



**2015/2258(INI)**

21.4.2016

# **OPINION**

of the Committee on Culture and Education

for the Committee on Employment and Social Affairs

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))

Rapporteur: Silvia Costa

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## SUGGESTIONS

The Committee on Culture and Education calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Recalls that independence, integration and access to an inclusive education and training system, civic and cultural life, leisure and sport are rights guaranteed by Articles 19, 24 and 30 of the UN Convention on the Rights of Persons with Disabilities (CRPD); recalling that these rights are protected under EU law, in particular in Article 21 of the Charter of Fundamental Rights which prohibits discrimination on the grounds of disability and on the basis of the principle of full and effective participation, including democratic participation and inclusion in society of persons with disabilities (Article 3 of CRPD); asks the Commission and the Member States therefore to reinforce measures aimed at ensuring that persons with disabilities have effective and equal access not only to key areas such as inclusive, quality education, culture and sport, but also to extracurricular activities, such as theatre, languages and arts; asks the Commission to include disability-specific indicators in the Europe 2020 strategy when pursuing the education and training targets;
2. Calls on the Member States to ensure that education and training are organised to include children and adults with physical or intellectual disabilities, while also providing counselling, assistance and individual instruction; notes that such initiatives are eligible for support from the Structural Funds, the European Fund for Strategic Investments and the Erasmus+ Programme;
3. Recalls the draft General Comment by the UN CRDP Committee on Article 24 ('the Right to Inclusive Education'), which details its normative content, the obligations of states, its relation with other provisions of the convention, and its implementation at the national level;
4. Recalls that the programmes targeted at young people should take a special interest in young people with disabilities;
5. Recalls that persons with disabilities are often excluded or do not have effective access to education and training services where tailored education processes that take into account their level of disability are needed to help them reach their full social, economic and educative potential; stresses that the necessary measures should be taken to ensure that all students with disabilities receive the reasonable accommodation needed to enjoy their right to inclusive quality education; encourages the Member States and responsible devolved regional and local governments to strengthen training programmes and continuous professional development opportunities for all relevant stakeholders involved in non-formal and informal learning settings, as well as their access to ICT infrastructures in order to support their work with learners with disabilities and to combat prejudice against persons with disabilities, especially persons with psychosocial and intellectual disabilities;
6. Recalls that sport is an extremely valuable tool in the context of social inclusion as it provides opportunities for interaction and the attainment of social skills; calls on the Commission and Member States, pursuant to Article 30 of the United Nations Convention

on the Rights of Persons with Disabilities, to launch specific programmes aimed at making sports activities and sports events more accessible for persons with disabilities; notes that the right to have full access to cultural performances or recreational activities are basic rights and calls therefore on the Commission to improve the accessibility to such events, venues, goods and services, including in the audiovisual field; welcomes the initiatives to provide audiovisual and other works with suitable subtitles or audio description so as to make them accessible to people with disabilities;

7. Recommends European schools to implement a non-rejection policy on the grounds of disability and urges the Commission to improve and ideally to guarantee the access for all children with disabilities to inclusive and quality education in European schools; recommends the development of individual education plans to be defined at the start of the school year and agreed by schools, families and national authorities; calls on the Member States and the Commission to facilitate the recognition of qualifications for students with disabilities enrolled in European schools;
8. Calls on the Commission and the Member States to adopt effective measures in order to tackle segregation and rejection of students with disabilities in schools and learning environment and to give them access to reasonable accommodation and the support they need, so as to facilitate the learner in attaining his or her full potential; highlights that equal opportunities can only be achieved if the right to inclusive education and training is granted at all levels and types of education and training, including lifelong learning, and therefore the recognition of qualifications for persons with disabilities is guaranteed, in particular those acquired thanks to supportive learning environments where persons with disabilities can specifically learn competences and skills to overcome disabilities; points out the technical and financial shortcomings of the special education programmes, particularly in the Member States affected by the crisis, and calls on the Commission to examine how to improve matters;
9. Notices the progress that has been achieved in the regulation of student exchange programmes, in particular Erasmus+ programme, by including supplementary financial support for the mobility of students and staff with disabilities and insists that it is necessary to continue making specific provisions throughout all aspects of the programme; acknowledges that in practice disabled students still face numerous barriers (attitudinal, communication, architectural, information barriers, etc.); calls on the Commission and the Member States to increase their commitment in favour of the participation of persons with disabilities in the EU exchange programmes and to improve the visibility and transparency of mobility opportunities; calls furthermore on the Commission to promote the exchange of best practices regarding access to exchange programmes for students and teachers with disabilities;
10. Recalls that the MEDIA sub-programme of Creative Europe should pay special attention to projects including the issue of disabilities, and that the educational power of films and festivals in this regard should be emphasised;
11. Supports initiatives aimed at making society aware of the difficulties experienced by persons with disabilities and at making persons with disabilities more aware of their potential and the contributions they can make, among other things, through specific educational programmes in schools; stresses that the importance of UN CRPD

fundamentally lies in bringing about a change in cultural attitudes by recognising that obstacles in the social and economic environments are what disable people rather than the disability in the person;

12. Calls on the Commission to adopt effective measures to prevent violence against children with disabilities which target families, communities, professionals and institutions; notes that schools play a crucial role in promoting social inclusion and stresses the need for proper mechanisms that enable inclusion in mainstream schools and that ensure that educators and teachers are properly prepared and trained to recognise and react to violence against children with disabilities;
13. Calls for education systems to refrain from creating environments that give learners labels such as banding and streaming, as this negatively affects students with disabilities, especially those with learning difficulties;
14. Recalls that children with disabilities and their families must be supported through early intervention measures, adequate social assistance and appropriate community-based services;
15. Calls on the Commission to mainstream a women and girls with disabilities perspective in its forthcoming gender equality strategy, policies and programmes and urges Member States and the Commission to incorporate the gender perspective in educational and training programmes and services to ensure disability-inclusive education and development and to strengthen the meaningful participation of women with disabilities in the disability dialogue; notes also that persons with disabilities who belong to ethnic, linguistic or religious minorities are often particularly vulnerable since they are exposed to multiple discrimination;
16. Stresses that persons with disabilities need to have access to information and communication in accessible formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication and other accessible means, modes, formats of communication of their choice, including easy-to-read formats and subtitling; calls therefore on the Commission to take the necessary measures to enforce the implementation of its legislation on access to information and communication; urges the Council to adopt without further delay the Decision on the conclusion of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled; calls on the Council and the Member States to implement consistent and effective measures in line with its provisions;
17. Notes that post-2018 youth strategies should mainstream the needs of young persons with disabilities;
18. Insists on the importance of digital systems for persons with disabilities as a tool to facilitate their participation in all aspects of society, and recommends continuing to investigate the use of assisting ambient technologies in education; recognises that a disproportionate number of persons with disabilities are not currently online, that they are left out of digital developments and as such, are missing out on information, opportunities, learning new skills, and accessing important services; calls therefore on the legislators at national and EU level to include accessibility provisions when implementing digital single

market legislation, to mainstream the issue of digital content accessibility in all relevant policies, to initiate training programmes for ‘Digital Champions’ within communities to encourage more persons with disabilities to go online and to take the necessary measures to fight cybercrime and cyberbullying; calls on the Commission and the Member States to ensure that intellectual property rights do not pose an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials and to consider a mandatory exception to copyright in cases of uses, for the benefit of persons with disabilities, which are directly related to the disability and of a non-commercial nature, to the extent required by the specific disability; calls for a cross-cutting approach to the human rights of persons with disabilities to be applied in all EU policies;

19. Calls on the Commission to continue working on the inclusion of persons with disabilities through financial support for a range of grassroots projects and organisations;
20. Asks the Commission to launch a campaign to raise awareness about the CRPD, which focuses on the exchange of good practices, in cooperation with organisations for persons with disabilities and urges furthermore that all materials related to capacity-building, training and awareness raising be made available in accessible formats; reminds all EU institutions and bodies of the importance of ensuring that their information portals are fully accessible to all persons with disabilities;
21. Emphasises the need for setting up a structured dialogue between the Commission, persons with disabilities and their representative organisations in order to achieve their active involvement in the development and implementation of the future education and training policies, as well as in culture, sports and youth activities to achieve the goal of “nothing about us without us”; calls on public authorities at all levels to encourage and guarantee the participation of persons with disabilities in the making of policies and programmes that affect them;
22. Strongly believes that an effective cross-cutting and comprehensive review of EU legislation should take place as soon as possible to fully harmonise it with the UN CRPD provisions, implementing a democratic and participatory process aimed at ensuring a direct and full involvement of representative organisations of persons with disabilities;
23. Reminds all EU institutions and bodies of the importance of ensuring that competitions, training, refresher courses, traineeships and work experience are available to young people and workers with disabilities through the appropriate channels and with technological backup where necessary;
24. Emphasises the importance of systematic and close consultation between representative organisations of persons with disabilities, policymakers, business and other relevant stakeholders in relation to all new initiatives, implementation, monitoring and evaluation of policies and actions related to education, training, culture, sport and youth;
25. Calls on the EU to ratify the Optional Protocol to the UN CRPD recalling the favourable 2008 Commission proposal approved by Parliament in its legislative resolution adopted in 2009 and highlights that so far a large majority of EU Member States have signed and ratified it;
26. Acknowledges that in order to develop adequate policies to ensure inclusive education for

all persons with disabilities in the EU, there is a need for comparable and consistent EU data; calls therefore on the Commission and the Member States to strengthen their efforts to collect reliable statistical data on the participation of persons with disabilities in the different levels and types of education and training, on their participation in mobility programmes and on the number of persons with disabilities which are early school leavers.

## RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

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| <b>Date adopted</b>                           | 19.4.2016   |
| <b>Result of final vote</b>                   | + : 25<br>- : 0<br>0 : 0  |
| <b>Members present for the final vote</b>     | Isabella Adinolfi, Dominique Bilde, Andrea Bocskor, Nikolaos Chountis, Mircea Diaconu, Angel Dzhambazki, Jill Evans, María Teresa Giménez Barbat, Petra Kammerevert, Svetoslav Hristov Malinov, Stefano Maullu, Luigi Morgano, Momchil Nekov, Michaela Šojdrová, Yana Toom, Helga Trüpel, Sabine Verheyen, Julie Ward, Bogdan Brunon Wenta, Bogdan Andrzej Zdrojewski, Milan Zver, Krystyna Łybacka |
| <b>Substitutes present for the final vote</b> | Mary Honeyball, Dietmar Köster, Zdzisław Krasnodębski   |