



UNIVERSITY OF LEEDS



CENTRE for DISABILITY  
LAW & POLICY

**Conference on EU-China**  
**International Disability Employment Law**  
*From Sheltered Workshops to Supported Employment in the*  
*Open Labor Market - a Mutual Challenge.*

**January 20-21, 2018**

**Shanghai University of Finance & Economics, China.**

**Contact: + 86 21 6877 1868 ; fuzhijun@139.com**

**Organizers:**

- Law School, Shanghai University of Finance & Economics
- Shanghai Zhijun Public Interest & Law Institute

**Co-organizers:**

- National University of Ireland, Galway - Centre for Disability Law & Policy, Ireland.
- University of Leeds, Disability Law Hub, School of Law, Leeds, UK.

**Sponsors:**

- Shanghai River Delta Law Firm, China.  
Department of Justice & Equality, Ireland

## **Conference Concept**

This two-day conference will bring together some leading disability law and policy experts from both Europe and China for an open exchange of experiences and perspectives on the global effort to move persons with disabilities away from sheltered employment and toward employment in the open labor market with appropriate support.

Both the EU and China played a leading role in drafting the UN Convention on the rights of persons with disabilities (UN CRPD) and both the EU and China have ratified it. Both are making efforts to implement the overall philosophy of inclusion represented by the convention in a broad range of policy spheres as well as in the specific and critically important field of employment.

The conference comes at a unique moment in Chinese and European disability policy. Both China and the European Union (alongside its Member States) are making great strides in their efforts to develop inclusive labor markets and new employment opportunities for their respective citizens with disabilities. The EU and Chinese economies are amongst the most vibrant in the world. Opening up economic opportunities for persons with disabilities remains a challenge to both sides.

This Conference will explore the international context to these efforts (UN and ILO standards) - something that binds China and the EU together. It will explore practical policy perspectives and innovations from both sides. It will look in-depth at local and regional initiatives on both sides (the new national employment & disability strategy in Ireland and policy in the Shanghai region). And it will open up a process of mutual learning and lay the foundation for future and similar exchanges.

For its part, China passed its 13th National Disability Development Plan (NDDP) in 2016 and responded to UN Sustainable Development Goals (SDG). The Chinese Government explicitly aims to develop well-being lives for its citizens with

disabilities. The promotion of disability employment and supported employment is a key part of this Plan and is specifically provided for in the China National Disability Development Document. Persons with disabilities are now clearly regarded as a potential human resource for the employment market and they have right to have decent work in life. Promoting inclusive employment and providing persons with disabilities with decent jobs is a clear priority of Chinese government in future. According to China Law on Protection of Persons with Disabilities, government organs, society organizations, enterprises and public institutions have 1.5% quota system of hiring persons with disabilities, and centralized employment is another form. Some new employment forms attract attention: civil servants' recruitment exams, self-employment, flexible employment and supportive employment provide new options for persons with disabilities.

The EU moved toward an equal opportunities philosophy and inclusive labor markets from the mid-1990s. It adopted landmark European-level legislation on employment and non-discrimination in 2000. It is committed to develop a 'Smart, Sustainable and Inclusive' economy and social structure by 2020 (Europe 2020 Strategy). And it too is making great efforts at opening up labor markets to persons with disabilities.

Important platforms for mutual dialogue on China/EU disability policy already exist. The 16th ASEM (Asia-Europe Meeting) informal human rights meeting took place in Beijing in 2016. This brought together policy-makers, civil society, academics and others to reflect deeply - and together - on common challenges. One thing that emerged was the complex way in which the EU provides a legislative and policy base - with support where needed - and also the room for innovation among its Member States. As a good case in point, Ireland has recently implemented an entirely new disability employment strategy which moves decisively from sheltered workshops toward supportive open employment market. This conference aims to build on the momentum provided by the 2016 ASEM meeting.

This conference should interest all persons and groups concerned to build more effective law and policy aimed at increasing good quality employment opportunities for our respective citizens with disabilities. It should also be of interest to public policy and legal scholars and students as well as policy makers. And it should interest those who focus on how global instruments like the UN CRPD can be given life where it counts most - at home and affecting our own citizens.

If you are interested in this conference, please fill in the application form attached below and send it back. For invited speakers & guests, board and two nights' accommodation will be provided. For further inquiries, please contact Zhijun FU at +86 139 17610568 or [fuzhijun@139.com](mailto:fuzhijun@139.com) or Wenfang WU at [wu.wenfang@mail.shufe.edu.cn](mailto:wu.wenfang@mail.shufe.edu.cn).

# “残障与就业——从福利工厂到支持性就业法律与实践”

## 中欧国际研讨会

**2018.1.20-21**

主办单位：

上海财经大学法学院

上海志君公益法律研究中心

上海市法学会

协办单位：

爱尔兰国立大学残疾人法律政策研究中心

支持单位：

上海江三角律师事务所

为期两天的研讨会，将汇聚来自欧洲和中国有关残障人士就业法律政策方面领先专家学者进行广泛的交流，相互交换各自经验和观点，探讨如何通过合适的支持推动残障人士就业从庇护工厂向开放型劳动力市场转变。

欧盟和中国在联合国《残疾人权利公约》起草中扮演了重要角色，双方均已批准该公约，双方都在广泛的政策领域及具体的就业方面贯彻公约所体现的融合理念。该研讨会产生于中国和欧盟残障政策的特殊时期。中国和欧盟（成员国）正努力为残障公民发展融合劳动力市场和新的就业机会。中国和欧盟是世界上经济最活跃地区，但向残障人士开放经济机会对双方仍然是挑战。该研讨会将探究残障者就业的国际背景（联合国和国际劳工组织标准）——这些把欧盟和中国连接在一起。该研讨会探讨双方在政策实施中的视角与创新，同时也深度研究国别个案（爱尔兰新的就业与残障政策）。该研讨会也是双方相互了解的机会，并为将来开展类似的交流打下基础。

2016 年，中国政府通过残疾人奔小康“十三五”规划，发布中国政府落实联合国 2030 可持续发展战略方案，正带领残疾人加快奔小康进程。残疾人已经被认为是就业市场潜在的宝贵人力资源，残疾人也应拥有体面工作权利。促进残疾人就业增收，加快残疾人奔小康进程已经成为中国残疾人事业优先发展领域。根据中国残疾人保障法，国家机关、社会团体、企事业单位等应该按 1.5% 比例雇佣残疾人，残疾人集中就业是另外一种主要渠道。近年来，一些新的残疾人就业形式引发关注：残疾人公务员试点专项招考、自谋职业、灵活就业、辅助性就业等为残疾人就业提供了新的选择。

欧盟在上世纪九十年代中期开始接受平等机会理念并走向融合劳动力市场实践。2000 年，欧盟通过了具有里程碑意义的就业与非歧视立法，欧盟 2020 战略提出致力于发展“智慧、可持续和融合”的经济和社会结构，目前欧盟也努力向残障人士开放劳动力市场。

中欧残障政策重要的双边对话平台早已存在。2016 年第 16 届亚欧非正式人权会议在北京召开。那次会议上政策制定者、民间社会、高校教师和其它利益相

关者深刻思考共同面临的挑战。挑战之一就是欧盟提供立法和政策基础的复杂方式，连同所需要的支持和其成员国之间创新的空间，一个很好的例子是爱尔兰近期执行了全新的残障就业战略，由庇护工厂向支持性开放就业市场转变。

该研讨会立足于 2016 年会议所带来的动力，旨在促进中欧残疾人就业法律政策理论与实践交流，从法律政策及实务视角探讨残疾人就业从福利工厂到开放市场就业的范式转变的背景、条件和法律机制。该研讨会目标参会者包括但不限于残障研究学者、残障人士、残障者家人父母、雇主组织和政策制定者。来自英国、爱尔兰等欧盟成员国、中国国际国内知名残障领域专家教授，以及部分知名跨国大企业雇主应邀参会。

有意参会者，请填写参会表格。如受组委会邀请参会，主办方将提供往返交通费报销、免费提供伙食和两晚住宿。有任何疑问，请联系：

傅志军 13917610568, [fuzhijun@139.com](mailto:fuzhijun@139.com),

吴文芳 15001765158, [wu.wenfang@mail.shufe.edu.cn](mailto:wu.wenfang@mail.shufe.edu.cn).

附 1  
Appendix 1

会议议程草案(可能会有变动)

**Draft Program**  
(subject to change)

**Day 1.**  
**Saturday, 20 January 20, 2018.**

**Purpose:** The purpose of Day 1 is to review the global standards that apply to both the EU and China, to introduce the overall context for the evolution of EU disability law & policy and to focus on the move toward open and supported employment in the EU.

Of especial interest will be the legal basis for EU action (the EU Treaties), the relevant non-discrimination Directives and the relevant decisions of the Court of Justice of the EU as well as the relevant policy and other instruments (e.g. public procurement legislation) in the field of open employment. This opening session will also place the evolution of Chinese disability law & policy into context. It should provide participants with a enough knowledge to be able to compare and contrast the approaches as well as tools and instruments used by both the EU and China.

9:00-9:30 Registration 注册

9:30-9:50 Welcome remarks 欢迎辞

上海财经大学法学院院长 Dean, Law School of SUFE.

爱尔兰驻沪领事馆 Representative from EU & Irish Government

傅志军

9:50-10:00 集体照 Group photo.

**Session 1: Global Standards of Disability Employment,**  
**Session 1 残疾人就业国际条约与标准 复旦大学法学院 陆志安主持**

The purpose of this session is to present international standards that connect EU & China. Chaired by Prof Lu Zhian from Fudan University Law School

**10:00-10:20 UN CRPD Article 27 Disability Employment, a Preference for Open & Supported employment market.**

Yeni Rosdianti, Centre for Disability Law & Policy, National University of Ireland, Galway.

《残疾人权利公约》第 27 条 残疾人就业与开放工作 爱尔兰国立大学 残障法律政策研究中心

**10:20-10:40 The UN Sustainable Development Goals & Disability Employment: Reinforcing the UN CRPD.**

Li Jing from Renmin University, China.

《可持续发展目标 2030》下残障就业目标 中国人民大学 李静

**10:40-11:00 International Labor Organization (ILO) Standards and disability employment policy.**

Stefan Tromel, ILO, Geneva, Switzerland (via video talk).

国际劳工组织标准与残疾人就业政策 国际劳工组织

**11:00-11:05 Comments by Prof. GUO Rijun, East China University of Science and Technology**

与谈，华东理工大学 郭日君 教授

**11:05-11:20 Q&A 讨论**

## **Session 2: Backdrop to EU & China Disability Law.**

**Session 2 中欧残疾人法律回顾 上海财经大学法学院王全兴教授主持**

The purpose of this session is to introduce the general evolution of EU and Chinese disability law & policy and provide a broader context to the debate on employment law & policy. Chaired by Prof Wang Quanxing from SUFE.

**11:20-11:40 EU - Background and Evolution of EU disability law.**

**Prof Gerard Quinn**, Centre for Disability Law & Policy, National University of Ireland, Galway (NUIG).

欧盟残疾人法律演变背景

**11:40-12:00 China - Framework & Evolution of Chinese disability law.**

**Prof Li Jianfei**, director from Disability & Development Academy, Renmin University, Beijing.

中国人民大学法学院 黎建飞教授

12:00-12:05 Commenter Prof. ZHAO Shukun, South West University of Political Science and Law

与谈人：西南政法大学 赵树坤 副教授

12:05-12:20 Q & A

12:20-13:30 Lunch break

### **Session 3 Focus on EU & China disability employment law & policy: from Theory to Practice**

Chaired by Prof. Zhang Wanhong from Wuhan University

**Session 3 中欧残疾人就业法律政策:从理论到实践 武汉大学人权研究院 张万洪教授主持**

The purpose of this session is to familiarize participants with EU and Chinese employment law and policy specifically for persons with disabilities. It will first deal with the national level and then provide insights into regional initiatives in both the EU and China.

13:30-13:50 China: The background, effect and reflection on China National Disability Development Plan focusing on disability employment.  
China Disabled Persons' Federation (CDPF).

我国残疾人就业国家战略规划 中国残联

13:50-14:10 EU level- The Evolution of Disability Employment Law & Policy,  
Professor Anna Lawson, Disability Law Hub, Leeds University, UK.

欧盟残疾人就业法律政策 利兹大学 安娜劳森

14:10-14:30 China: Chinese Disability Employment Law Framework  
ZHOU Loulou Guangzhou University

中国残疾人就业法律制度, 我国残疾人就业法律制度 周露露 广州大学

14:30 – 14:50 EU Regional Innovation: Case Study - New Irish Government

Disability & Employment strategy.

Christy Lynch, member of Government of Ireland Taskforce on disability employment strategy.

爱尔兰政府残障融合就业战略 爱尔兰政府残疾人就业战略顾问 克里斯李奇



14:50-14:55 Comments by Ni Zhen, Renmin University Researcher

与谈：倪震，中国人民大学 研究员

14:55-15:10 Q&A

15:10-15:25 Coffee break 茶歇

## **Session 4: Stakeholder Perspectives: Government, Enterprises, Service-providers and Disabled Persons’ Organizations.**

**Session 4 融合就业利益相关方支持：政府、企业、服务提供者、残**

**疾人组织 华东政法大学 刁振娇主持**

The purpose of this session is to discuss the vital role of all stakeholders to ensure that national; and regional initiatives can work.

Chaired by Prof Diao Zhenjiao from East China University of Politics Science & Law

**15:25-15:40 EU – The rise of Supported Employment across the EU.**

Christy Lynch, founder member of the European Union of Supported Employment (EUSE).

欧盟支持型就业的兴起 爱尔兰政府残障就业战略指导小组

**15:40-15:55 Research on Employment Security Found, Prof. Yang Lixiong from Renmin University**

残疾人就业保障金制度研究 中国人民大学教授 杨立雄

**15:55-16:10 Disabled persons’ federations’ obligations in the view of security fund** River Delta Law Firm Shi Qing, Lawyer

从我国残疾人就业保障金制度看残联的职责配置问题 上海江三角律师事务所

史庆 律师

**16:10-16:25 Regional Innovation - Disability supportive policy and implementation effect.** Tang Xiao from Shanghai Social Science Academy

残疾人就业支持政策与实施效果 上海社科院 汤潇研究员

**16:25 – 16:40 China: Challenges and opportunities from service-providers for intellectually-impaired persons** Rong Ai Rong Le Li Hong

心智障碍者就业面临机遇与挑战 融爱融乐 李红

16:40-16:50 **Coffee break**

**16:50- 17:20 Civil Commitment from Chinese employers**, chaired by Cui Fengming, China Disability Program, Harvard University.

中国企业的社会责任, 哈佛大学博士 崔凤鸣主持

16:50-17:00 Ms Wang Lei from You & Me “你和我”助残服务基地 CEO 王磊

17:00-17:10 Mr. LIU Haijun, Chairman, Beijing Chaoruo Influence Management Ltd.

刘海军北京朝濡影响力管理顾问有限公司 刘海军 董事长

17:10-17:20 Ms Miao Suofang, Shanghai Carrefour Supermarket Co.ltd, Jinqiao

上海家乐福超市有限公司金桥店 缪锁芳

17:20-17:30 Ms. Maria, Inclusion Factory

中德善美股份有限公司

17:30-17:35 Comments by Shanghai Human Resource & Social Protection Department Research Office

与谈：周国良 上海市人力资源与社会保障部 研究室

17:35-18:00 Q&A

18:00 Dinner

## **Day 2.**

### **Sunday 21 January, 2018.**

Day 2 will explore the current significance and future potential of non-discrimination legislation in the employment field.

The EU/China round table at the end of the day will enable participants to bring all the stands together and to begin reflecting on mutual learning and future directions and cooperation for effective law and policy.

9:00-9:30 注册 Registration

### **Session 5 - The Use and Value of Anti-discrimination law and practice - as applied to employment & disability.**

## Session 5 残疾人就业反歧视:立法、司法与实践

The purpose of this session is to explore, compare & contrast, anti-discrimination legislation in the EU and China in the field of employment law. It will enable participants to reflect on its effectiveness – and especially the value and use of the notion of ‘reasonable accommodation.’

Chaired by Stephen Hallett (OBE), Visiting Professor, University of Leeds School of Law 利兹大学法学院 访问教授 Stephen Hallett 主持

9:30 – 9:50 EU: Anti-discrimination law, ‘the obligation of ‘reasonable accommodation’ and disability in the context of employment. Anna Lawson, Leeds University, Disability Law Hub. UK.

欧盟反歧视立法背景与发展 英国利兹大学残障研究中心 安娜劳森

9:50-10:10 **China: Status and problems of anti-discrimination disability employment in China.** HUANG Yi, Ph.d, Leeds University, Disability Studies Center

中国残疾人就业歧视现状和问题 利兹大学残障研究中心博士 黄裔

10:10-10:25 **Reasonable accommodation under Chinese Law**  
**China Social Science Academy, Research Center on International Law QU XiangFei, Researcher**

合理便利在我国的实施 中国社会科学院国际法研究所研究员 曲相霏

10:25-10:40 **Reasonable explanation of “Reasonable accommodation”**

合理便利的合理解释

Ph.d candidate, FU Zhijun, SUFE Law School,

傅志军 上海财经大学法学院 博士生

10:40-10:55 China: **Practice on the right of employment** for persons with disabilities Jin Xi from Beijing Yingke Law Firm

残疾人就业权法律实践 北京盈科律师事务所 金希

10:55-11:00 Comments by Prof. ZHANG Shencui, SUFE Law School

与谈 上海财经大学法学院 张圣翠 教授

11:00-11:05 **Q&A**

11:05-11:20 Coffee/ Tea break 茶歇

## **Session 6: Reflection & Future**

### **Session 6 反思与展望 上海财经大学法学院 吴文芳副教授主持**

The purpose of this session is to reflect the future development of employment law and policy based on the previous studies and discussion. Just as important it will give space to the participants to discuss future liens of cooperation and mutual learning.

Chaired by Prof Wu Wenfang from Law School, Shanghai University of Finance & Economics

#### **11:20-11:30 EU Disability Employment Law - Future Trends**

Prof Gerard Quinn

欧盟残疾人就业法的未来发展 杰拉德奎恩

#### **11:30-11:40 China Disability Employment Law - Future Trends:**

Comments on Development of China disability employment law Prof Li Jianfei

中国残疾人就业法评述与展望 黎建飞教授

#### **11:40-12:00 EU-China round table: mutual challenge & future cooperation**

圆桌讨论：共同的挑战与将来的合作

#### **12:00-12:10 Conference rapporteur reports:**

Stephen Hallet (OBE), visiting professor, Leeds University Law School.

Huang Yi, graduate, Leeds University.

#### **12:10-12:15 Closing remarks – Vice dean of SUFE**

闭幕讲话 上海财经大学副校长

12:15-13:30 午餐 Lunch

## Appendix 2 附 2

### Profile of key speakers:



Professor Gerard Quinn

Professor Gerard Quinn is a leading authority on international and comparative disability law and policy and is a professor of law at NUI Galway.

He directs the Director of the Centre for Disability Law and Policy at the School of Law. His animating philosophy is 'scholarship in action' which means placing the assets of the university at the service of democratic reform processes. In keeping with this philosophy he has undertaken many different roles outside of the academy in government, international treaty monitoring bodies. He was director of the Irish Government's Law Reform Commission and also a civil servant in the European Commission where he helped change EU policy on disability. He served on the Irish Government's Commission on the Status of persons with Disabilities (1993-1996) and the Irish Human Rights Commission (2002-2012). He led the delegation of Rehabilitation International during the negotiations of the United Nations Convention on the Rights of Persons with Disabilities in New York.

Gerard sits on various international advisory boards dealing with disability law and policy issues. He received the Presidential Award of excellence from Rehabilitation International in 2008 and in 2012 he was named by Enterprise Ireland as a 'Champion of European Research.' More recently he was appointed by President Michael D. Higgins to serve on the Council of State which provides constitutional advice to the President.

Professor Anna Lawson from Leeds University



Professor of Law and Director of the Centre for Disability Studies, Leeds University

Professor Lawson is the director of the university-wide interdisciplinary Centre for Disability Studies. She has played lead roles in a range of interdisciplinary national and multinational research projects. She has delivered papers in over 30 countries and regularly advise national and international organizations on disability issues. Outside academia, she currently works with the Equality and Human Rights Commission (as a member of the statutory Disability Committee for England, Scotland and Wales). Prof. Lawson was awarded Bob Hepple Memorial Award in 2016 by the Equal Rights Trust for her great work on equality.

Stefan Tromel, as a leading expert in the inclusion of people with disabilities in the workforce, Stefan Tromel, has served as director of the European Disability Forum, participated in the creation of the UN Convention on the Rights of Persons with Disabilities (CRPD) and worked with the International Disability Alliance and Fundacion ONCE in Spain. Tromel is currently the Senior Disability Specialist with the International Labor Organization.

Christy Lynch, Irish government senior specialist in disability field, the drafter of the new Government strategy.

Albert Grech, First Secretary, political section, Delegation of the European Union to China,

Professor Zhou Pei, Welfare Research Center for Persons with Disabilities, Nanjing University.

Professor Wang Quanxing, Law school, Shanghai University of Finance & Economics. Professor Wang is the vice director of China Society Law Association, vice director of China Employment Law Association, specialist of consultancy committee of China Human Resources & Social Protection. Publications include but not limited to *Employment Law (2008)*, *Basics and Thematic Researches on Economics Law (2002)*.

Professor Lu Zhian, vice director of National Base for Education and Training of Human Rights, Fudan University. Prof Lu majors broadly in international law, international private law, international economics law, international humanitarian law, etc. He is currently the committee member of Chinese international law association, Chinese international private law association, Chinese international economics law association. He is former adjunct professor of Groningen University, Netherland and City University of Hongkong. His representative articles were published on *Law Review*, *Human Rights*, *Yale-China Journal of American Studies*, *Law* and etc. He co-contributed to text books *International Law*, *International Economics Law*.

Professor Li Jianfei, vice dean of Disability Undertaking Institute, Renming University of China. Prof Li is committee member of Chinese employment law association, committee member of Chinese society law association, and specialist of experts group on Chinese outbound employment issues. His representative publications include but not limited to *Legal Construction of Social Protection to PwDs in China: Current status, Issues and Development*; *Chinese Disability Welfare Policy and Legislation*; *Legal Principles of Social Protection to Disabled Children*; *Basic Theories and Principles Regarding Chinese Social Protection to Persons' with Disabilities*, and etc.

### Appendix 3 Application form

#### 附录 3 申请表

### “从福利工厂到支持性就业法律与实践”国际研讨会

参会者报名回执（请参会者填好后发至 [fuzhijun@139.com](mailto:fuzhijun@139.com) 。

Potential participants please fill in the form below and email it to [fuzhijun@139.com](mailto:fuzhijun@139.com).

姓名 name		性 别 gender	
单 位 Organization			
职务 position		职称 Rank	
固 话 Telephone		手机 mobile	
电子邮件 Email			
是否需要合理便利 reasonable accommodation or not			
*住宿需求 lodging requirement	单间 single room ( )    标间 double room ( ) 自行安排住宿 self arrangement without coordination ( )		

赵树坤 李学会 傅高山 苏峰山 鲁尼哈佛森

一加一蔡聪 陈婷婷 杨博超