Annex 1 – Template Laws and Regulations (completed for The Netherlands)

UN Convention on the Rights of Persons with Disabilities in the Netherlands

The UN Convention on the Rights of Persons with Disabilities has been in force in the Netherlands since 14 July 2016. This convention stipulates that people with disabilities or chronic illnesses can participate in society just like everyone else. The law on equal treatment on the grounds of disability or chronic illness that applies in the Netherlands has been amended accordingly. Among other things, the law requires that information and services must be accessible to everyone, including people with disabilities or chronic illnesses. People who do encounter problems are entitled to request effective adjustments. Municipalities are therefore also subject to the obligations of the UN Convention and the law on equal treatment.

Based on the UN Convention on the Rights of Persons with Disabilities, a multi-year National Strategy for Accessibility ([1]) is developed in 2024 to improve the position of people with disabilities. The strategy provides direction for renewed plans for a more accessible and inclusive Netherlands by 2040. In the area of accessibility, the following priorities are central to the strategy:

- Accessibility is the standard in legislation and implementation.
- All newly designed and manufactured items—including products and services—must, where possible, be usable by everyone, in line with universal design principles.
- All existing structures, products, and services should, where possible, be made usable by everyone, in line with universal design principles.
- Communication and information necessary to make choices in life are available to everyone in the desired form and understandable to the recipient.

Unlimited Participation!

Following the ratification of the UN Convention on the Rights of Persons with Disabilities in 2016, the government launched the 'Unlimited Participation!' programme ([2]). The 2021-2025 Coalition Agreement includes a commitment to continue with initiatives from this programme. The Ministry of Health, Welfare and Sport is responsible for the practical coordination of this approach through 'Unlimited Participation'. Unlimited Participation supports and facilitates the national movement towards greater accessibility and inclusion. No concrete work agenda with actions for this programme has been drawn up yet. However, a game called 'Vraagje' ([3]) developed . The aim for this game is to encourage people to engage in conversation with each other and to make it easier to ask questions about accessibility. The game revolves around practical questions that help us to enable everyone to participate fully in society. In these

[1] https://open.overheid.nl/documenten/db93725f-4753-4e40-bf53-d18454b28308/file
[2] https://open.overheid.nl/documenten/ronl-02002d6dbc83b54eb7e04d3ed0cc01760f51603f/pdf
[3] https://www.doeonbeperktmee.nl/vraagje

encounters, you do not ask personal questions out of curiosity, but practical questions that make life easier for yourself and others. It is all about mutual communication.

Building Regulations

In the Netherlands, the only legal rules on accessibility are laid down in the Building Decree, Article 41. The contents of this decree are mandatory for every construction project for which a permit is applied for. Municipalities are not legally allowed to impose stricter requirements. Even structures that do not require a permit are expected to comply with the Building Decree, but this is the responsibility of the applicant. The Building Regulations impose strict requirements on the accessibility of buildings, such as ramps, stairs, door widths/heights, thresholds and (the presence of) wheelchair-accessible toilets. A building that complies with the Building Decree is often not yet fully accessible, because no requirements are imposed on important aspects of accessibility. These include sensitivity to stimuli and accessibility for blind and visually impaired people. The rules on accessibility in the Building Decree can be found here: https://zoek.officielebekendmakingen.nl/stb-2018-291.html

The interest group IederIn has also introduced the ITS (International Accessibility Symbol), the blue sign on a building. This is checked and awarded by a commercial company, the PBT (Projectbureau Toegankelijkheid).

IT Standard

The Integral Accessibility Standard (ITstandard)[4] is the internationally recognised standard for accessible construction in the Netherlands. This standard converts the general accessibility guidelines and standards into technical construction requirements that are applied in the design and realisation of fully accessible projects. If the built environment meets the criteria of the ITstandard, it is eligible for an ITS Quality Mark. The ITstandard and the accompanying ITS Quality Mark are officially recognised by the American Disability Act (ADA) and the WELL and BREEAM certificates as equivalent criteria for accessibility. This means that compliance with the ITstandard is equivalent to compliance with the ADA, WELL and BREEAM requirements in the field of physical accessibility. Having an ITS Quality Mark is sufficient for these certification schemes to comply with the physical accessibility chapter.

Conclusion

There is Dutch legislation that focuses on physical accessibility and is therefore relevant for providing advice on physical accessibility to organisations. For example, legal rules have been laid down regarding physical accessibility in the Building Decree, Article 41. It sets strict requirements for the accessibility of buildings, such as ramps, stairs, door widths/heights, thresholds and (the presence of) wheelchair-accessible toilets. Secondly, reference can be made to the internationally recognised standard for accessible construction, known as the IT Standard. This standard converts general accessibility guidelines and standards into technical

[4] https://www.pbtconsult.nl/ontwerprichtlijnen/itstandaard/213/56/

construction requirements. If these requirements are met, the organisation can obtain an ITS quality mark.

In addition to the above legal requirements, reference can also be made to universal design of buildings to improve accessibility. The National Strategy, which was drawn up on the basis of the UN Convention on the Rights of Persons with Disabilities, has as its spearhead that everything that is built or made must be usable by everyone on the basis of universal design. This means that every design must take into account all types of users, without separate adjustments for every person who is different from the average.

Erasmus+

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