

The Protection Role of the Committee on Petitions in the Context of the Implementation of the UN Convention on the Rights of Persons with Disabilities

KEY FINDINGS

- This briefing note provides **an update on developments in the implementation of the CRPD in the EU** since the in-depth study requested by PETI in 2015 and updated in 2016. It reviews the recommendations of that study and identifies the key **challenges regarding the European Parliament's responsibilities** in relation to the UN CRPD and other EU institutions.
- The EU institutions have continued their **efforts to mainstream disability equality** in 2017. There have been developments in legislation, increased visibility for disability issues in the open methods of co-ordination, and progress on disability data and indicators for rights monitoring. However, some long-standing blockages remain and **few of the PETI study recommendations have been actioned**.
- The Commission's mid-term **review of the European Disability Strategy** has provided the EU with an opportunity to re-assess its priorities, and to achieve closer strategic alignment with its CRPD obligations. Before the next UN reporting cycle, in 2020, the EU must develop its capacity to **track progress against the UN's 2015 Recommendations** and **align this with the Sustainable Development Goals**.

1. Background

Up to one quarter of the European electorate declare some degree of impairment or disability. Their rights are acknowledged in the Charter of Fundamental Rights and in the Treaty of European Union. The United Nations Convention on the Rights of Persons with Disabilities (CRPD) is an international human rights treaty, to which the EU and almost all of its Member States are party. The EU has not yet concluded the Optional Protocol to this Convention, which it is strongly recommended to do.

The EP is represented in an EU Framework established to promote, protect and monitor the EU's CRPD implementation. This includes a role for PETI in protecting disability rights through its petitions process. The EP's role and its relationship to other institutions was detailed in an in-depth study published on PETI's request in 2015 and updated in 2016.¹ That study also included a detailed analysis of disability petitions received by PETI, their relevance to the rights established in the CRPD and the types of actions taken in response. It made a number of recommendations, which are annexed to this briefing for information.

The UN publishes a useful *Handbook for Parliamentarians on the Convention on the Rights of Persons with Disabilities* which provides a reference source for interested members.²

The EU's competence

The EU's competence in relation to the CRPD is wide and varied. It should continue **to legislate and to co-ordinate** among the Member States in this regard. There are responsibilities also to ensure disability equality in **administration of the EU institutions**.

When the EU concluded the CRPD in 2010, by Council Decision, an initial 'Declaration of Competence' was provided in the form of an illustrative list of relevant EU legislation. The UN Committee called for a more comprehensive assessment and Parliament requested the Commission to provide a list of relevant legislation as a basis for periodic updating.³ When the PETI study was updated in 2016 this was in progress but has since been published.⁴

Annual monitoring of EU disability legislation is supported by compilation of an annotated review within the work programme of the Academic Network of European Disability experts (ANED), funded by the Commission DG Employment and Social Affairs.⁵ Nevertheless, not all legislation affecting persons with disabilities makes reference to them and **it remains challenging for the EU to provide a definitive Declaration of its competences** across the diverse policy fields covered by the UN CRPD. A mainstreaming approach is needed.

Most of the human rights covered by CRPD Articles relate to areas of shared competence between the EU and its Member States (e.g. combatting discrimination on the ground of disability, co-ordinating employment and social policies, free movement, transport, the internal market, or the collection of statistics). In some areas the EU has exclusive competences (e.g. state aid, common custom tariffs, or the administration of EU institutions themselves, including procurement, staffing and the accessibility of EU buildings or communications). This includes all of the Parliament's functions and **PETI's attention to disability rights remains important in meeting the EU's CRPD obligations**.

The EU CRPD Framework and co-ordination

The PETI study provided a review and assessment of the EU Framework established to promote, protect and monitor the EU's implementation of the CRPD. It also presented **options for its future development or reconfiguration**. The EU Framework has continued to evolve since 2016 but has not yet achieved a very high profile for its work.

Formal co-ordination of the EU's treaty obligations remains the responsibility of the Council of Ministers (Human Rights Working Group, COHOM) with a designated focal point for CRPD implementation in the Commission's Social Affairs Unit for Disability & Inclusion (EMPL. C3). **The EU lacks a formal structure to coordinate inter-institutional implementation**.

The establishment of a Framework was required under Article 33 CRPD. Its current membership includes the European Parliament, European Ombudsman, EU Agency for Fundamental Rights (FRA) and European Disability Forum (EDF). The key changes since 2016 have been the **withdrawal of the Commission from the Framework**, following UN recommendation, and adoption of the chair by EDF in September 2017 (separating the chair and secretariat functions, as envisaged in the original terms of reference). The European Ombudsman assumes the chair in the following year. The Framework members adopted a joint work programme for 2017-18, held three internal meetings in 2017, and three meetings with other actors (including one with the COHOM, one with national CRPD Frameworks, and one with the Commission focal point (EMPL. C3). Details of these meetings were not yet posted on the Framework website.

In relation to the UN CRPD, **the EU Framework is equivalent to the domestic CRPD Frameworks of the Member States** (but not superior to them). It should complement their efforts to protect, promote and monitor CRPD implementation. In line with this approach, with the principle of subsidiarity, and with PETI's remit for petitions in general, any matters of complaint in relation to CRPD rights should come to the attention of the EU monitoring mechanisms insofar as they (a) fall within EU competence and, (b) cannot be easily resolved at the national level.

It is the UN Committee's view that a domestic CRPD Framework (its constituent mechanisms) should be independent and distinct from government. It is also the Committee's view that **CRPD mechanisms should be established in accordance with the 'Paris Principles' for national human rights institutions**. These principles and their applicability to the EU Framework were assessed in the 2016 PETI study, with recommendations for future development of its structure and membership. As highlighted later in this briefing note, there is now an opportunity to examine these options further.

2. Mainstreaming disability equality

The EU has continued to make progress in mainstreaming disability rights and equality in its activities, exploiting its competences to take initiatives in response to the UN CRPD. **Disability mainstreaming has not yet achieved the currency of gender mainstreaming across the EU's activity** but there is evidence of its increased visibility. The Commission's 2017 Progress Report on implementation of the European Disability Strategy included more than 170 references to actions of the European Parliament.

The following examples illustrate how the EU has acted to legislate and co-ordinate with the Member States in key areas relevant to the recommendations made by the UN's CRPD Committee in 2015. The examples are drawn mainly from those areas in which PETI has received most disability petitions – accessibility, employment and social protection.

Examples of Parliamentary initiative

There has been continuing evidence of Parliamentary engagement with disability rights and the CRPD in 2017, including the role of PETI. **A Parliamentary CRPD Network was established**, with the involvement of Members and secretariat staff from all of the Committees.

In December 2016, the cross-party **Disability Intergroup adopted a new work programme for 2017-2019**. This gave priority to the context of the CRPD including the need for development of a more comprehensive CRPD implementation Strategy 2020-2030. Among the substantive challenges identified were: the accessibility of the 2019 European elections; the rights of disabled refugees and migrants; the European Accessibility Act and related legislation on web accessibility and transport; economic and social strategy; the structural funds; the Sustainable Development Goals; and the intersectional concerns of disabled women. The programme also noted the Intergroup's role in developing good practice and in awareness raising across the Parliament's own activities.⁶

An Inter-parliamentary conference on 'Non-discrimination of persons with disabilities in the EU enlargement region' was hosted by the Parliament in November 2016. This involved MEPs and MPs from EU Enlargement Countries.

PETI has ensured that disability remains a focus for activity within its diverse business. A member of the PETI secretariat is, among other things, responsible for the oversight of disability issues in relation to the responsibilities of the EU's CRPD Framework. A pattern of dedicated disability workshops has been established, with active engagement from relevant NGOs of and for disabled people. Disability issues have been included in PETI's annual reporting (including its draft annual report 2016, draft report on the EU Citizenship Report 2017, and draft report on the European Ombudsman's activities in 2016).

- **PETI's draft annual report for 2016** identified the fundamental rights of persons with disabilities as one of the key issues raised in petitions. It referenced the PETI fact-finding visit to Slovakia concerning the use of EU structural funds, progress on the Marrakesh Treaty, and improvements to the Petitions Web Portal. A dedicated section of the report was allocated to 'Disability issues'.⁷
- Following the PETI workshop held on 9 November 2016 concerning 'The Rights of persons with disabilities as illustrated in petitions', **a PETI workshop was organised on 12 October 2017 addressing the protection of CRPD rights**. This included interventions

from the European Agency for Special Needs and Inclusive Education, European Disability Forum, Office of the European Ombudsman, and the European Commission (DG EMPL C.3).

- **PETI requested a study concerning discrimination**, using a sample of 40 petitions relating to anti-discrimination law and including the ground disability. This included some commentary on the relationship between EU competences and EU obligations under the CRPD.⁸ Previously, in 2016, PETI had requested specific studies on the use of structural funds for independent living and on the Marrakesh Treaty, as well as the updated study on the CRPD protection role on which this briefing is based.
- **PETI Opinion on the proposal for a 'European Accessibility Act'** (Kostadinka Kuneva) was submitted to Committee on Internal Market and Consumer Protection (IMCO). This welcomed the Commission's legislative proposal but drew attention to the limited scope of the provision and urged a holistic approach, including the scope for future extension. It referred to the CRPD in expressing concern about the admission of 'disproportionate burden' as a reason for non-application of the Directive. A number of amendments were proposed.
- **PETI Opinions were also forthcoming on the Marrakesh Treaty** to the Committee on Legal Affairs (JURI) (Margrete Auken, Rosa Estaràs Ferragut).
- **A Motion for Parliamentary Resolution on Implementation of the European Disability Strategy** was drafted as a report for the Committee on Employment and Social Affairs (EMPL, Helga Stevens). A PETI Opinion was adopted (Cecilia Wikström) calling on EMPL to incorporate reference to the role of petitions for the rights protection role and drawing on themes arising from its existing disability topic studies.

Examples of legislative development

The reviews of EU law and policy provided by the Commission and ANED are extensive. They indicate that **the EU *acquis* in relation to disability rights continues to expand and to deepen**. The revised Declaration annexed to the Commission's progress report on the Disability Strategy summarised EU competence under its eight policy themes. Among these, the key developments in 2016-17 have been measured in the area of accessibility, where EU competence has been clearly established (relevant to the protection of rights under Article 9 CRPD, as shown in the 2016 PETI study with reference to specific petitions):

- **EU ratification of the Marrakesh Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities** – this was the subject of Petition 0924/2011, as discussed in the previous PETI study. The persistent intervention of PETI Committee members on this issue, including letters to Council, Member States and Commission, resolution to Parliament and further study, assisted in highlighting the remaining blockages to ratification. Following establishment of the EU's exclusive competence in the European Court of Justice, the necessary Regulation and Directive were adopted in 2017 and entered into force.
- **Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies⁹** – with specific reference to the EU's CRPD obligations and EU Disability Strategy, the Directive sets out requirements with significant implications for achieving greater access and engagement with public bodies by disabled persons. It provides also the possibility to link legislative obligations with agreed EU/EEA standards for accessibility for certain types of products. The caveat of 'disproportionate burden' remains in the implementation of such measures in the Member States and **it is likely that new petitions will come forward to PETI on this subject in the future**.

Along with the addition of accessibility award criteria to the Public Procurement Directives, this is an important step in the direction towards **adoption of a more comprehensive 'European Accessibility Act'**. The adoption of this Act was an explicit recommendation of the UN CRPD Committee in 2015 but the legislative process has been subject to extensive

delays, ongoing since 2011. During 2017, the Committee on the Internal Market and Consumer Protection (IMCO) adopted its report (Morten Løkkegaard) and the parliamentary Briefing was updated¹⁰ but advancement to the remaining plenary stages depends on Council deliberations. PETI has consistently urged progress on this issue.

Examples of policy co-ordination

Disability mainstreaming has become increasingly visible in various EU policy co-ordination measures and reporting. In 2016-17 this included references to disability rights in reporting on such diverse fields as displacement and trafficking, work-life balance, social protection, health, cities, employment services, education, international development, and legal training. Relevant examples include piloting of the 'EU Disability Card' for mutual recognition in accessing certain disability benefits, and the inclusion of disability rights as a priority in the funding call for international co-operation under the European Instrument for Democracy and Human Rights (EIDHR).

Increasing attention is being paid to the challenge of de-institutionalisation (relevant to Article 19 CRPD), with Council Conclusions to be adopted in December. In this regard, the use of EU Structural Funds in the Member States has been a core concern. This reflects the issues raised by the PETI study presented to the disability workshop in 2016.¹¹

The most prominent examples of disability mainstreaming in co-ordinating actions have been in the area of employment and social policies, where EU competence is shared with the Member States (as discussed in the 2016 PETI study, with reference to petitions). Alongside accessibility, this is the area in which PETI has received most petitions.

- **The European Semester** provides the main instruments for high level EU policy co-ordination in these areas. In particular, the EU2020 headline targets on employment, education and poverty reduction are highly relevant to CRPD rights (the UN Committee also made specific recommendation to 'include disability-specific indicators' in relation to the education target). The Commission has stepped up its efforts to mainstream a disability perspective in the Semester process, drawing on country-specific and comparative shadow reports provided by ANED. In 2017 there was evidence of **increased visibility for disability issues in the Commission staff Country Reports** (with some reference to disability in at least six of the Council's Country-Specific Recommendations). These acknowledgements often relate to areas where PETI has considered petitions sympathetically but is unable to resolve the issue directly within EU competence. In its CRPD protection role, **PETI could request the Commission to raise disability policy concerns when drafting European Semester Country Reports** or Country-Specific Recommendations to specific Member States.
- **The European Pillar of Social Rights** offers a significant development as a strategic framing instrument for the EU that covers many areas of EU social policy with direct implications for CRPD rights. In the initial proposals, brought forward by the Commission in 2016, reference was limited to one of 20 topics on 'Disability benefits'. Following consultation and amendment, the version published in 2017 provided a broader view of the disability challenge, with **prominence given to the principle of 'Inclusion of people with disabilities'**.¹² This is a considerable step forward and will ensure focused attention. Nevertheless, where the principle of gender equality is to be 'ensured and fostered in all areas', the disability principle is neither framed in terms of equality nor explicitly horizontal in its application (focusing more narrowly on income support, services and adapted work environments). This difference in treatment reflects the EU's existing social acquis, including the long-standing **failure to deliver a more comprehensive Equality Directive** (on which PETI has previously advocated in response to petitions).

Recent developments reinforce **the importance of both targeting and mainstreaming disability equality in all areas of EU competence relevant to the UN CRPD**. There

remains a disparity between disability mainstreaming and gender mainstreaming and there is potential to improve on this (in policy making and in the internal administration of the EU institutions). PETI's work can contribute usefully to this horizontal mainstreaming effort.

Parliament has a wide role in promoting and monitoring CRPD rights, and PETI has a specific role in protecting them. The 2016 PETI study examined the limitations of non-judicial remedy and highlighted the large number of disability petitions received in areas of shared competence. **In the absence of strong horizontal legislation, the EU's open methods of co-ordination can also be used to protect, promote and to monitor CRPD rights.**

Examples of data and indicators

In order to adequately protect people from rights abuses the EU needs access to reliable evidence. A key principle of CRPD implementation is the continual and progressive realisation of rights. For this reason, sound evidence is essential also to measure progress. Often the PETI secretariat is charged with requesting further disability information from the Commission or Member States where it is not readily available.

Article 31 CRPD requires the EU to collect relevant data to support its treaty implementation and monitoring. In line with UN guidelines, the CRPD Committee has recommended that the EU develop **human rights indicators based on 'a comparable comprehensive data collection system'** (capable of disaggregation by gender, age, rural or urban population and impairment type). This presents a considerable challenge but the EU is well equipped to respond, and to support the Member States in their corresponding CRPD obligations.

Eurostat has continued to make progress in the **development of a disability database.**¹³ This includes comparative data from European surveys across a range of indicators, including those relevant to EU2020 goals. In addition, the Commission also funds the ANED network to produce annual disability indicators to support its policy work. Some of the most significant developments in 2016-17 include:

- As part of the Survey on Income and Living Conditions (EU-SILC), **the 2017 ad hoc module on Health and children's health** includes a disability perspective. One of the gaps in the existing SILC data is the failure to identify disabled children within households. The inclusion of an adapted variable for this purpose in 2017 will assist in addressing the knowledge gap concerning their situation (e.g. in relation to child poverty).
- **The Indicators' Sub-Group (ISG) of the Social Protection Committee (SPC)** has considered proposals to measure the situation of disabled people more systematically by disaggregating disability data from the EU-SILC. In this respect, the possibility exists to mirror the existing social protection indicators for this population (relevant to Article 28 CRPD).
- **The EU Agency for Fundamental Rights (FRA)** has continued to develop its evidence collection and analysis to support a framework of human rights indicators in the field of independent community living (relevant to Article 19 CRPD). The first reports and FRA Opinions from this project were published in October 2017.¹⁴

As these examples show, the EU continues to build capacity in data and statistics relevant to monitoring CRPD rights. PETI members should be encouraged to **request disaggregated data to support and strengthen their deliberations on complaints raised in disability petitions.** However, gaps remain and the strategic objective to mainstream disability data collection in all EU surveys has not yet been achieved. In particular, support for the **inclusion of a disability variable in the core EU Labour Force Survey** would greatly assist in mainstreaming disability rights and equality.

Examples of relevant petitions

In the past year, PETI members were advised on a number of petitions making reference to disability. Among these, the following examples highlight some of the themes raised previously and where interpretation points to a link with CRPD rights:

- **Petition 1500/2016** calling on the EU institutions to 'establish common disability criteria, harmonised in all the Member States, and to draw up a single European disability certificate'. Although the Commission confirmed the EU's lack of competence it highlighted the piloting of the EU Disability Card. It also drew attention to the CRPD definition of disability endorsed by the Court of Justice.
- **Petition 0029/2017** on 'ensuring the dignity of people with disabilities and access to toilet facilities'. The Commission's response referred to the scope of Member States' discretion in the proposal for a European Disability Act, as regards accessibility standards in the built in environment, but highlights the applicability of EU Regulation on rail infrastructure and rolling stock.
- **Petition 0857/2016** concerning the difficulties faced by persons with reduced mobility in Romania. This also addressed transport by rail, where EU Regulation exists and confirming issues of local discretion and exemption but pointing also to CRPD rights.
- **Petition 1499/2016** on discrimination against disabled people using public transport in Hamburg. The Commission's response highlighted the discretion that bus and coach operators retain to refuse boarding where the design infrastructure makes it impossible or unsafe.
- **Petition 1132/2016** regarding the participation of people with mental health conditions in the democratic life of the European Union.
- **Petition 1038** on the re-integration into the labour market in Germany of persons suffering from a mental illness.
- **Petition No 0930/2016** on the swift ratification, implementation and application of the Marrakesh Treaty.
- **Petition 0240/2015** on the relief from customs duties for certain articles designed for the educational, scientific or cultural advancement of persons with disabilities.
- **Petition 0782/2015** concerning persons with disabilities in Italy who are not entitled to work.

These recent examples reinforce the pattern of citizens' concerns established in the 2016 PETI study on disability petitions. The key areas continue to be those associated with accessibility, notably in the field of mobility/transport, and in the area of employment and social policies. They underline the necessity for, and the limitations of, the proposed European Accessibility Act. The clarifications and responses from the Commission also underline the findings of the original study in relation to shared competence in areas of social rights established under the CRPD.

3. Conclusions and challenges

The UN has recommended that the EU revise its Disability Strategy to align with its implementation of the CRPD. This presents both opportunities and challenges in the remaining programming period until 2020, when the EU will also submit its next progress report to the UN. The members of the EU CRPD Framework should be positioned with a more prominent role in these future arrangements to ensure that effective protection, promotion and monitoring of CRPD rights is also strengthened.

The European Disability Strategy 2010-2020 was adopted in 2010, before the EU's conclusion of the CRPD. It provided an initial organising instrument, addressing eight priority areas for action and four means to deliver their implementation (raising awareness, financial support from EU funds, data collection for monitoring, and putting in place the institutional arrangements required by Article 33).¹⁵

Following the EU's dialogue with the UN in 2015, the CRPD Committee recommended the EU align its mid-term strategy review with its observations and adopt a more explicit 'strategy on the implementation of the Convention'.¹⁶ The Commission responded at the end of 2016, with a progress report on implementation of the existing Strategy.

The 2016 European Parliament report on the implementation of the UN committee's recommendations (Helga Stevens) reinforced the call for a more 'comprehensive revision' of the Strategy to be endorsed at the highest level, as did the Opinion of the European Economic and Social Committee.¹⁷

The policy timeline for this is critical, as the CRPD reporting cycle coincides with conclusion of the EU2020 Strategy, establishment of a new Commission, a new Parliament and a new EU budgetary programming period. In this context, continuity **planning and co-ordination for a follow-on disability strategy from 2021 must soon become a priority.**

At the same time, any revised EU Disability Strategy for the period 2020-2030 must now align with requirements for disability mainstreaming in **the UN 2030 Agenda and Sustainable Development Goals.**

Alignment of the European Disability Strategy

The 2017 motion for a Parliamentary Resolution on Implementation of the European Disability Strategy was framed in the context of the existing strategy for the period 2010-2020 but acknowledged the alignments needed, with a view towards the period 2020-2030. It supported the principle of mainstreaming (including the intersection of gender mainstreaming) and called explicitly for new monitoring tools and indicators – urging 'Member States to disaggregate data by disability, and to work closely with Eurostat to collect comparable data on disability in different fields'.

The alignment of strategic priorities needs to maintain **a balance between the comprehensive scope of the CRPD and the actual scope of EU competence.** If the new Strategy is to function as an implementation strategy for the Convention then it must necessarily cover all of the areas framed by that instrument (and possibly Article by Article). At the same time, an effective Strategy will need to identify a selection of priority themes (either by grouping rights together or devoting greater attention to some than others). This prioritisation may also be influenced by the progress made on existing Strategy priorities in the time remaining until 2020 (e.g. progress made on the European Accessibility Act).

EU ratification of the Optional Protocol to the CRPD remains outstanding and would be a major milestone, to which all the EU institutions should commit to conclude before 2020. Achieving this in the timeframe of the current strategy would lay the basis for a step-change in commitment to the next Strategy period. It would also fulfil a specific recommendation of the UN Committee made in 2015.

Appropriate data collection and indicator development should be an essential element in strengthening the existing Strategy, now, and in planning for the new Strategy. Progress has been made but there is considerable work to do in harmonising disability data collection in the EU social surveys, notably in the EU-LFS.

The EU Disability Strategy must also respond to disability mainstreaming in the framework of the Sustainable Development Goals. Disability mainstreaming has been clearly established as an expectation in this global framework and this presents an opportunity to raise the profile of disability in the political agenda and to promote disability mainstreaming. In 2017 Eurostat has already proposed an SDG indicator set with disability data disaggregation, utilising data from EU-SILC.

The future role of the EU CRPD Framework

In order to promote, protect and monitor CRPD rights at the EU level **it is important that the EU Framework establishes a strong and effective presence as a focus for these**

issues. Currently, the remit of the Framework members extends only so far as their existing mandates and this makes it **difficult to act cohesively on matters of varying competence between the members.**

At the end of 2016 the remaining members of the EU Framework adopted a new work programme for 2017-18. This foresees the translation of the website into the EU languages with more frequent updates on its activities, as well as training and events engaging other stakeholders.¹⁸

In terms of the protection role, **the EU Framework work programme supports the continuation of disability hearings and reports under the auspices of Parliament**, as well as own initiative enquiries by the European Ombudsman. Collecting and disseminating information on complaints and actions is part of this role.

When planning for a closer alignment of the European Disability Strategy 2020-2030 with the CRPD for the period there is an opportunity to revisit the Framework's compliance with Article 33 CRPD and specifically to take account of the Paris Principles in the establishment of its independent mechanisms. **There is scope to re-think the structure, remit and membership of the Framework** as detailed in the 2016 PETI CRPD study.

Annex I: Progress on recommendations from the PETI CRPD study

Recommendations to the EP/PETI	Progress
Continue to review the capacity of PETI and its secretariat to fulfil its protection role in the CRPD Framework, as pre-requisite to the EU's international obligations.	✓
Designate a PETI officer with responsibility for the oversight of disability issues, from within the Committee Membership and/or its Secretariat.	✓
Continue the pattern of dedicated hearings to promote disability issues in petitions to the EP, building on the 2015 and 2016 thematic sessions and involving other relevant EP committees in such hearings.	✓
Establish a mechanism to fully involve organisations representing people with disabilities in all procedures involving disability issues, with adequate resources to ensure their full participation and accessibility.	
Maintain a checklist for the examination of petitions on disability issues to guide the Committee in determining their admissibility, relevance to CRPD rights, and the range of available actions to gather information and to follow up such petitions effectively, and the approach to keeping such petitions open, or closing them.	
Maintain the prominence and scope of PETI's annual reporting on disability issues, to include an assessment of the petitions admitted or heard, and the challenges they raise for the protection of CRPD rights in the EU.	✓
Raise the profile of disability issues by increasing the Committee's own-initiatives for parliamentary initiatives, visits and media interventions on relevant matters in the Member States, in a similar manner to the attention given to other important topics.	✓
Review the PETI Committee's terms of reference and consider whether its function in protecting CRPD rights as part of the EU Framework should be clarified prior to the EU's conclusion of the Optional Protocol (notably in relation to the Parliamentary Rules of Procedure 215-218, or in EU law).	
Accept petitions submitted in sign language, as well as in 'written' form, in accordance with Article 21 CRPD, and after consulting with the European Union of the Deaf on issues of sign language recognition.	
Take into proper consideration the fact that where there is shared competence between the EU and Member States, the EU has an obligation to ensure that CRPD obligations are fulfilled by using all instruments at its disposal.	
Reflect on and develop actions to ensure and enhance the protection role of the PETI committee in the framework of the CRPD, including on the basis of this study, for instance through the elaboration of a dedicated report.	✓
Recommendations to the Commission	Progress
Update or remove the text of the early version of the EU's CRPD Framework website from the DG EMPL domain, and/or link to the current version on the FRA domain.	
Review the role of the Commission in relation to the EU's CRPD Framework, in light of the UN Committee's recommendations and consider the most appropriate role in which to actively support the work of the EP and other actors in fulfilling their obligations within this Framework.	✓
Review the capacity of relevant Commission Directorates to respond in a timely and effective way to requests for information, advice or intervention	

Recommendations to the EP/PETI	Progress
where concerns about CRPD compliance are raised from the EP Committees, notably from PETI.	
Assess and ensure that the resources of the Commission's Unit on Rights of Persons with Disabilities are sufficient to cope with the increasing scope, and raised public interest in, disability issues resulting from CRPD implementation in the EU and its Member States.	
Consider how civil society organisations representing people with disabilities can be supported and resourced to play a full role in the EP's work on disability issues, notably within the context of the petitions process.	
With reference to the '1 million 4 disability' petition, make all efforts to support and move forward with the Council and the Parliament existing legislative proposals, including for conclusion by the EU of the Optional Protocol to the CRPD.	
Recommendations to the FRA	Progress
Assist PETI in developing its capacity to respond effectively to petitions on disability issues arising from, or invoking, the Charter of Fundamental Rights.	
Assess how FRA's mandate for assistance to parliament could be utilised to strengthen this capacity or to offer training and advice to EP Committee Members and/or Secretariat staff.	
Maintain an accurate and up to date knowledge and information on the national and regional mechanisms for CRPD rights protection within the Member States, making this widely available to the EP and the public, to facilitate referral of disability issues from PETI to relevant and competent authorities.	✓
Recommendations to the EU Ombudsman	Actioned
Ensure that representatives of PETI and the EP are fully engaged with knowledge sharing and information exchange in the European Network of Ombudsmen.	
Consider, with EP representatives and EDF, the potential for shared or joint reporting of disability issues arising from the various complaints mechanisms existing within the EU's CRPD Framework.	

- ¹ The original study report was published at PETI's request under the same title as this briefing note, and updated in October 2016. Available online at:
<https://publications.europa.eu/en/publication-detail/-/publication/5bd07833-aaff-11e6-aab7-01aa75ed71a1>
- ² The CRPD *Handbook for Parliamentarians* can be found on the UN website. Available at:
<https://www.un.org/development/desa/disabilities/resources/handbook-for-parliamentarians-on-the-convention-on-the-rights-of-persons-with-disabilities.html>
- ³ European Parliament resolution of 7 July 2016 on the implementation of the UN Convention on the Rights of Persons with Disabilities, with special regard to the Concluding Observations of the UN CRPD Committee (2015/2258(INI)). Available online at :
<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P8-TA-2016-0318>
- ⁴ An updated overview of relevant EU legal acts was provided in Annex 5 of the Commission Staff Working Document *Progress Report on the implementation of the European Disability Strategy (2010-2020)*. SWD(2017) 29 final. Available online at :
<http://ec.europa.eu/social/BlobServlet?docId=16995&langId=en>
- ⁵ The annual review of EU disability law and policy is published on the ANED website. Available online at :
<http://www.disability-europe.net/theme/eu-law-and-policy>
- ⁶ A copy of the Disability Intergroup work programmes is published on the EDF website. Available at :
http://www.edf-feph.org/sites/default/files/disability_intergroup_work_programme_2017-2019_0.doc
- ⁷ At the time of writing the Committee's 2016 annual report was in draft. Available online at :
<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONSGML%2bCOMPARL%2bPE-610.643%2b02%2bDOC%2bPDF%2bV0%2f%2fEN>
- ⁸ Favilli, C. and Lazzerini, N. (2017) Discrimination(s) as emerging from petitions received. Study for the PETI Committee (PE 583.129). Available online at :
[http://www.europarl.europa.eu/RegData/etudes/STUD/2017/583129/IPOL_STU\(2017\)583129_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/583129/IPOL_STU(2017)583129_EN.pdf)
- ⁹ Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (Text with EEA relevance). Available online :
<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L2102&from=EN>
- ¹⁰ *Briefing : EU Legislation in Progress : European Accessibility Act* (PE 603.973). Available online at :
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