

A UPR report submitted to the United Nations High Commissioner for Human Rights

—On the Situation of China's Using Traditional Chinese Medicine to Safeguard People's Right to Health June 2023

1. As an international organization in the field of acupuncture-moxibustion of traditional Chinese medicine (TCM), the World Federation of Acupuncture-Moxibustion Societies (WFAS) always pays close attention to the development of acupuncture-moxibustion around the world, especially how this medicine is used in safeguarding people's right to health in different countries. After the universal periodic review on China in 2018, the Chinese government has made great efforts to give play to the distinctive role of acupuncture-moxibustion of TCM, taken a series of measures to effectively implement the recommendations on the right to health in the Report of the Working Group on the Universal Periodic Review, and made fruitful efforts to protect the people's right to health with acupuncture-moxibustion of TCM, especially the right to health of vulnerable groups. We suggest that the Chinese government further expand the scale of TCM services, train more high-level TCM personnel, and improve the management measures and medical insurance payment policies according to the characteristics of TCM.

I. Acupuncture-moxibustion of TCM is an important means of primary health care

2. Acupuncture-moxibustion of TCM has spread to 196 countries and regions. According to the *WHO Global Report on Traditional and Complementary Medicine 2019*, acupuncture is the most widely recognized and used traditional medicine in the world.

3. The effectiveness and safety of acupuncture-moxibustion have been proved by more and more clinical trials, the results of which are seen in top medical journals such as the *American Annals of Internal Medicine*, *Journal of the American Medical Association*, and *British Medical Journal*. Meanwhile the prices of acupuncture-moxibustion and many other kinds of TCM services are generally low, ranging mostly from tens to hundreds of Chinese yuan and seldom above 1,000 yuan. When with the same curative effect, choosing acupuncture-moxibustion of TCM as the treatment not only alleviates the physical pain of patients but relieves their economic burden. Therefore acupuncture-moxibustion of TCM is a high-quality and efficient means in primary health care and also a superior solution to many modern medical problems such as chronic diseases, geriatrics diseases and addictions. Universal application of acupuncture-moxibustion of TCM at the community level and in economically underdeveloped areas is significant to guarantee the highest right to physical and mental health of vulnerable groups.

II. Progress achieved in China

4. China has increased support of public health services in rural and underdeveloped areas. According to recommendations 28.95¹, 28.256², and 28.320³, the *Law on the Promotion of Basic Medical and Health Care of the People's Republic of China* was implemented in June 2020. Its Article 9 specified that “the state progressively develops the cause of traditional Chinese medicine” . Article 10 stipulated that “focus on the primary level and take multiple measures to give priority to supporting the development of medical and health institutions below the county level” . Article 11 specified that “support the development of medicine and healthcare in old revolutionary base areas, ethnic minority areas, border areas and economically underdeveloped areas by ways including increasing transfer payments” . The Law made respectively provisions on the development of TCM, giving priority to the construction of primary medical and healthcare institutions, and supporting the development of medicine and healthcare in underdeveloped areas. A study⁴ revealed that the TCM techniques frequently used in TCM hospitals have mostly been included in medical insurance, and in less developed regions such as the western regions there are more TCM service items covered by medical insurance. These measures strengthened the protection of the right to health of vulnerable groups.

5. China has made great efforts to develop TCM at the grass-roots level, focusing on the role of acupuncture-moxibustion of TCM in maintaining the health of the elderly and children. According to recommendations 28.249⁵, 28.250⁶, 28.252⁷ and 28.253⁸, in September 2022 the Chinese government launched the special activity of TCM health promotion of the Healthy China Action, requiring focus on the health maintenance throughout whole life cycle, health management of key populations, prevention and treatment of major diseases, popularizing TCM health knowledge, implementing integrated prevention and control of Chinese and western medicine, and further playing the role of TCM in the Healthy China Action. In the process of implementation, the Chinese government has emphasized the standardized TCM health management services for the elderly and children. TCM resources’ entering elderly care institutions, communities and households are accelerating. According to the data released by China’s National Administration of Traditional Chinese Medicine, TCM services are available in more than 98% of medical and health institutions at community and town level in China, and there are clinical departments on TCM in almost 90% of public general hospitals. The accessibility of TCM services, especially in primary health care is significantly increased.

¹ A/HRC/40/6 28.95 Continue to support economic and social development programmes and to focus on bridging the gap between rural and urban areas, particularly in the field of public health services (Qatar);

² A/HRC/40/6 28.256 Give more public health resources to the central and western regions and rural areas (Mozambique);

³ A/HRC/40/6 28.320 Respect all the human rights of the Tibetan people and other minorities, including the importance of an environment that is safe, clean, healthy and sustainable, which is essential for the enjoyment of many of these rights (Switzerland); ;

⁴ Liu Xinyuan. (2022). *Research on access management of medical insurance catalog for TCM medical service projects* (Thesis of master degree, China Academy of Chinese Medical Sciences). <https://kns.cnki.net/KCMS/detail/detail.aspx?dbname=CMFD202301&filename=1022049596.nh>

⁵ A/HRC/40/6 28.249 Continue the Healthy China plan and strengthen other measures to promote the right to health (Viet Nam);

⁶ A/HRC/40/6 28.250 Continue to strengthen health services in rural areas, including community elder-care services (Singapore);

⁷ A/HRC/40/6 28.252 Continue to implement the Healthy China strategy (Democratic People’s Republic of Korea);

⁸ A/HRC/40/6 28.253 Continue to promote the development of the physical and mental health of children in a balanced fashion (Gabon);

6. The growth rate of TCM services is higher than the average growth rate of overall medical services. According to the *Statistical Bulletin of China's Health Care Development in 2021* released by China's National Health Commission, by the end of 2021, there were 1,030,935 medical and health institutions nationwide, an increase of 8,013 over the previous year, including 77,336 traditional Chinese medical and health institutions nationwide, an increase of 4,981 over the previous year (accounting for 62% of the total increase). By the end of 2021, the total number of health personnel nationwide reached 13.983 million, with an increase of 0.508 million over the previous year (increased by 3.8%), of which the total number of TCM health personnel nationwide was 0.884 million, an increase of 0.055 million over the previous year (increased by 6.6%, higher than the overall increase rate). In 2021, the total number of patient visits to medical and health institutions throughout the country was 8.47 billion, an increase of 730 million over the previous year (increased by 9.4%), including 1.2 billion patient visits to traditional Chinese medical and health institutions, an increase of 140 million (increased by 13.7%, higher than the overall increase rate).

7. Significant progress has been made in the construction of China's legal system for TCM. After the implementation of the *Law on Traditional Chinese Medicine of the People's Republic of China* in 2017, China further constructed the legal system of TCM at different legislative levels and perspectives. More than 20 supporting regulations on TCM institutions, personnel and drugs have been issued, aiming to promote reforms in service price management, the review and evaluation system of Chinese medicine that conform to the characteristics of TCM, etc., and introduce more measures in training and using TCM talents. In October 2019, the CPC Central Committee and the State Council issued the *Opinions on Promoting the Inheritance, Innovation and Development of Traditional Chinese Medicine*. By the end of 2021, 29 provinces had issued specific measures to implement the *Opinions*, and 18 provinces revised local regulations on TCM. Regarding increasing the coverage of TCM in medical insurance, the National Healthcare Security Administration and National Administration of Traditional Chinese Medicine issued the *Guiding Opinions on Medical Insurance Supporting the Inheritance, Innovation and Development of Traditional Chinese Medicine* in December 2021, clearly proposing to accredit qualified TCM institutions as designated medical insurance institutions, cover appropriate Chinese herbal medications and TCM service items by medical insurance payment, make payment policies more suitable for TCM, and support primary medical institutions to provide TCM services.

8. In its efforts to cope with the COVID-19 pandemic, the Chinese government has always encouraged TCM health personnel to share their experience with the world of using TCM in anti-pandemic endeavors, which was an effective implementation of recommendations 28.50⁹ and 28.255¹⁰. In March 2022, the World Health Organization released the *Report on WHO Expert Meeting on Evaluation of Traditional Chinese Medicine in the Treatment of COVID-19*, which pointed out that the studied TCMs are beneficial in the treatment of COVID-19 particularly in mild-to-moderate cases and that in the process of treating COVID-19 TCM is beneficial in reducing the risk of progression from mild-to-moderate cases to severe COVID-19.

⁹ A/HRC/40/6 28.50 Continue to promote knowledge-sharing with other developing countries on public health-service projects (Gabon);

¹⁰ A/HRC/40/6 28.255 Continue public health education consultations for the general public and support NGOs in providing health services in communities (Jordan).

For mild-to-moderate cases, the studied TCMs may shorten the time for viral clearance, resolution of clinical symptoms and length of hospital stay. There is encouraging evidence that early application of TCM may result in better clinical outcomes for patients with mild-to-moderate COVID-19. In the COVID-19 pandemic, the combination and use of TCM and western medicine have become a major feature of China's prevention and control of COVID-19. WFAS organized 29 sessions of International Lectures on COVID-19 and more than 20 bilateral or multilateral experience exchanging activities, during which Chinese TCM experts introduced without reservation the clinical experience of TCM in preventing and treating COVID-19 to doctors, policy makers and researchers in other countries.

III. Expectations and Suggestions

9. We suggest that the Chinese government further expand the scale of TCM services, train more high-level TCM personnel. According to statistics released in the *Statistical Bulletin of China's Health Care Development in 2021*, that the proportion of TCM in overall medicine and healthcare as in the number of medical and health institutions, health personnel and patient visits have increased, but is still at a low percentage. We hope China will continue to increase investment in this area.

10. We suggest that China continue to improve the management measures and medical insurance payment policies according to the characteristics of TCM. For most of the provinces, the number of medical service items covered by medical insurance falls between the range 4,000-8,000 while that of TCM service items 100-300, with the percentage of TCM service items covered by medical insurance between 2%-4%, which is quite far from the proportion of conventional medical service items, leaving space for further improvement.