**Position Paper**

**Country** : **China**

**Topic** : **Improving Accessibility and the Inclusion of Persons with disabilities in Urban Areas.**

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**Summarisation of my country:**



**CHINA**

**China is the world's most populous country. It has a continuous culture stretching back nearly 4,000 years and originated many of the foundations of the modern world.**

#### The People's Republic of China was founded in 1949 after the Communist Party defeated the nationalist Kuomintang, who retreated to Taiwan, creating two rival Chinese states - the People's Republic on the mainland and the Republic of China based on Taiwan.

#### After stagnating for decades under the rigid totalitarian socialism of founder Mao Zedong, China reformed its economy along partly capitalist lines to make it one of the world's fastest-growing, as well its leading exporter. China is now a major overseas investor, and is pursuing an increasingly assertive foreign and defence policy.

#### But economic change has not been matched by political reform, and the Communist Party retains a tight grip on political life and much of wider society.

China, as the largest developing country in the world, has 60 million persons with disabilities, an estimated number on the basis of result of 1987 First National Sampling Survey on Disability. According to United Nations, during the past two decades or so, concurrent with the rapid economic growth and social development, China's Human Development Index (HDI) was 0.522 in 1975 and the figure rose up to 0.74 in 2002. In terms of world ranking, China's HDI ranking was 111th (among 174 countries) in 1992 and it rose to 94 (of 177 countries) in 2002. As result of a series of positive legislative and administrative actions and the work of disability organisations, the general living conditions and overall social status of people with disabilities in the country, has improved remarkably. Yet, people with disabilities remain a vulnerable group and many still encounter specific difficulties in a society whose economy is experiencing a tremendous market-oriented transition. Much remains to be done in order to ensure the full realisation of "Equality, Participation and Sharing" for people with disabilities.

**Country details:**

China's Constitution provides a general principle on protection of people with disabilities. Article 45 establishes that "all citizens ... have the right to material assistance from the state and society when they are old, ill or disabled. The state develops the social insurance, social relief and medical and health services that are required to enable citizens to enjoy this right..." and "the state and society help make arrangements for the work, livelihood and education of the blind, deaf-mute and other handicapped citizens. In addition, more than thirty national laws contain specific provisions concerning people with disabilities and the protection of their rights, including the Civil Law, the Criminal Law, the Law of Education, the Law on Higher Education, the Labour Law and so on.

The Law on the Protection of Disabled Persons (enacted in 1991) is of significant importance to the protection of the rights of people with disabilities. It contains fifty four articles and nine chapters that address rehabilitation, education, employment, cultural life, welfare, access, legal liability, etc.

Article 3 of the Law sets a principle of anti-discrimination that stipulates:

"disabled persons are entitled to enjoyment of equal rights as other citizens in political, economic, cultural and social fields, in family life and other aspects. The rights of disabled persons as citizens and their personal dignity are protected by law. Discrimination against, insult of and infringement upon disabled persons is prohibited."

The Law in its Article 49 through 52, also establishes general provisions for enforcement and list some types of rights violations and their repercussions, and make reference to applicable civil or criminal laws and administrative procedures.

By 2003, all thirty provincial congresses issued local disability regulations. Local authorities now take more initiatives in producing supplementary policies.

By the law on Protection of Disabled Persons, the State "guarantees the right to education for disabled persons... and provide[s] compulsory education for children and youth with disabilities... and the State charges no tuition for those disabled students receiving compulsory education."

Other laws, such as the Law of Education, the Law of Vocational Education, and the Law of Higher Education, contain special provisions for people with disabilities. For example, the Law of Education stipulates that "the State supports and develops the undertaking of education for persons with disabilities, " and that "the State, society, schools and other educational institutes shall provide education to persons with disabilities according to their physical and psychological characters and needs and give them assistance and convenience." Para.3, Article 10 and Article 38, Law of People's Republic of China on Education [(enacted in 1995)].