

Advance the Construction of Inclusive Cities for All via Statutory Powers

LV Shiming*

China Disabled Persons' Federation, Beijing 100034, China

***CORRESPONDING AUTHOR**

Address: No. 186 Xizhimen South Street, Xicheng District, Beijing, 100034, China

Email: shiminglv@163.com

ABSTRACT

On October 27, 2022, the Act on Accessible Environment Construction of the People's Republic of China (Draft) was reviewed at the Second Plenary Session of the 37th Meeting of the 13th Standing Committee of the National People's Congress. This is the first law special for the construction of accessible environments in China, indicating the country's big advance in legislation progress of such constructions. As an essential component to urban development and the improvement of urban environments, accessible environment construction would better ensure the building of inclusive cities for all. The author believes that an inclusive city for all should be warm, accessible, comfortable, and open. Thus, the construction of accessible environment should be an integral part of social development which needs feasible, high-standard solutions. Only guided by the principles of "equality, integration, and sharing," can we—planners, designers, builders, managers, monitors, etc.—fulfill our duties to realize the envisioned accessible environments.

KEYWORDS

Accessible Environment; Legislation; Inclusive City for All; Urban and Rural Construction; Universal Design

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EDITED BY

WANG Ying, Tina TIAN

TRANSLATED BY

WANG Ying, Tina TIAN, XIAO Jie

On October 27, 2022, the Act on Accessible Environment Construction of the People's Republic of China (Draft) was reviewed at the Second Plenary Session of the 37th Meeting of the 13th Standing Committee of the National People's Congress. This is the first law special for the construction of accessible environments in China, indicating the country's big advance in in legislation progress of such constructions. As a member of the Standing Committee, I witnessed the reviewing process of the Draft, recognizing the strengths of Chinese system of socialist rule of law and its practice.

Legislation on accessible environment construction is a

national agenda that matters the people's aspirations for a better life and will benefit all the people. As an essential component to urban development and the improvement of urban environments, accessible environment construction would better ensure the building of inclusive cities for all. In contemporary societies, it is essential to satisfy the needs of citizens of all ages so as to advance the construction of a harmonious society. In this sense, a city being "friendly to all ages," "inclusive," and "accessible" is as important as being "sustainable" in urban renewal and urban-rural development. Only in this way, can we build a quality urban environment for

everyone—an ideal world as depicted in the Peach Blossom Spring.

An inclusive city for all should be warm. The Draft proposes to expand the covering population towards all members of the society with accessibility needs. This would enrich and update the connotations of related concepts and ideas, representing a milestone of China's social civilization. Today, accessible environments are no longer “exclusively” created for the disabled, but “inclusively” designed for all—not only meeting the demands of vulnerable groups (the disabled, the elderly, etc.), but also better satisfying the use and experiences of all individuals. As population aging accelerates and a series of policies released to encourage childbirth in China, how to guarantee the use of urban environments to both the elderly and children now becomes a concern to most Chinese families, to the extent that everyone can benefit from the construction of accessible environments.

An inclusive city for all should be accessible. Accessible environments provide not only inclusive generic public services, but also special services for people who might need. A safe and convenient environment shall be accessible to all when needed, providing care for all individuals at different stages of life. With their dignity protected and rights guaranteed, people will attain a more complete and lasting sense of fulfillment, happiness, and security. Therefore, the construction of accessible environments should adopt more systematic, comprehensive, continuing, and scientific universal design that can ensure everyone's access to all roads, buildings, green spaces, etc. Lovely urban spaces shall be readily accessible to everyone.

An inclusive city for all should be comfortable and open. Quality urban development is the top goal to build China into a modern socialist country in all aspects. In the development of inclusive cities for all, it is critical to build accessible environments suitable for living, work, transport, travel, and recreation. Highly concerned by the central committee of CPC, the construction of accessible environments has realized remarkable achievements along with the social advance and economic growth. Perceivable and pervasive accessible environments have brought about significant convenience to our daily life. Still, many issues need to be addressed. Newly-built and renovated projects of urban renewal are in bad need of professional guidance in terms of the practice of accessible environment construction. We should also speed up to resolve urgent and challenging tasks, such as facility renewals for senior citizens, old residential community renovation, children-friendly environment construction, and accessible household transformation. Compulsory regulations timely issued by the Ministry of Housing and Urban-Rural Development provide

guidelines to realize accessible requirements of each project, ranging from planning, design, construction, and supervision to acceptance. This has contributed much to the broad promotion and high-quality development of accessible environments and the accessible design of urban-rural environments.

In the new era of China's urbanization, the construction of accessible environments should be improved in quality and efficiency, in addition to availability. The Draft, developed upon China's reality and the level of economic and social development, lists comprehensive regulations and requirements on the development of accessible environments. Thus, the construction of accessible environments should be an integral part of social development which needs feasible, high-standard solutions. Only guided by the principles of “equality, integration, and sharing,” can we—planners, designers, builders, managers, monitors, etc.—fulfill our duties to realize the envisioned accessible environments.

以法治的力量，推进全龄友好与包容性城市建设

吕世明*

中国残疾人联合会，北京 100034

*通讯作者

地址：北京市西城区西直门南小街186号

邮编：100034

邮箱：shiminglv@163.com

摘要

2022年10月27日，《中华人民共和国无障碍环境建设法（草案）》提请十三届全国人大常委会第三十七次会议第二次全体会议审议。该法是我国首次就无障碍环境建设制定的专门性法律，标志着我国无障碍环境建设立法进入实质性推进阶段。无障碍环境建设是实现“全龄友好”和“包容性”社会的重要条件，也是城市建设与发展的重要内容。“全龄友好与包容性城市”必定是温馨温暖、可达可达和舒适自由的。只有以“平等、融合、共享”的理念，一丝不苟、毫不怠慢、履约守法地全面高质量、高品质推进无障碍环境建设，落实无障碍设计的各项要求，严把设计、施工、验收各项关口，我们才能在实际工作岗位上作出应有的贡献。

关键词

无障碍环境；
立法；
全龄友好；
包容性城市；
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通用设计

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王颖，田乐

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2022年10月27日，《中华人民共和国无障碍环境建设法（草案）》（以下简称“草案”）提请十三届全国人大常委会第三十七次会议第二次全体会议审议，这是我国首次就无障碍环境建设制定专门性法律，标志着我国无障碍环境建设立法进入实质性推进阶段。我本人作为全国人大常委会委员亲历审议全过程，深切感受到全过程人民民主的中国特色社会主义法治体系的优越制度和实践伟力，铭刻着一种新时代新征程的使命责任和历史担当。

无障碍环境建设立法是国之大事、民之幸事，与人民群众对美好生活的向往息息相关。无障碍环境建设是实现“全龄友好”和“包容性”社会的重要条件，也是城市建设与发展的重要内容。在人类社会的发展中，不断满足各年龄段人群的需求才是构建和谐生活生活的本原。因此，“全龄友好”“包容性”和“无障碍”与城市更新、城市体检、城乡建设发展的“可持续”相辅相成、相向并行、不可分割。高质量、高

品质无障碍环境家园更是为众人所想、众人所盼、人人乐享。《桃花源记》中描绘的“黄发垂髫，并怡然自乐”的那种理想生活境界，期盼能在全龄友好与包容性城市建设中得以实现。

“全龄友好与包容性城市”必定是温馨温暖的。在本次审议的草案中，提出“有无障碍需求的社会成员”的概念，将无障碍环境受益人群的范围扩大，这是无障碍理念意识的更新和升华，是社会文明进步的飞跃。如今，无障碍环境建设已绝不仅仅是为残障群体的“特惠”，而是面向所有人的“普惠”，这为城市建设与发展指明了方向。在保障残疾人、老年人等重点需求人群的基础上，无障碍环境必将更好地惠及和服务于社会全体成员。特别是在我国人口老龄化进程加速和“多孩”生育政策实施的背景下，“一老一小”成为全社会关注的焦点和热点，而“一老一小”涉及所有人的家庭。因此，每个人都将成为无障碍环境的受益者。

“全龄友好与包容性城市”必定是可达的。无障碍环境建设不仅体现在普惠的、高品质的公共服务需求上，也体现在对特殊需求的特色或个性化的服务之中，让所有人都能享有无障碍环境带来的安全和便捷，都能在需要的时候获得贴心的关爱，从而达到从“全龄友好”到“全生命周期”的呵护，维护人民的尊严和权益，让人民的获得感、幸福感和安全感更加充实、更有保障、更可持续。因此，“全龄友好与包容性城市”建设中的无障碍环境要坚持“通用设计”的理念，并提升设计的系统性、全面性、连续性和科学性，让所有人都能无障碍畅享整座城市的每一条道路、每一座建筑、每一片绿地……让幸福可及可达，让美好无所不在。

“全龄友好与包容性城市”必定是舒适自由的。高质量发展是全面建设社会主义现代化国家的主题和首要任务，宜居宜业宜行宜游宜乐的无障碍环境是“全龄友好与包容性城市”的建设目标。党中央高度重视无障碍环境建设，我国无障碍环境建设伴随着国民经济和社会文明的发展同样取得了显著成就，社会成员感知感受的无障碍环境渗透于日常生活产生的非凡价值和明显变化有目共睹。然而，当前还存在诸多亟待解决的问题：在城市更新中，大量的新建改建项目亟需高质量的无障碍专业化指导；城乡面临大量的适老化工程、老旧小区改造、儿童友好型环境建设、家庭无障碍改造等涉及人民群众“急难愁盼”的问题，这些都需要加大力度解决。住房和城乡建设部颁布的相关强制性标准是“及时雨”，将有力促进建设工程在规划、设计、施工、监理、验收各个环节落实无障碍要求，对于促进无障碍环境建设普惠式发展、高质量发展，提升城乡无障碍环境建设普及度意义重大。

新时代的无障碍环境建设在继续解决“有没有”的同时，更要努力解决“好不好”“管不管用”的问题。因此，无障碍环境建设立法，立足国情实际，与经济社会发展水平相适应，对涉及社会生活方方面面的无障碍环境建设规范和要求作出规定，让无障碍环境建设永远成为社会发展中的“必答题”，而不是“选择题”，并给出明确的高标准“答案”。对于“全龄友好与包容性城市”建设，我们只有以“平等、融合、共享”的理念，一丝不苟、毫不怠慢、履约守法地全面高质量、高品质推进无障碍环境建设，落实无障碍设计的各项要求，严把设计、施工、验收各项关口，才能无愧于时代、无愧于人民、无愧于自己身上的这份担子，在实际工作岗位上作出应有的贡献。