



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

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| Country: | The Netherlands |
| Title: | First Chamber adopts International Convention on the Rights of Persons with Disabilities (UNCRPD) |
| Date: | 13 June 2016 |
| Expert: | Rikki Holtmaat |
| <u>Context</u> | |
| Issue at stake: | Adoption of UNCRPD |
| Ground of discrimination: | Disability |
| Source: | Legislation |
| Field: | Access to goods and services |
| Applicable law: | International Convention on the Rights of Persons with Disabilities |

Content

Development:

The Netherlands already became a signatory to the International Convention on the Rights of Persons with Disabilities (UNCRPD) in 2007, but the subsequent ratification process was very slow. Despite several calls to action from NGOs, little progress was made in the years after the Convention was signed. Adoption met with resistance from associations of entrepreneurs and the liberal party (VVD), who were afraid that ratification would result in bureaucratic rules and increased costs for businesses.

In January 2016, the Second Chamber finally adopted the Convention, and the First Chamber has recently, in April 2016, followed this example. This means that the Treaty now has been ratified, after the law adopting it was published in the Law Gazette at the end of May. The Netherlands has however not (yet) acceded to the Optional Protocol to the Convention.

The Dutch government now has to take concrete steps in ensuring that accessibility truly becomes the norm in the Netherlands. Together with adopting the Convention, the First Chamber also adopted a bill that concerns the actual implementation of the Convention. This bill contains changes to a number of statutory acts, for example the Disability Discrimination Act (*Wet gelijke behandeling op grond van handicap of chronische ziekte*). Most changes will however be implemented by means of orders in council (*algemene maatregel van bestuur*). The new norm, that buildings must be accessible for all, will apply both to the government and to the private sector, although adjustments need to be reasonable.

A group of young disabled adults, We stand up! (*Wij staan op!*) played an important role in increasing awareness of the obstacles disabled persons face in the Netherlands, for

example showing how many buildings were still not (fully) accessible for wheelchair users.

One of the buildings that has to be adjusted is the First Chamber. The public gallery, cynically enough, was not accessible for several disabled persons who had come to observe the debate.

Key points of analysis:

The Netherlands has ratified the International Convention on the Rights of Persons with Disabilities (UNCRPD).

Internet link source:

Act concerning the adoption of the International Convention on the Rights of Persons with Disabilities, Staatsblad (*Law Gazette*) 2016, 82

<https://zoek.officielebekendmakingen.nl/stb-2016-182.html>.

Implementation of the International Convention on the Rights of Persons with Disabilities, Eerste Kamer, 2015-2016, 33 990 A

https://www.eerstekamer.nl/behandeling/20160121/gewijzigd_voorstel_van_wet.