

Phase II Questionnaire
Human Rights – Health
Version 5

The Asia Pacific Program on Cross Cultural Dispute Resolution Research*

Interviewer Note: This information is for the purpose of disclosure to respondents and for the purpose of obtaining consent to participate in the interview.

访问员注意：：这一信息是用来向受访者披露以得到其参与受访的同意。

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Project Purpose: This questionnaire was prepared as part of a research project concerning cross-cultural dispute resolution in Asia and North America. This project will benefit scholarly understanding of perspectives on dispute resolution, and the factors that affect such perspectives. The information provided in responses to the questionnaire will be used only for this research project.

项目目的: 此问卷是一项关于在亚洲和北美的跨文化争端解决研究项目的一个部分。这个项目将有助于从学术角度理解争端解决的观点, 以及影响这些观点的因素。基于对此问卷的回答而收集的信息将只会用于这一研究项目。

Procedures: Each question should be answered truthfully based on the personal knowledge of the respondent. Completion of the questionnaire is expected to require 30 minutes, although additional time may be used if the respondent so desires. Participation in this project is voluntary, and any respondent may withdraw from the project at any time. If the questionnaire is completed, it will be assumed that consent has been given. The identity of the respondents is not requested and if supplied will be kept strictly confidential. Confidentiality will be maintained through the anonymous nature of the

questionnaire and by the researcher keeping all completed questionnaires under lock and key.

步骤:

被访者应根据其个人知识如实回答每一个问题。完成此问卷大概需时 30 分钟，当然受访者也可能因个人意愿而用更多的时间。参与本研究项目完全出于自愿，任何受访者都可在任何时间退出此研究项目。如果这份问卷答完了，将被视为您同意接受这份调查。受调查者的身份信息无需提供，如果受调查者提供了，该信息将被严格保密。这一保密措施包括：本问卷为匿名问卷，且研究人员将把所有完成的问卷通过上锁保管。

* The University of British Columbia in collaboration with Waseda University and Shizuoka University in Japan; University of Melbourne, Australia; the Shanghai Academy of Social Sciences, China; and York University, Canada

Interviewer Note: This information is essential to the cluster analysis, and must be recorded accurately. 访问员注意：：这一信息对于系统分析有实质作用，必须准确纪录。

I. Background Information/背景信息

1. Age/年龄:

- a. _____ 15-25
- b. _____ 26-35
- c. _____ 36-45
- d. _____ 46-55
- e. _____ 56-65
- f. _____ 65 +

2. Sex/性别: a. _____ Male/男
 b. _____ Female/女

3. Education Level: (highest level attained)/ 教育程度

- a. _____ not completed primary school/未完成小学

- b. _____ completed primary school/完成小学
- c. _____ junior high school / middle school/初中
- d. _____ senior high school / high school/高中
- e. _____ technical / specialist diploma/职校/技校
- f. _____ undergraduate university degree/大学本科
- g. _____ graduate university degree/研究生

4. What is your occupation (profession)?/ 您的职业是什么?

5. What is your current employment status?/您现在的就业情况如何?

- a. _____ unemployed/失业
- b. _____ trainee / student/培训生/学生
- c. _____ temporary / casual /临时工
- d. _____ fixed term contract/固定合同工
- e. _____ permanent part-time employee (usually less than 40 hours/week)/
长期兼职雇员
- f. _____ permanent full-time employee (usually more than 40 hours/week)/
长期全职雇员
- g. _____ self-employed/自雇

6. In your spare time do you volunteer?/您在空闲的时间从事志愿者工作吗?

- a. _____ No/否
- b. _____ Yes (If yes, please specify)/是 (请具体写出)

7. What is your involvement in your community? (choose those that apply)./您参与社区活动的情况如何? (请选择是英语您的情况)

- a. _____ community service/社区服务
- b. _____ NGO/ 非政府组织
- c. _____ Other. Please specify/其它 (请指明) _____

8. Have you ever lived outside of China?/您在中国以外居住过吗?

a. _____ No/否

b. _____ Yes/是

(i) If yes, please specify duration/如果是，请写明时间长短

(ii) If yes, please specify reason/如果是，请写明原因

9. Language capacity, please specify all that apply/语言能力请指出适用于您的情况:

a. Mother tongue/母语 _____

b. Second language/第二语言 _____

c. Others /其他 _____

II. **Experience With Disputes**

Please explain the circumstances of the most recent dispute you have experienced in relation to health./ 请说明你最近所经历的与健康有关的纠纷的情况。

10. When did it occur/ 何时发生? _____

11. Describe the parties/ 涉及到哪些当事人.

12. What were the issues in the dispute/ 引起纠纷的问题是?

13. What was the monetary value of the dispute/ 纠纷涉及的财产价值金额为?

14. How was the dispute resolved/ 纠纷是怎样解决的?

15. What was the outcome of the dispute/ 纠纷的结果是什么?

16. What means were used to resolve the dispute? Please specify/ 用什么方式解决
纠纷? _____

17. Did you receive advice from a third party? /您是否从第三方获得建议?

No / 否 _____

Yes / 是 _____ If yes, please specify the party / 如果是, 请写明第三方

III. Standard // Norm Questions/标准问题

18. Do you think every country should be required to provide the highest attainable
standard of health for everyone? /你认为每个国家是否都应该有义务确保向每
个人提供最高水平的健康保障?

a. _____ No/否

b. _____ Yes/是

19. Do you think all people should be entitled to equal rights of access to health care?
/你认为每个人是否都应该享有平等的医疗权利?

a. _____ No/否

b. _____ Yes/是

20. Do you think government should be required to safeguard the equal right of
access to health care? /你认为政府是否应该确保每个人享有平等的医疗权
利?

a. _____ No/否

b. _____ Yes/是

21. Do you think every individual should have the freedom to control one's health
and body? /你认为每个人是否都应该享有对自己的身体和健康的控制权?

- a. _____ No/否
- b. _____ Yes/是

22. Do you think government should have the responsibility to protect individuals from non-consensual medical treatment? /你认为政府是否应该有责任保护人们不受非自愿的治疗?

- a. _____ No/否
- b. _____ Yes/是

23. Do you think everyone should have the right to a standard of living adequate for the health of himself and of his family? /你认为每个人是否都应该享有符合自己和家人健康需要的生活水平的权利?

- a. _____ No/否
- b. _____ Yes/是

24. Do you think all people should have equal rights to the following? (*Answer No or Yes in agreement with the statement choice*) /你认为是否所有的人都应该平等地享有下述权利 (请您用“否”或者“是”来表明对下列说法的认同与否)

- a. Access to safe and nutritious food/获得安全和有营养的食物?
____ No/否 ____ Yes/是
- b. Access to safe water and adequate sanitation /获得安全的水和适当的卫生设施?
____ No/否 ____ Yes/是
- c. Healthy occupational conditions/ 健康的工作条件?
____ No/否 ____ Yes/是
- d. Healthy environmental conditions 健康的环境条件
____ No/否 ____ Yes/是

IV. Specific Issues/细节问题

25. Does international law require government to provide accessible health care for everyone? /国际法是否要求政府为每一个人提供可得到的医疗保健?

- a. _____ No
- b. _____ Yes
- c. _____ Don't know

26. Does Chinese law require the government provide accessible health care for everyone? 中国法律是否要求政府为每一个人提供可得到的医疗保健?

- a. _____ No/否
- b. _____ Yes/是
- c. _____ Don't know/不知道

27. Does international law require that all governments pursue the achievement of the right to health despite different levels of development? / 国际法是否要求所有政府不论发展水平如何都不断地努力实现每个人的健康权利?

- a. _____ No/否
- b. _____ Yes/是
- c. _____ Don't know/不知道

28. Does Chinese law require the government to pursue the achievement of the right to health despite different levels of development? / 中国法律是否要求政府不论发展水平如何都不断地努力实现每个人的健康权利?

- a. _____ No/否
- b. _____ Yes/是
- c. _____ Don't know/不知道

29. Does international law prohibit governments from interfering with an individual's control over their own health and body? 国际法是否禁止政府干涉个人对自己的身体和健康的控制。

- a. _____ No/否
- b. _____ Yes/是
- c. _____ Don't know/不知道

30. Does Chinese law prohibit governments from interfering with an individual's control over their own health and body? 中国法律是否禁止政府干涉个人对自己的身体和健康的控制。

- a. _____ No/否
- b. _____ Yes/是
- c. _____ Don't know/不知道

31. Who has the responsibility for ensuring equality of access to health care? (*RATE EACH option from 1-5, with 1=highly appropriate, 5=highly inappropriate*) // 谁有责任确保民众获得平等的医疗权利? (请从 1-5 标明程度, 1=非常恰当, 5=非常不恰当)

- a. The central government / 中央政府 RATE/标明程度 1—2—3—4 —5
- b. The local government / 地方政府 RATE/标明程度 1—2—3—4 —5
- c. Private employers / 私人雇主 RATE/标明程度 1—2—3—4 —5
- d. The employee / 雇员 RATE/标明程度 1—2—3—4 —5
- e. Trade unions / 工会 RATE/标明程度 1—2—3—4 —5
- f. International organisations/ 国际组织 RATE/标明程度 1—2—3—4 —5
- g. Other (please specify)/其他 (请指出) RATE/标明程度 1—2—3—4 —5

32. Who has the right to file complaints when governments do not ensure adequate health care? (*RATE EACH option from 1-5, with 1=highly appropriate, 5=highly*

inappropriate appropriate) /当政府不确保适当的医疗权利时, 谁有权进行投诉?
(请从 1-5 标明程度, 1=非常恰当, 5=非常不恰当)

- a. The individual(s) affected/ 受到影响的个人:
RATE/标明程度 1—2—3—4 —5
- b. Family and friends of those who are affected/ 受到影响的个人的亲友:
RATE/标明程度 1—2—3—4 —5
- c. Social and community groups/社会和社区团体:
RATE/标明程度 1—2—3—4 —5
- d. International Organizations/ 国际组织:
RATE/标明程度 1—2—3—4 —5
- e. Organizations concerned with health care protection/与健康权保护有关的组织
RATE/标明程度 1—2—3—4 —5
- f. Trade Unions/工会: RATE/标明程度 1—2—3—4 —5
- g. No limitations/没有限制: RATE/标明程度 1—2—3—4 —5

33. Do you think disputes over the right to health generally are resolved by reference to international law? (*Choose one answer*) /你认为健康权纠纷一般是否参照国际法解决? (请选择一个答案)

- a. _____ All of the time/总是
- b. _____ Some of the time/有时
- c. _____ Never/从不
- d. _____ Don't know/不知道

34. Do you think disputes over the right to health generally are resolved according to local rules? (*Choose one answer*) /你认为健康权纠纷一般是否参照本地规则解决? (请选择一个答案)

- a. _____ All of the time/总是
- b. _____ Some of the time/有时
- c. _____ Never/从不
- d. _____ Don't know/不知道

35. What should be the result when a person or group has been denied the right to health? (For each, please specify **No** or **Yes** in agreement with statement) / 如果个人或团体不能享有他们应有的健康权利，结果应该是什么？（请您用“否”或者“是”来表明对下列说法的认同与否）

- a. Nothing can be done/什么也做不了。 ___No/否 ___Yes/是
- b. They should receive restitution/他们应该被恢复享有这种权利。
___No/否 ___Yes/是
- c. They should receive monetary compensation/ 他们应该得到金钱补偿
___No/否 ___Yes/是
- d. They should receive a guarantee of non-repetition. 他们应该得到不再发生这种情况的保证。 ___No/否 ___Yes/是
- e. They should receive an apology/ 他们应该得到一个道歉
___No/否 ___Yes/是
- f. The group / agent or organization responsible should be punished/ 负责人应该受到惩罚 ___No/否 ___Yes/是
- g. Other (please specify) / 其他（请指出） _____
___No/否 ___Yes/是

36. What should be the result when a person has received medical treatment without his or her consent? (For each, please specify **No** or **Yes** in agreement with statement) / 当一个人在未经自己同意的情况下接受了治疗，结果应该是什么？（请您用“否”或者“是”来表明对下列说法的认同与否）

- a. Nothing can be done/什么也做不了。 ___No/否 ___Yes/是
- b. They should receive restitution/他们应该被恢复享有这种权利。
___No/否 ___Yes/是
- c. They should receive monetary compensation/ 他们应该得到金钱补偿
___No/否 ___Yes/是
- d. They should receive a guarantee of non-repetition. 他们应该得到不再发生这种情况的保证。 ___No/否 ___Yes/是
- e. They should receive an apology/ 他们应该得到一个道歉
___No/否 ___Yes/是
- f. The group / agent or organization responsible should be punished/ 负责人应该受到惩罚 ___No/否 ___Yes/是
- g. Other (please specify) / 其他（请指出） _____
___No/否 ___Yes/是

37. What should be the result when a person or group has been denied access to safe and nutritious food? /当个人或团体不能享有他们应有的获得安全和有营养的食物的权利时，结果应该是什么？（请您用“否”或者“是”来表明对下列说法的认同与否）

- a. Nothing can be done/什么也做不了。 ___No/否 ___Yes/是
- b. They should receive restitution/他们应该被恢复享有这种权利。
___No/否 ___Yes/是
- c. They should receive monetary compensation/ 他们应该得到金钱补偿
___No/否 ___Yes/是
- d. They should receive a guarantee of non-repetition. 他们应该得到不再发生这种情况的保证。 ___No/否 ___Yes/是
- e. They should receive an apology/ 他们应该得到一个道歉
___No/否 ___Yes/是
- f. The group / agent or organization responsible should be punished/ 负责人应该受到惩罚 ___No/否 ___Yes/是
- g. Other (please specify) / 其他（请指出） _____
___No/否 ___Yes/是

38. What should be the result when a person or group has been denied access to a supply of safe water and adequate sanitation? /当个人或团体不能获得应有的安全的水和适当的卫生设施时，结果应该是什么？（请您用“否”或者“是”来表明对下列说法的认同与否）

- a. Nothing can be done/什么也做不了。 ___No/否 ___Yes/是
- b. They should receive restitution/他们应该被恢复享有这种权利。
___No/否 ___Yes/是
- c. They should receive monetary compensation/ 他们应该得到金钱补偿
___No/否 ___Yes/是
- d. They should receive a guarantee of non-repetition. 他们应该得到不再发生这种情况的保证。 ___No/否 ___Yes/是
- e. They should receive an apology/ 他们应该得到一个道歉
___No/否 ___Yes/是
- f. The group / agent or organization responsible should be punished/ 负责人应该受到惩罚 ___No/否 ___Yes/是
- g. Other (please specify) / 其他（请指出） _____
___No/否 ___Yes/是

39. What should be the result when a person or group has been denied healthy working conditions? /当个人或团体不能获得应有的健康的工作条件时，结果应该是什么？（请您用“否”或者“是”来表明对下列说法的认同与否）
- a. Nothing can be done/什么也做不了。 ___No/否 ___Yes/是
 - b. They should receive restitution/他们应该被恢复享有这种权利。
___No/否 ___Yes/是
 - c. They should receive monetary compensation/ 他们应该得到金钱补偿
___No/否 ___Yes/是
 - d. They should receive a guarantee of non-repetition. 他们应该得到不再发生这种情况的保证。 ___No/否 ___Yes/是
 - e. They should receive an apology/ 他们应该得到一个道歉
___No/否 ___Yes/是
 - f. The group / agent or organization responsible should be punished/ 负责人应该受到惩罚 ___No/否 ___Yes/是
 - g. Other (please specify) / 其他（请指出） _____
___No/否 ___Yes/是

40. What should be the result when a person or group has been denied healthy environmental conditions? /当个人或团体不能获得应有的健康的环境条件时，结果应该是什么？（请您用“否”或者“是”来表明对下列说法的认同与否）

- a. Nothing can be done/什么也做不了。 ___No/否 ___Yes/是
- b. They should receive restitution/他们应该被恢复享有这种权利。
___No/否 ___Yes/是
- c. They should receive monetary compensation/ 他们应该得到金钱补偿
___No/否 ___Yes/是
- d. They should receive a guarantee of non-repetition. 他们应该得到不再发生这种情况的保证。 ___No/否 ___Yes/是
- e. They should receive an apology/ 他们应该得到一个道歉
___No/否 ___Yes/是
- f. The group / agent or organization responsible should be punished/ 负责人应该受到惩罚 ___No/否 ___Yes/是

g. Other (please specify) / 其他 (请指出) _____
___No/否 ___Yes/是

41. What are the methods preferred to be used to resolve disputes over the health-related issue of access to treatment? (RATE EACH option from 1-5, with 1=highly preferred, 5=not at all preferred) / 解决与获得治疗有关的健康纠纷的首选方式是什么? (请从 1-5 标明程度, 1=高度地优先适用, 5=一点都不优先适用)

- a. Negotiation/谈判: RATE/标明程度 1—2—3—4 —5
- b. Government intervention/政府干预:RATE/标明程度 1—2—3—4 —5
- c. Mediation/调解: RATE/标明程度 1—2—3—4 —5
- d. Arbitration/仲裁: RATE/标明程度 1—2—3—4 —5
- e. Court Litigation/法庭诉讼: RATE/标明程度 1—2—3—4 —5
- f. Other (please specify)其他 (请写明) :_____ RATE/标明程度 1—2—3—4 —5

42. What are the methods preferred to be used to resolve disputes over the health-related issue of compulsory treatment? (RATE EACH option from 1-5, with 1=highly preferred, 5=not at all preferred) / 解决与强制治疗有关的健康纠纷的首选方式是什么? (请从 1-5 标明程度, 1=非常优先适用, 5=一点都不优先适用)

- a. Negotiation/谈判: RATE/标明程度 1—2—3—4 —5
- b. Government intervention/政府干预:RATE/标明程度 1—2—3—4 —5
- c. Mediation/调解: RATE/标明程度 1—2—3—4 —5
- d. Arbitration/仲裁: RATE/标明程度 1—2—3—4 —5
- e. Court Litigation/法庭诉讼: RATE/标明程度 1—2—3—4 —5
- f. Other (please specify)其他 (请写明) :_____ RATE/标明程度 1—2—3—4 —5

43. What are the methods preferred to be used to resolve disputes over access to healthy living conditions? (RATE EACH option from 1-5, with 1=highly preferred, 5=not at

all preferred) / 解决与获得健康的生活条件有关的纠纷的首选方式是什么?
(请从 1-5 标明程度, 1=非常优先适用, 5=一点都不优先适用)

- a. Negotiation/谈判: RATE/标明程度 1—2—3—4 —5
- b. Government intervention/政府干预:RATE/标明程度 1—2—3—4 —5
- c. Mediation/调解: RATE/标明程度 1—2—3—4 —5
- d. Arbitration/仲裁: RATE/标明程度 1—2—3—4 —5
- e. Court Litigation/法庭诉讼: RATE/标明程度 1—2—3—4 —5
- f. Other (*please specify*)其他 (请写明) :_____ RATE/标明程度 1—2—3—4 —5

44. Who should decide which rules should be used to resolve right to health disputes? (*RATE EACH option given from 1-5, with 1=highly appropriate, 5=highly inappropriate*) /谁应该决定解决健康权纠纷时适用何种规则? (请从 1-5 标明程度, 1=非常恰当, 5=非常不恰当)

- a. Parties/当事人: RATE/标明程度 1—2—3—4 —5
- b. Local government/地方政府: RATE/标明程度 1—2—3—4 —5
- c. Central government/中央政府: RATE/标明程度 1—2—3—4 —5
- d. International organization/国际组织: RATE/标明程度 1—2—3—4 —5
- e. Dispute resolution body 争端解决机构: RATE/标明程度 1—2—3—4 —5

45.How effective are governments in ensuring that people enjoy the highest attainable standard of health? (*Choose one answer*). / 各级政府在确保人们享有可以得到的最高水平的健康保障方面有效程度如何 (请选择一个答案)

- a. Very effective / 非常有效
- b. Somewhat effective / 有一些效果
- c. Not effective / 没有效果
- d. Don't know / 不知道

46. How effective are international standards in ensuring that people enjoy the highest attainable standard of health? (*Choose one answer*). / 国际标准在确保人们享有可以得到的最高水平的健康保障方面有效程度如何 (请选择一个答案)

- a. Very effective / 非常有效
- b. Somewhat effective / 有一些效果
- c. Not effective / 没有效果
- d. Don't know / 不知道

47. Governments have the authority to guarantee the freedoms and entitlements necessary for people to enjoy the highest attainable standard of health because: (*RATE EACH option from 1-5, with 1=strongly agree, 5=strongly disagree*). / 政府在确保民众享有可以得到的最高水平的健康保障方面具有权威, 因为: (请从 1-5 标明程度, 1=非常同意, 5=非常不同意)

- a. They are consistent with basic values/ 它们与基本价值观一致
RATE/标明程度 1—2—3—4 —5
- b. They are legally enforceable and valid 它们在法律上可强制执行和有效的 RATE/标明程度 1—2—3—4 —5
- c. They are fundamentally fair/ 它们从根本上是公平的
RATE/标明程度 1—2—3—4 —5
- d. They reflect the view of the majority / 它们反映了大多数人的观点
RATE/标明程度 1—2—3—4 —5
- e. They are easy to enforce / 它们比较容易被执行
RATE/标明程度 1—2—3—4 —5
- f. It depends on the state's coercive power/取决于国家的强制力 RATE/
标明程度 1—2—3—4 —5

48. International standards, as set forth by international organizations, have the authority to guarantee the freedoms and entitlements necessary for people to enjoy the highest attainable standard of health because: (*RATE EACH option from 1-5, with 1=strongly agree, 5=strongly disagree*). / 国际标准在确保民众享有可以得到的最高水平的健康保障方面具有权威, 因为: (请从 1-5 标明程度, 1=非常同意, 5=非常不同意)

- a. They are consistent with basic values/ 它们与基本价值观一致
RATE/标明程度 1—2—3—4 —5
- b. They are legally enforceable and valid 它们在法律上可强制执行和有效的 RATE/标明程度 1—2—3—4 —5
- c. They are fundamentally fair/ 它们从根本上是公平的
RATE/标明程度 1—2—3—4 —5
- d. They reflect the view of the majority/它们反映了大多数人的观点
RATE/标明程度 1—2—3—4 —5
- e. They are easy to enforce / 它们比较容易被执行
RATE/标明程度 1—2—3—4 —5
- f. It depends on the organization's's coercive power / 取决于组织的强制力
RATE/标明程度 1—2—3—4 —5