园林、旅游景点等公共文化场所向老年人免费或优惠开放。老年人社会文化生活的条件不断改善。

国家重视保障老年人受教育权利，加大投入，积极扶持，推动老年教育事业迅速发展。各级政府、有关部门和企事业单位创办了一批示范性老年大学，同时依托省、市、县各级现有群众文化设施多渠道、多层次发展老年教育，努力实现“县县有老年大学”的目标，并逐步向社区、乡镇延伸。一些地方充分运用现代传媒手段，开办面向老年人的电视和网络学校，扩大老年教育覆盖面。目前已初步形成多层次、多形式、多学制、多学科的老年教育体系。老年人通过学习达到了增长知识、丰富生活、陶冶情操、增进健康、服务社会的目的。目前，全国各类老年大学、老年学校已有 4 万 3 千多所，在校老年学员超过 4 3 0 万。

#### 五、鼓励老年人参与社会发展

国家重视和珍惜老年人的知识、经验和技能，尊重他们的优良品德，积极创造条件，发挥老年人的专长和作用，鼓励和支持老年人融入社会，继续参与社会发展。

《中华人民共和国老年人权益保障法》设专章保障老年人参与社会发展的权益。中国颁布的老龄事业发展计划或规划都把鼓励老年人参与社会发展作为重要内容，并为发挥离退休高级专家和专业技术人员作用制定专项政策。在城镇，各级政府根据经济、社会和科技发展需要，引导老年人参与教育培训、技术咨询、医疗卫生、科技应用开发以及关心教育下一代等活动。在农村，鼓励低龄健康老年人从事种植、养殖和加工业。中国老教授协会、老科技工作者协会、老年法律工作者协会等全国性老年社团已发展到 14 家，分会遍及全国各地。城乡基层老年群众组织迅速发展，已建立老年协会 80 多万个，入会老年人超过 3500 万人。在组织广大老年人参与基层社区建设、社会公益活动和维护老年人自身权益等方面发挥了积极作用。从 2003 年起，国家组织以老年知识分子发挥科技知识和业务专长援助西部地区和本地欠发达地区为主要内容的“银龄行动”，目前已在 24 个省（自治区、直辖市）为受援地

群众治病 20 多万人次，培训医务骨干和中小学教师 3.8 万人。

## 六、强化老年人权益的司法保护和法律监督

人民法院认真审理虐待、遗弃、伤害老年人的刑事案件，依法制裁侵犯老年人人身和财产权利的犯罪行为。对老年人因养老、医疗等纠纷提起的诉讼，予以优先立案、优先审理和优先执行。部分基层人民法院设立了专门处理涉老民事纠纷案件的“老年法庭”，建立了涉老案件陪审员制度。最高人民法院制定有关司法救助的规定，对贫困老年人的诉讼费用实行缓交、减交和免交。司法行政部门积极做好老年法律援助和法律服务工作。各地法律援助和法律服务机构为老年人提供优先或优惠服务。截至 2009 年底，全国共建立各级老年人法律援助中心 19909 个，老年维权协调组织达 135704 个。社区居委会、村民委员会等基层自治组织，基层人民调解组织以及老年协会等老年群众组织，承担了大量的调解和服务工作。初步形成老年法律保障和法律服务的网络体系，增强了老年维权工作的力度。

各级人大常委会定期或不定期开展执法检查，推动政府有关部门依法履行职责，落实老年人的各项合法权益。各级人民政协履行民主监督职能，为政府改进老年人权益保障工作建言献策。各级政府设立信访部门，畅通群众监督的渠道。老年人通过信访等形式主张自己的权利，反映意见和建议。新闻媒体围绕老年人权益保障问题开展多种形式的舆论监督。

## 六、加强宣传教育工作，提高依法维护老年人权益的意识

中国政府重视老龄法律法规政策的宣传普及工作，把《中华人民共和国老年人权益保障法》纳入“三五”（1996—2000年）、“四五”（2001—2005年）和“五五”（2006—2010年）普法计划，开展了形式多样的宣传学习活动，强化全社会维护老年人合法权益的法律意识和老年人的自我保护意识。全国老龄办联合国家有关部委在全社会开展评选表彰孝亲敬老模范人物的活动，宣传他们的事迹，树立先进典型。各级政府采取多种形式，大力弘扬中华民族敬老养老的优良传统，提高社会的敬老意识和水平。各地普遍设立老人节或敬老日，在每年中国传统节日重阳节和本地敬老节日期间，政府有关部门积极组织大型宣传教育活动和敬老活动。各地把青少年作为宣传教育的重点，将敬老教育内容纳入中小学教学课程，在青少年中开展“敬老爱老助老主题教育活动”，弘扬敬老养老的社会风尚。

经过多年的努力，中国的老年人权益保障工作取得了显著的进展。但是，作为一个拥有众多老年人口的发展中国家，实现老年人各方面权利，不断提高老年人的生活质量还面临着许多问题和挑战：老年法规政策体系还不够完善，社会保障制度需要进一步建立健全，老年人生活水平总体上看还较低，部分农村老年人口的贫困问题比较突出，侵害老年人权益的现象时有发生，全社会尊老敬老的社会氛围有待于进一步形成，等等。中国政府对此高度重视，目前，正在积极组织老年人权益保障法的修订工作，全国人大常委会已经决定今年要对老年人权益保障法的执行情况开展一次全面的执法调研，在此基础上提出进一步改进工作的意见。国民经济和社会发展十二五规划的建议已经把建立健全基本公共服务体系，健全覆盖城乡居民的社会保障体系，加快医疗卫生事业改革发展，包括积极应对人口老龄化，注重发挥家庭和社区功能，优先发展社会养老服务，培育壮大老龄服务事业和产业作为重要内容。正在起草的老龄事业发展十二五规划也对十二五期间的老龄事业发展做出了全面部署，国家发展改革委、国家民政部和全国老龄委正在组织起草基本养老服务

体系建设规划，加快推进养老服务的发展。中国政府将积极采取更加有效的战略措施，努力推动老龄事业与经济社会协调发展，促进老年人共享经济社会发展成果。

## 对联合国秘书处关于老年人权益问题的答复（问题 2-9）

### 2、请列举现有的保障和促进老年人人权的立法、政策和项目；

中华人民共和国宪法

<http://english.peopledaily.com.cn/constitution/constitution.html>

中华人民共和国民法通则

[http://www.bokee.net/newcirclemodule/article\\_viewEntry.do?id=751788&circleId=1](http://www.bokee.net/newcirclemodule/article_viewEntry.do?id=751788&circleId=1)

13529

[中华人民共和国婚姻法](#)

<http://blog.voc.com.cn/blog.php?do=showone&type=blog&cid=104&itemid=535145>

[中华人民共和国妇女权益保障法](#)

[http://e.3edu.net/flyy/E\\_6123\\_2.html](http://e.3edu.net/flyy/E_6123_2.html)

[中华人民共和国残疾人保障法](#)

<http://review.jcrb.com/200803/ca689900.htm>

[http://www.110.com/fagui/law\\_312824.html](http://www.110.com/fagui/law_312824.html)

中华人民共和国老年人权益保障法

[http://www.eduzhai.net/yingyu/615/763/yingyu\\_246484.html](http://www.eduzhai.net/yingyu/615/763/yingyu_246484.html)

中共中央国务院关于加强老龄工作的决定

<http://wenku.baidu.com/view/ac3aa9c75fbfc77da269b1d0.html>、

国家 21 个部委关于加强老年人优待工作的意见

<http://china.findlaw.cn/info/baozhangfa/shyf/lnyd/84771.htm>

中国老龄事业发展十五计划纲要

[http://www.china.com.cn/law/flfg/txt/2006-08/08/content\\_7058251.htm](http://www.china.com.cn/law/flfg/txt/2006-08/08/content_7058251.htm)、

中国老龄事业发展“十一五”规划

<http://wenku.baidu.com/view/e7391aea81c758f5f61f67e9.html>

### 3、请列举现有的解决老年人歧视问题的立法、政策和项目，包括解决多种歧视的措施（比如年龄歧视和性别歧视）

中华人民共和国宪法、

中华人民共和国继承法

<http://www.oklink.net/flfg/law/40101.htm>

<http://www.59edu.com/hangye/Legal/201101/23457.html>

[中华人民共和国婚姻法](#)

中华人民共和国民法通则

中华人民共和国老年人权益保障法、

中华人民共和国残疾人保障法

中华人民共和国妇女权益保障法

[中华人民共和国人口与计划生育法](#)

<http://www.chinalawedu.com/news/23223/23228/22560.htm>

### 4、请列举现有的解决在公共场合和私人场合对老年人施暴和虐待老年人问题的立法、政策和项目；

中华人民共和国宪法、

中华人民共和国刑法 <http://wenku.baidu.com/view/9daa3e3467ec102de2bd89f2.html>、

中华人民共和国婚姻法

<http://wenku.baidu.com/view/88cbb0f80242a8956bece4ed.html>

中华人民共和国老年人权益保障法、

中华人民共和国收养法、

<http://law.vdolaw.com/Articleshow3g.asp?id=541>

中华人民共和国治安管理处罚法 <http://law.vdolaw.com/Articleshow3g.asp?id=604>

中华人民共和国妇女权益保障法、

中华人民共和国残疾人保障法、

关于预防和制止家庭暴力的若干意见

**5、请列举现有的有关老年人服务和设施的立法、政策和项目，比如有关老年人行动能力、老年产品设计、长期照料、初级照料和成年继续教育的；**

### (1) 涉及老年人服务和设施的综合性法规政策。

国务院关于发展城市社区卫生服务的指导意见、

国务院关于加强和改进社区服务工作的意见、

国家发展和改革委员会“十一五”社区服务体系发展规划。

民政部关于加快发展社区服务业的意见、民政部关于印发《全国社区服务示范城区标准》的通知、

社会福利机构管理暂行办法、

全国社区建设示范城基本标准、

关于支持社会力量兴办社会福利机构的意见、

中国食物与营养发展纲要（2001—2010）

卫生部关于社区护理管理的指导意见。

《残疾人社会福利机构基本规范》

### (2) 老年人服务和设施的专项立法

国务院办公厅转发全国老龄委办公室和发展改革委等部门关于加快发展养老服务业意见的通知、

农村敬老院管理暂行办法、

民政部《“社区老年福利服务星光计划”实施方案》、

“农村五保供养服务设施建设霞光计划”实施方案、

建设部、民政部、交通部、铁道部、公安局、中国民航总局、国家旅游局、全国妇联、中国老龄协会、中国残疾人联合会关于印发《无障碍设施建设工作“十五”实施方案》的通知、

建设部、民政部、全国老龄委办公室、中国残疾人联合会关于加强无障碍设施建设和管理工作的通知、

《老年人社会福利机构基本规范》

《老年人建筑设计规范》

《老年人居住建筑设计标准》

《城镇老年人设施规划规范》

中组部、文化部、教育部、民政部、全国老龄工作委员会办公室关于做好老年教育工作的通知、

**6、请列举现有的老年人社会保护措施（包括工作的权利、享受社会保障的权利等方面）的立法、政策和项目；**

（1）综合性立法

中华人民共和国宪法、

中华人民共和国劳动法

中华人民共和国老年人权益保障法、

中华人民共和国人口与计划生育法

<http://www.lawyer86.com/htm/3319.html>

中华人民共和国妇女权益保障法

中华人民共和国残疾人权益保障法

中华人民共和国社会保险法

[http://www.npc.gov.cn/npc/xinwen/2010-10/28/content\\_1602435.htm](http://www.npc.gov.cn/npc/xinwen/2010-10/28/content_1602435.htm)

（2）养老、医疗保险

国务院关于建立统一的企业职工基本养老保险制度的决定

国务院关于建立统一的企业职工基本养老保险制度的决定（1997）

劳动和社会保障部关于完善城镇职工基本养老保险政策有关问题的通知（2001）

（附件 14）

劳动和社会保障部关于做好当前农村养老保险工作的通知（2003）  
中国保险监督管理委员会关于印发《关于加快发展养老保险的若干指导意见》的通知（2004）

国务院关于开展新型农村社会养老保险试点的指导意见（2009）

国务院关于建立城镇职工基本医疗保险制度的决定（1998）

国务院办公厅转发卫生部等部门关于建立新型农村合作医疗制度意见的通知（2003）

### （3）福利

关于加强老年人优待工作的意见

农村五保供养工作条例（2006）

关于贯彻落实《农村五保供养工作条例》的通知（2006）

民政部办公厅关于转发宁夏建立高龄老人津贴制度有关政策的通知（2009）

### （4）救助

城市居民最低生活保障条例（1999）

民政部关于加强对生活困难的艾滋病患者、患者家属和患者遗孤救助工作的通知（2004）

国务院关于在全国建立农村最低生活保障制度的通知

关于进一步完善城乡医疗救助制度的意见

民政部、人事部、财政部关于国家机关工作人员及离退休人员死亡一次性抚恤金发放办法的通知（2007）

民政部、财政部、劳动保障部关于做好城镇困难居民参加城镇居民基本医疗保险有关工作的通知（2007）

## 7、请列举现有有关系统收集、更新和分析;按年龄分列的数据的立法、政策和项目;

### （1）法规

[中华人民共和国统计法](#)

[http://www.stats.gov.cn/tjgl/swdcglgg/xgfg/t20020329\\_402209304.htm](http://www.stats.gov.cn/tjgl/swdcglgg/xgfg/t20020329_402209304.htm)

[中华人民共和国残疾人保障法](#)

<http://review.jcrb.com/200803/ca689900.htm>

[http://www.110.com/fagui/law\\_312824.html](http://www.110.com/fagui/law_312824.html)

### （2）项目

《中国城乡老年人口状况追踪调查》（2006）（每五年一次）

第二次全国残疾人抽样调查（2006）

中国社会中的男人和女人-事实和数据

第二期中国妇女地位调查（2000）

第三期中国妇女地位调查（2010）

## 8、请列举现有的促进老年男性和老年女性积极参与社区生活、政治生活及文化生活的立法、政策和项目;

### （1）综合性立法

[中华人民共和国城市居民委员会组织法](#)

<http://www.for68.com/new/2006/5/pal649244020815600214124-0.htm>



[中华人民共和国村民委员会组织法](#)

<http://www.chinalawedu.com/news/23223/23228/22926.htm>

[中华人民共和国妇女权益保障法](#)

[http://e.3edu.net/flyy/E\\_6123\\_2.html](http://e.3edu.net/flyy/E_6123_2.html)

[中华人民共和国残疾人保障法](#)

<http://review.jcrb.com/200803/ca689900.htm>

[http://www.110.com/fagui/law\\_312824.html](http://www.110.com/fagui/law_312824.html)

[中华人民共和国体育法](#)

<http://www.chinalawedu.com/news/23223/23228/23560.htm>

[国务院关于印发全民健身计划纲要的通知、](#)

[公共文化体育设施条例、](#)

[中共中央办公厅、国务院办公厅关于进一步加强农村文化建设的意见、](#)

[国务院办公厅转发文化部、国家计委、财政部关于进一步加强基层文化建设的指导意见的通知。](#)

[文化部、教育部关于做好基层文化教育资源共享工作的通知](#)

## [\(2\) 老年专项立法](#)

[中华人民共和国老年人权益保障法](#)

[中组部、文化部、教育部、民政部、全国老龄工作委员会办公室](#)

[关于做好老年教育工作的通知、](#)

[国家体育总局关于加强老年人体育工作的通知](#)

[中组部、文化部、教育部、民政部、全国老龄工作委员会办公室关于做好老年教育工作的通知](#)

[全国老龄工作委员会关于印发《组织开展老年知识分子援助西部大开发行动试点方案》的通知](#)

[中国关工委等八单位《关于发挥“五老”队伍在加强和改进未成年人思想道德建设中的作用的通知》\(2004\)](#)

[《中国老龄事业发展“十一五”规划》](#)

9、请列举现有的在老年人权利受到侵害以后能通过司法手段和司法补救手段解决问题的立法、政策和项目，包括提及有如全国人权机构一类组织可解决人权问题的特殊使

命。

### (1) 综合性法规

[中华人民共和国仲裁法](#)

<http://review.jcrb.com/200803/ca689924.htm>

[http://www.weihai.gov.cn/xxgk/xxgk\\_default.asp?id=138410](http://www.weihai.gov.cn/xxgk/xxgk_default.asp?id=138410)

[中华人民共和国民事诉讼法](#)

[http://blog.tianya.cn/blogger/post\\_show.asp?BlogID=806875&PostID=11132917](http://blog.tianya.cn/blogger/post_show.asp?BlogID=806875&PostID=11132917)

[http://www.foreignercn.com/index.php?option=com\\_content&task=view&id=1124&Itemid=48](http://www.foreignercn.com/index.php?option=com_content&task=view&id=1124&Itemid=48)

[中华人民共和国刑法](#)

中华人民共和国刑法修正案（七）

<http://www.chinalawandpractice.com/Article/2179869/PRC-Criminal-Law-Amendment-Act-7.html>

<http://www.lawinfochina.com/law/display.asp?id=354>

[http://www.invchina.net/en/news\\_detail.asp?id=887&cid=204](http://www.invchina.net/en/news_detail.asp?id=887&cid=204)

[中华人民共和国公益事业捐赠法](#)

<http://review.jcrb.com/200803/ca689703.htm>

<http://www.chinalawedu.com/news/23223/23228/22856.htm>

[中华人民共和国婚姻法](#)

<http://blog.voc.com.cn/blog.php?do=showone&type=blog&cid=104&itemid=535145>

[中华人民共和国妇女权益保障法](#)

[http://e.3edu.net/flyy/E\\_6123\\_2.html](http://e.3edu.net/flyy/E_6123_2.html)

[中华人民共和国残疾人保障法](#)

<http://review.jcrb.com/200803/ca689900.htm>

[http://www.110.com/fagui/law\\_312824.html](http://www.110.com/fagui/law_312824.html)

法律援助条例（2003）

最高人民法院印发《关于对经济确有困难的当事人提供司法救助的规定》的通知（2005）

关于预防和制止家庭暴力的若干意见、

### (2) 有关老年人的法律法规

[中华人民共和国老年人权益保障法](#)

<http://www.china.org.cn/english/government/207403.htm>

[全国老龄工作委员会办公室关于认真做好老年人权益保障和执法监](#)

[督工作的通知](#)