

## Basic information

2017/2127(INI)

INI - Own-initiative procedure

Implementation of the European disability strategy

### Subject

4.10.06 People with disabilities

Procedure completed

## Key players

European  
Parliament

### Committee responsible

**EMPL** Employment and Social Affairs

### Rapporteur

STEVENS Helga (ECR)

### Appointed

16/03/2017

### Shadow rapporteur

PLURA Marek (PPE)

BLINKEVIČIŪTĖ Vilija (S&D)

HARKIN Marian (ALDE)

KUNEVA Kostadinka (GUE  
/NGL)

ŽDANOKA Tatjana (Verts  
/ALE)

AGEA Laura (EFDD)

MÉLIN Joëlle (ENF)

### Committee for opinion

**ENVI** Environment, Public Health and Food Safety

CHILDERS Nessa (S&D)

04/05/2017

**CULT** Culture and Education

WARD Julie (S&D)

04/04/2017

**LIBE** Civil Liberties, Justice and Home Affairs

The committee decided not to  
give an opinion.

**FEMM** Women's Rights and Gender Equality

ESTARÀS FERRAGUT Rosa  
(PPE)



16/05/2017

**PETI** Petitions

WIKSTRÖM Cecilia (ALDE)

14/06/2017

|                     |                       |              |
|---------------------|-----------------------|--------------|
| European Commission | Commission DG         | Commissioner |
|                     | Justice and Consumers | JOUROVÁ Věra |

| Key events |  |   |                         |
|------------|--|---|-------------------------|
| Date       | Event                                      | Reference   | Summary                 |
| 02/02/2017 | Non-legislative basic document published   | SWD(2017)0029   | <a href="#">Summary</a> |
| 06/07/2017 | Committee referral announced in Parliament |   |                         |
| 19/10/2017 | Vote in committee                          |   |                         |
| 30/10/2017 | Committee report tabled for plenary        | <a href="#">A8-0339/2017</a>  | <a href="#">Summary</a> |
| 30/11/2017 | Decision by Parliament                     | <a href="#">T8-0474/2017</a>  | <a href="#">Summary</a> |
| 30/11/2017 | Results of vote in Parliament              |  |                         |
| 30/11/2017 | Debate in Parliament                       |  |                         |
| 30/11/2017 | End of procedure in Parliament             |   |                         |

| Technical information      |                                |
|----------------------------|--------------------------------|
| Procedure reference        | 2017/2127(INI)                 |
| Procedure type             | INI - Own-initiative procedure |
| Procedure subtype          | Implementation                 |
| Legal basis                | Rules of Procedure EP 55       |
| Other legal basis          | Rules of Procedure EP 165      |
| Stage reached in procedure | Procedure completed            |
| Committee dossier          | EMPL/8/09423                   |

| Documentation gateway                               |                      |                              |            |                         |
|---|----------------------|------------------------------|------------|-------------------------|
| European Parliament                                 |                      |                              |            |                         |
| Document type                                       | Committee            | Reference                    | Date       | Summary                 |
| Committee draft report                              |                      | <a href="#">PE608.029</a>    | 13/07/2017 |                         |
| Committee opinion                                   | <a href="#">PETI</a> | <a href="#">PE606.231</a>    | 11/09/2017 |                         |
| Committee opinion                                   | <a href="#">FEMM</a> | <a href="#">PE609.613</a>    | 12/09/2017 |                         |
| Amendments tabled in committee                      |                      | <a href="#">PE609.673</a>    | 14/09/2017 |                         |
| Committee opinion                                   | <a href="#">ENVI</a> | <a href="#">PE606.210</a>    | 12/10/2017 |                         |
| Committee opinion                                   | <a href="#">CULT</a> | <a href="#">PE604.815</a>    | 13/10/2017 |                         |
| Committee report tabled for plenary, single reading |                      | <a href="#">A8-0339/2017</a> | 30/10/2017 | <a href="#">Summary</a> |

|  |  |                              |             |                         |
|--|--|------------------------------|-------------|-------------------------|
| Text adopted by Parliament, single reading     |  | <a href="#">T8-0474/2017</a> | 30/11/2017  | <a href="#">Summary</a> |
| <b>European Commission</b>                     |  |                              |             |                         |
| <b>Document type</b>                           |  | <b>Reference</b>             | <b>Date</b> | <b>Summary</b>          |
| Commission working document (SWD)              |  | SWD(2017)0029                | 02/02/2017  | <a href="#">Summary</a> |
| Commission response to text adopted in plenary |  | <a href="#">SP(2018)87</a>   | 16/03/2018  |                         |

## Implementation of the European disability strategy

2017/2127(INI) - 30/10/2017 - Committee report tabled for plenary, single reading

The Committee on Employment and Social Affairs adopted an own-initiative report by Helga STEVENS (ECR, BE) on the implementation of the European disability strategy.

The Treaty on the Functioning of the EU requires the Union to combat discrimination based on disability in the definition and implementation of its policies and activities and gives it the power to adopt legislation to address such discrimination.

There are an estimated **80 million persons with disabilities in the European Union**.

Members called for a **comprehensive strategy for people with disabilities by 2030** with the aim of fully implementing the UN Convention on the Rights of Persons with Disabilities in all areas of EU policy. This strategy should encompass accessibility, participation, non-discrimination and equality, have an adequate budget, a timeframe for implementation and a monitoring mechanism, and have the same legal value than the current strategy.

**Accessibility:** the Commission and the Member States have been called upon to ensure that accessibility - a core principle of the UN Convention on the Rights of Persons with Disabilities - is **given priority** and is better integrated in all areas relating to disability.

Members called on the EU's co-legislators to adopt the [European accessibility act](#) without delay. They recommended that the final text should enhance the accessibility of products and services for persons with disabilities and people with functional limitations while stressing the need to put in place European rules on the accessibility of public spaces and the built environment, as well as on access to all **modes of transport**.

**Participation:** Members suggested including all countries in a future long-term initiative with a view to achieving an identical scope to that of the European parking card and to include access to services allowing participation in cultural life and tourism.

Members are of the opinion that the **European Structural and Investment Funds** must, particularly in the next programming period, finance support services to enable persons with disabilities to realise the right to live independently in the community and respect accessibility rules following a universal design approach.

Concerned about the **barriers to participation** that persons under guardianship and those living in institutions face across Europe, Members called on the Commission to ensure that persons deprived of their legal capacity can exercise all the rights enshrined in European Union treaties and legislation.

**Equality:** the report invited Member States to contribute to the adoption of the [horizontal anti-discrimination directive](#) in order to move towards a pragmatic solution which should extend to the protection against discrimination in all areas of life of persons with disabilities.

Concerned by existing data on discrimination and abuse of persons with disabilities, Members recommended the development of a new method for gathering data collection, in particular with regard to cases of **denied boarding and refusal or unavailable assistance**.

**Employment:** the report stressed that **access to the labour market** was a global issue requiring support measures that involved: (i) accessible recruitment procedures; (ii) transport from and to the workplace (iii) career progression and on-going training, as well as (iv) reasonable accommodations and accessible workplaces.

Members encouraged the adoption of **positive discrimination measures**, including setting minimum employment percentages for people with disabilities in the public and private sectors. In addition, Member States should **remove all legal barriers to employability**, such as guardianship laws and laws that limit the legal capacity of persons with disabilities, preventing them from signing work contracts.

**Education and training:** Members called for the removal of barriers that all people with disabilities face to **ensure quality inclusive education and lifelong learning systems**. They called on the Member States to develop effective measures to combat the segregation and rejection of pupils with disabilities in schools, and to guarantee full access to Erasmus + and other youth programmes, such as the Youth Guarantee and the European Solidarity Corps.

**Health, social protection:** the report noted that persons with disabilities often suffer from a lack of support, protection communication and information about health care services and rights, protection against violence, childcare, and have little or no access to such services and information.

Members considered that **health services personnel should be properly trained** with a view to addressing the needs of persons with disabilities. They urged the Commission and the Member States to **make full use of the European Reference Networks framework** to develop, and expand access to, multidisciplinary and specialised healthcare for persons with disabilities in general and, in particular, for those with rare disabilities. Members called on the Member States to set a **social protection floor** for persons with disabilities that would guarantee their adequate standard of living.

The report emphasised that the 2020-2030 strategy should be based on a cross-cutting, **comprehensive review of all EU legislation and policy** in order to ensure full harmonisation with the provisions of the UNCPRD, and that it should include a revised declaration of competences.

## Implementation of the European disability strategy

2017/2127(INI) - 30/11/2017 - Text adopted by Parliament, single reading

The European Parliament adopted by 529 votes to 48, with 45 abstentions, a resolution on the implementation of the European disability strategy.

The Treaty on the Functioning of the EU requires the Union to combat discrimination based on disability in the definition and implementation of its policies and activities and gives it the power to adopt legislation to address such discrimination. There are an estimated **80 million persons with disabilities in the European Union**.

Parliament called for a **comprehensive strategy for people with disabilities by 2030** with the aim of fully implementing the **UN Convention on the Rights of Persons with Disabilities** in all areas of EU policy. This strategy should encompass accessibility, participation, non-discrimination and equality, have an adequate budget, a timeframe for implementation and a monitoring mechanism, and have the same legal value than the current strategy.

**Accessibility:** the Commission and the Member States have been called upon to ensure that accessibility - a core principle of the UN Convention on the Rights of Persons with Disabilities - is **given priority** and is better integrated in all areas relating to disability.

Members called on the EU's co-legislators to adopt the [European accessibility act](#) without delay by recommending that the final text should enhance the accessibility of products and services for persons with disabilities and people with functional limitations. They also stressed the need to put in place European rules on the accessibility of public spaces and the built environment, as well as on access to all **modes of transport**. The Commission is called on to set mandatory requirements in this regard. All funding programmes should have a separate budget for accessibility.

**Participation:** Parliament suggested including all countries in a future long-term initiative with a view to achieving an identical scope to that of the **European parking card** and to include access to services allowing participation in cultural life and tourism.

The **European Structural and Investment Funds** must, particularly in the next programming period, finance support services to enable persons with disabilities to realise the right to live independently in the community and respect accessibility rules following a universal design approach.

Concerned about the barriers to participation that persons under guardianship and those living in institutions face across Europe, Members called on the Commission to ensure that persons deprived of their legal capacity can exercise all the rights enshrined in European Union treaties and legislation.

**Equality:** the resolution invited Member States to contribute to the adoption of the [horizontal anti-discrimination Directive](#) in order to move towards a pragmatic solution which should extend to the protection against discrimination in all areas of life of persons with disabilities.

Concerned by existing data on discrimination and abuse of persons with disabilities, Members recommended the development of a new method for gathering data collection, in particular with regard to **cases of denied boarding and refusal or unavailable assistance**.

**Employment:** the report stressed that **access to the labour market** was a global issue requiring support measures that involved: (i) accessible recruitment procedures; (ii) transport from and to the workplace (iii) career progression and on-going training, as well as (iv) reasonable accommodations and accessible workplaces.

Members encouraged the adoption of **positive discrimination measures**, including setting minimum employment percentages for people with disabilities in the public and private sectors. In addition, Member States should **remove all legal barriers to employability**, such as guardianship laws and laws that limit the legal capacity of persons with disabilities, preventing them from signing work contracts.

**Education and training:** Parliament called for the removal of barriers that all people with disabilities face to **ensure quality inclusive education and lifelong learning systems**. It called on the Member States to develop effective measures to combat the segregation and rejection of pupils with disabilities in schools, and to guarantee full access to Erasmus + and other youth programmes, such as the Youth Guarantee and the European Solidarity Corps.

**Health protection:** the resolution noted that persons with disabilities often suffer from a lack of support, protection communication and information about health care services and rights, protection against violence, childcare, and have little or no access to such services and information.

Members considered that **health services personnel should be properly trained** with a view to addressing the needs of persons with disabilities. They urged the Commission and the Member States to **make full use of the European Reference Networks framework** to develop, and expand access to, multidisciplinary and specialised healthcare for persons with disabilities in general and, in particular, for those with rare disabilities.

The Commission should ensure that **eHealth**, health and care services are fully accessible and safe to use for all persons with disabilities, including those who have intellectual disabilities and complex needs, and their family members.

**Social protection:** Member States have been asked to set a **social protection floor** for persons with disabilities that would guarantee their adequate standard of living. The European Pillar of Social Rights should mainstream disability in all aspects. In addition, Member States should apply the principle of mutual recognition when undertaking their assessment and determination of disability.

Lastly, Parliament emphasised that the 2020-2030 strategy should be based on a **cross-cutting, comprehensive review of all EU legislation and policy** in order to ensure full harmonisation with the provisions of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), and that it should include a revised declaration of competences.

## Implementation of the European disability strategy

2017/2127(INI) - 02/02/2017 - Non-legislative basic document

**OBJECTIVE:** to present a Commission working document on the progress report on the implementation of the European strategy for disabled persons (2010-2020).

**BACKGROUND:** fundamental rights, inclusive growth and social fairness are at the heart of the European Commission's agenda. In this context, the elimination of barriers preventing people with disabilities from fully participating in society and enjoying their rights is therefore a priority for the EU. To this end, the European strategy for disabled persons 2010-2020 was the main instrument supporting the implementation by the EU of the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

As a reminder, the strategy identifies eight main areas of action:

- enhancing accessibility;
- improving the participation of people with disabilities;
- equality;
- access to employment;
- education and training;
- social protection ;
- the health ;
- external action.

This report presents the progress achieved in the first five years of the strategy and to assess its coherent and efficient implementation.

**CONTENT:** the report indicates that the implementation of the ten-year strategy has cemented the paradigm shift towards a **human rights approach** of disability policies.

In general, the actions carried out over the last 5 years have made **progress in the eight areas of the strategy**.

Significant progress was notably achieved in the area of accessibility with the adoption of the Directive on Web Accessibility and the proposal for a European Accessibility Act.

The successful efforts on external action were also recognised by the UN Committee on the rights of persons with disabilities.

However, the challenging economic situation has weakened the situation of people with disabilities in Member States. **They remain consistently disadvantaged in terms of employment, education and social inclusion.**

**Maintaining the strategy's objectives:** the report indicates that the objectives of the strategy remain relevant. In this respect, the Commission has committed itself to continuing its action by using the competences and instruments at its disposal to:

- raise awareness at EU-level,
- give financial support,
- collect data and statistics,
- monitor the situation of people with disabilities,
- act as the Focal Point for the UNCRPD.

The Commission continues to mainstream disability in all relevant EU policy areas. In this respect, tool #24 on Fundamental Rights and Human Rights and tool #25 on Employment, Working Conditions, Income Distribution and Inequality are of particular relevance in terms of addressing disability issues both in impact assessments and in evaluations.

**Public consultation:** the Commission launched a public consultation to collect views from a broad range of stakeholders on the current situation of persons with disabilities. The results of the public consultation clearly show that the **situation of people with disabilities remains challenging** in terms of participation in everyday activities, rights, employment, accessibility, discrimination and mobility within the EU.

While most of the concrete concerns expressed by stakeholders relate to actions and/or competences of the Member States, the Commission gathered some invaluable input on the views of persons with disabilities contained in the Annex to the report.

**Main achievements:** the report describes the implementation so far and lists some of the main achievements in each of the areas.

It also examines the role of the supporting instruments and the implementation of the UNCRPD within the EU institutions.

Lastly, it looks ahead at how the strategy will continue to deliver on its objectives, taking into account the UN concluding observations.

In addition, the report includes a comprehensive and up-to-date overview of EU legal acts that have an impact on disability matters.

Overall, **the objectives set out in all the eight areas of the strategy in 2010 remain valid, as well as the instruments underpinning them.** The strategy's instruments have been efficiently used and will continue to be in the coming years.

The financial support provided to disability-related projects and to disabled people and their organisations has contributed to progress in all the areas of the strategy.

**Next steps:** in conclusion, continued efforts need to be made in the main areas of the strategy, in particular:

- dissemination and **supporting actions** on the Employment Equality Directive, to raise public awareness in the EU and improve reporting of discrimination cases and access to justice;
- **adoption of the 2008 proposal for an Equal Treatment Directive** to fight discrimination on several grounds, including disability. The Commission continues the negotiations with the Member States to push the Directive forward;
- efforts to improve **accessibility** for all by carrying out the negotiations on the proposed EU legal instruments - including initiatives in the area of **transports, products and services** - and working on EU level accessibility standards;
- monitoring of the **EU programmes and financial instruments** to ensure their full potential for the implementation of the Strategy at the EU and national levels, in line with the UNCRPD, in key areas such as access to employment and education, support to young people or deinstitutionalisation;
- **cooperation with Member States in the implementation of the UNCRPD**, including through the Work Forum and the UN fora.