

2018 Update of the Study on 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 provides an update on 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 (UN CRPD). It builds on an in-depth study requested in 2015 and updated annually since then. It reviews the relevant Petitions received and identifies current challenges regarding Parliament's responsibilities and those of other EU institutions.
- Disability issues form a small number of all the Petitions received but they carry a high significance when they fall within the EU's obligations under international human rights law. The proportion of disability Petitions received has not reduced, and the proportion of those admissible remains in line with PETI's overall workload. The range of citizen concerns is wide but relevant Petitions focus mainly on accessibility and on social rights, including social protection and employment rights. These are areas where the EU, as well as the Member States, can make a difference to citizens' lives.
- Across the EU institutions, and the diverse work of Parliament, the positive developments in disability mainstreaming of recent years have continued to progress but they have also slowed. There are fewer new initiatives in 2018 as the focus shifts towards completion of the commitments already made. Some of the key blockages reported in 2017 also remain. Completion of the 'European Accessibility Act' is central to this. The conduct of the forthcoming European elections also raises some concerns. There are opportunities to act on social rights within the framework of the Social Pillar, the European Semester and regulation of the Structural Funds. Where there is shared competence with the Member States, the EU has an obligation to use such instruments to mainstream disability equality.
- PETI has an important role in protecting the rights of citizens under the UN CRPD, and has continued to engage purposefully with relevant disability issues. Members have shown an increasing interest in these issues and in the international policy context. Nevertheless, few of the original study recommendations have been realized. The end of the current European Disability Strategy period, and the next UN CRPD reporting deadline, is rapidly approaching. Action is needed now to deliver on the UN's 2015 recommendations, to renew the Strategy and to strengthen the EU's mechanisms of rights monitoring and co-ordination.



Context

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 (UN CRPD) is an international human rights treaty, which came into force a decade ago, to which both the EU and all of its Member States are now party (Ireland being the final Member State to ratify in 2018).

Among the EU's obligations under this Treaty is a responsibility to promote, protect and monitor equal rights for persons with disabilities in all aspects of implementation. This includes the work of Parliament, which is represented as a member of the EU's formal Framework established for this purpose. There is a direct role for PETI in protecting disability rights through its Petitions process.

Parliament's role, and its relationship to other EU institutions, was detailed in an in-depth study published on PETI's request in 2015 and updated in 2016.¹ That study included a detailed analysis of disability Petitions received, their relevance to the UN CRPD and the types of actions taken in response. It included a number of recommendations, which are addressed again in this briefing.

The majority of Member States have also ratified the Optional Protocol to the UN CRPD but the EU has not, which it is strongly recommended to do. The Protocol offers additional safeguards for citizens and additional opportunities for their complaints to be investigated by the UN.

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



The relevance of disability issues to PETI's UN CRPD role

PETI's classification of petitions as 'Disability Issues' is not wholly consistent with the UN Convention and the European Disability Strategy.

'Disability Issues' is one of 40 designated themes in the typology for classification and reporting of petitions in PETI's database. This disability keyword was added to the petitions database in 2012-2013 (the typology is updated from time to time, the most recent addition being 'Brexit').

The UN CRPD and the European Disability Strategy begin from a rights-based approach to equality, informed by a social model concept of disability. This focuses on barriers to full participation in society rather than on personal characteristics. It would be helpful if the PETI classification mapped more closely this approach. In some cases, petitions concerning personal health or medical treatment are classified as 'Disability Issues' when they would be better classified as 'Health' or 'Personal Matter'. There is a parallel here with the theme of 'Equal Opportunities and Gender', which conveys a more clear equality-focused meaning than say a label of 'Women's Issues'.

It would assist PETI's UN CRPD protection role, and its monitoring, to disaggregate petitions that concern the social issues of 'Disability Equality' (or 'Disability Rights') from those that concern individual

matters of health or impairment. The Guidelines for the Committee on Petitions, published in 2015 and updated in January 2018, make no mention of disability or of PETI's UN CRPD protection role.³ PETI's disability equality remit engages with a unique obligation under international law, which ought to be clearly defined. The 2015 PETI study invited the EP to review PETI's competences and to consider whether its function in protecting UN CRPD rights, as part of the EU Framework, should be clarified in the Parliamentary Rules of Procedure, or in EU law. This could be addressed now in readiness for the establishment of the next Parliament.

The classification of petitions relevant to disability equality issues should reflect a focus on the key principles of the UN CRPD, as defined in Article 3, which have much in common with basic rights principles established also in EU laws and strategies. They are:

- Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons
- Non-discrimination
- Full and effective participation and inclusion in society
- Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
- Equality of opportunity
- Accessibility
- Equality between men and women
- Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

The 2015 PETI study recommended a checklist for the examination of petitions on disability issues to guide the Committee in determining their admissibility, assessing their relevance to specific CRPD rights, the range of actions available to gather information and to follow up such petitions effectively, and the approach to keeping such petitions open, or closing them. There is an opportunity to address this recommendation too.

Disability petitions: admission and capacity

Disability remains a live issue for PETI and the pattern of submissions has not changed greatly over the past five years, relative to the pattern of petitions overall.

The study requested by PETI in 2015 examined all disability petitions submitted since 2013 (three years after the EU's conclusion of the UN CRPD in December 2010). At 1 August 2018 the PETI database contained 112 petitions admitted since 2013 under the 'Disability Issues' theme, and 57 that were not admitted. Of these, 32 were admitted in 2013, 24 in 2014, 19 in 2015, 23 in 2016, 11 in 2017, and 3 in the first half of 2018. This suggests a downward trend but, in practice, the pattern and trend among the disability petitions closely mirrors the general pattern over same period. A high volume of petitions processed at the beginning of the Parliament in 2013-14 was reduced significantly in 2015, rising slightly in 2016 and declining again thereafter. Table 1 shows the number petitions adopted and admitted, as a proportion of all petitions over this period.

The proportions of disability petitions admitted or not admitted are similar to the general pattern. In fact, the average admission rate for disability petitions was the same as for all petitions (64%). This indicates that most disability petitions are well targeted to the Committee's competence (although more than one third are not). The volume of disability petitions remains small, as a proportion of all petitions, averaging less than 2% overall (varying between 1.1% and 2.8% in calendar years). This proportion is the same among the admitted and not admitted petitions.

Table 1: Disability petitions adopted and admitted (2013 to first half of 2018)

Year	All petitions adopted				Disability petitions adopted			
	Admitted	Not admitted	Total	Admission rate	Admitted	Not admitted	Total	Admission
2018*	199	128	327	60.9%	3	6	9	33.3%
2017	734	480	1214	60.5%	11	2	13	84.6%
2016	976	406	1382	70.6%	23	14	37	62.2%
2015	692	311	1003	69.0%	19	9	28	67.9%
2014	1622	1079	2701	60.1%	24	13	37	64.9%
2013	1839	1047	2886	63.7%	32	13	45	71.1%
	Average admitted			64.1%	Average admitted			64.0%

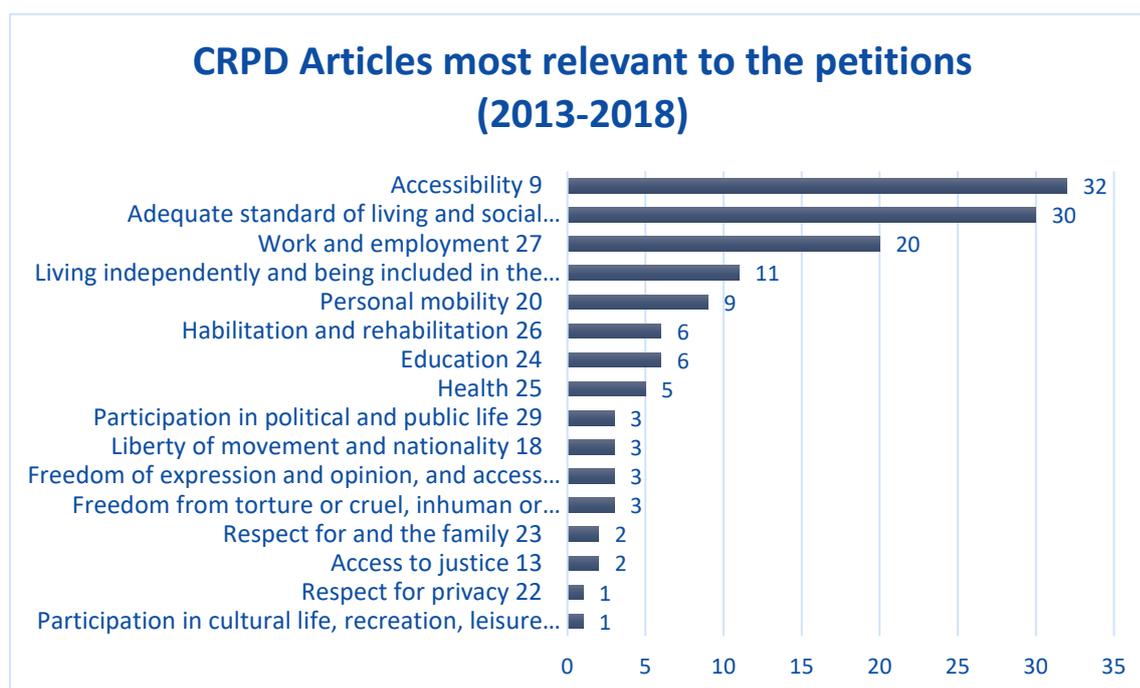
The 2015 PETI study recommended a review of PETI’s capacity, including its secretariat, to fulfil its protection role within the EU’s UN CRPD Framework, and to meet the EU’s treaty obligations. It also recommended to designate a PETI officer with lead responsibility for the oversight of disability issues, from within the Committee Secretariat. This was achieved and current capacity appears to meet current demand in this area. **Continued attention should be paid to the response capacity of Committee staff who work in this area**, as recommended.

The relevance of these petitions to UN CRPD rights

The petitions were reviewed for their relevance to the UN CRPD. The revised PETI study in 2016 analysed 107 petitions classified as disability issues. Figure 1 provides an update, adding all of the petitions adopted up to the first half 2018. This includes relevant petitions that were not admitted (e.g. being outside the EU’s field of activity) and excludes petitions where clear relevance to UN CRPD Articles could not be easily established (e.g. either being irrelevant or lacking information).⁴

The most common disability equality concerns of petitioners are with accessibility and social protection, as well as employment rights and the right to live independently in the community. The relevance of these issues to the UN CRPD also connects with current challenges in EU law and policy. In particular, the concerns of petitioners’ are highly relevant to conclusion of the ‘European Accessibility Act’, elaboration of the European Pillar of Social Rights, and to mainstreaming disability equality within the European Semester reviews.

New issues were introduced in recent petitions. **There is a concern that equal rights to participation in political and public life might be violated for persons with disabilities during implementation of the forthcoming European elections in 2019.** This matter is highly relevant to Parliament and merits urgent attention to protect and to promote equality. Other petitions invoke cross-cutting concerns about equality and non-discrimination; freedom from torture or cruel, inhuman or degrading treatment or punishment; and equal recognition before the law, in general.

Figure 1: Frequency of CRPD rights in the sample of petitions (2013-2018)

Source: author analysis of petition summaries and responses

Accessibility

PETI has received more citizens' petitions addressing accessibility than any other 'disability issue' yet the EU still lacks a comprehensive legal framework to enforce such concerns.

Article 9 UN CRPD, supported by General Comment of the UN Committee, views accessibility as pre-requisite to equal participation in society. It covers access to the built environment, transport and information and communication, as well as other services, including electronic services. It obliges the EU to develop 'minimum standards and guidelines' and to enforce them.

The European Disability Strategy 2010-2020 committed to consider a 'European Accessibility Act'. PETI discussed this in 2015 (notably in relation to petition 0924/2011) and called for legislative progress. The UN Committee also recommended 'prompt adoption', including 'effective and accessible enforcement and complaint mechanisms'.⁵ In this part, PETI has a clear role to play.

In December 2015 the European Commission adopted proposals for an EU Directive which would impact on standards of design for a wide range of products in the single market and make them more accessible (such as computers and operating systems, ATMs, ticketing and check-in machines, smartphones, digital TV equipment, television broadcasting, transport services, banking services, e-books and e-commerce). PETI has consistently urged progress on this measure.

The Council adopted its position in December 2017, allowing the proposal finally to move into trilogue negotiations in March 2018. Nevertheless, concerns have been expressed from civil society that the **Council's position on the proposed Directive weakens the position adopted by Parliament** (e.g. by excluding the built environment and omitting obligation to comply in relation to public procurement and the use of EU funds). This might affect the advice given to petitioners by PETI about the pending legislation (e.g. as in Petition 0535-17).

The Opinion adopted by PETI on the proposal for the Directive (Kostadinka Kuneva, PE 583.968v03-00) showed a good awareness of the social model concept and UN CRPD, focusing on barriers. It drew attention to the high number of petitions received on accessibility issues and intersectional issues of gender equality, as well as disability and ageing, and the failure of Member States to implement existing EU legislation (e.g. on the accessibility of passengers' lifts or transport).

Employment rights

PETI has considered at least 20 complaints concerning discrimination or barriers to employment for persons with disabilities.

Article 27 CRPD requires the EU to ‘recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities’.

There is a clear basis for non-discrimination in EU law under the Framework Directive 2000/78/EC but the EU also shares competence with the Member States in the co-ordination of employment policies. **There is potential for greater pressure to be applied for disability equality mainstreaming in the analysis and recommendations arising in the European Semester process.**

In November 2017 the Commission adopted a proposal to amend the Employment Guidelines that frame the EU employment strategy and in accordance with the principles of the Social Pillar. The revised Guidelines include direct reference to disability and affirm that:

Member States should support an adapted work environment for people with disabilities, including targeted financial support actions and services that enable them to participate in the labour market and in society.

There is also a recognition of the need for equal treatment in employment, under Guideline 8, and a consideration that **‘The specific needs of people with disabilities should be taken into account’** in creating affordable, accessible and quality services. These are important developments in disability equality mainstreaming and provide a clear basis for scrutiny of Member States policies (for example in the European Semester process).

There is scope for PETI to communicate more petitions of interest, or matters arising, to the Commission country desks responsible for analysis of national employment policies.

Adequate standard of living and social protection

Many of the disability issues raised in petitions refer to matters of poverty and social protection where persons with disabilities have been unduly disadvantaged by national policies.

Article 28 CRPD obliges the EU and its Member States to ‘recognize the right of persons with disabilities to an adequate standard of living for themselves and their families’ and to social protection. It also requires ‘appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability’.

As noted in the PETI study, the UN Committee tends to consider that **a failure to ensure progressive improvement of living conditions for people with disabilities, relative to a State’s available resources, is a human rights violation.** This applies notably where social protection reforms impact disproportionately on the living standard of persons with disabilities, compared to other groups (it might also apply where austerity measures imposed upon a Member State via EU co-ordination mechanisms had this effect).

As with the case of employment, **there is potential for PETI to act on petitions concerning social policies, in areas of shared competence, by expressing its concerns in EU policy co-ordination processes.**

Living independently and being included in the community

PETI has continued to receive petitions raising concerns about the right of persons with disabilities to living independently in their communities with adequate and appropriate support.

Article 19 CRPD requires the EU and its Member States to ‘recognize the equal right of all persons with disabilities to live in the community, with choices equal to others’. This includes the right to ‘choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement’. It emphasises the need for access to community support services, including personal assistance to support community inclusion.

Studies conducted by the Fundamental Rights Agency (FRA), published in 2018, provide indicators of the stark inequalities of outcome for persons with disabilities in this regard. A key issue of EU law and

competence in this area is the requirement for Member States to make appropriate use of European Structural Funds to support deinstitutionalisation and community living (rather than institutionalisation). It has become clear that **the UN CRPD Committee regards all structural investments in congregative institutional care for people with disabilities as a human rights violation**. In 2015 it recommended that the EU:

... strengthen the monitoring of the use of ESI Funds - to ensure they are being used strictly for the development of support services for persons with disabilities in local communities and not the re-development or expansion of institutions. It further recommends that the European Union suspend, withdraw and recover payments if the obligation to respect fundamental rights is breached.

The ex-ante conditions regulating the use of Structural Funds, for the current programming period, reflect a similar position. In addition, a similar view could be taken of public procurement decisions in general and under the EU Procurement Directive in particular. This was evident, for example, in the case of Petition 1394/2015 (Finnish) in which the petitioner claimed that national interpretation resulted in disability discrimination in the provision of housing choices and support services for community living. In this example, the Commission took the view that they could not evidence a breach of EU law while PETI Members were greatly concerned by the disability rights issues.

Participation in political and public life

So far, there have been few petitions raising citizens' complaints about political rights but Parliament should be aware that such concerns might be raised over implementation of the forthcoming European elections in 2019.

Article 29 CRPD obliges the EU and its Member States to ensure persons with disabilities have equal rights to participate in public and political life. This includes engagement in non-governmental organizations and associations; joining political parties; free and accessible voting procedures, facilities and materials; standing for election and holding public office at all levels.

The FRA was active in studying this issue at the time of the last elections, with a study conducted in 2013-14 resulting in a range of indicators.⁶ Its Opinions and the evidence supported four lines of action: (a) lifting legal and administrative barriers; (b) raising awareness; (c) making political participation more accessible; and, (c) expanding participation opportunities in public life.

Among the findings, a key issue was that **in a majority of Member States not all persons with disabilities were permitted to vote** by law (e.g. due to loss of legal capacity). Such persons may also be in a very weak position to defend their rights through compliant and petition. This is a matter where rights promotion is urgently needed. At the same time there was **a lack of accessibility in voting procedures and polling stations** for some persons with disabilities. **Issues of accessibility and discrimination also arise in communication** of political broadcasts, party manifestos and election material.

While the EU has limited competence, these are areas in which complaint may arise during the coming year. In July 2018, and at the request of PETI, Parliament debated these issues in plenary with contributions from Věra Jourová (Commissioner for Justice, Consumers and Gender Equality) and numerous MEPs, including members of PETI. The Commissioner called on MEPs to promote change in the Member States.

Mainstreaming disability equality in Parliament's work

There has been continued engagement with disability issues across Parliamentary Committees, and improvements in co-ordination, but few new initiatives, reports and opinions. This reflects a wider pattern at this stage of the current Commission, Parliament and EU Strategy cycles, focusing now more on consolidation of the commitments already made. The agendas of relevance in 2018 are mainly related to previous proposals and resolutions rather than to new ones.

Conclusion of the UN CRPD in 2010, and the UN's 2015 Recommendations to the EU in 2015, provided a strong external driver for Parliament's engagement with disability equality issues. This was very evident in Committee responses to the UN's 2015 Concluding Observations to the EU, with less take up of these issues since then. The forthcoming deadline for the EU's next report to the UN in 2020, and revision

of the European Disability Strategy, provide a needed catalyst.

At the same time, **the budget assigned to ‘Specific measures to assist disabled Members’ in their work has increased** by one third in two years (from €655k in 2017 to €876k in 2019), which is a positive sign. The ‘Social welfare’ provision for disability-related staff measures has also risen by nearly 60%. Additionally, allowances are included for recruitment of contract staff members, additional disability costs for Graduate traineeships, and for visitors to Parliament.

While EMPL leads on UN CRPD co-ordination, **the PETI Committee remains notable for its unique commitment to ensure designated hearings and annual reporting on disability issues. It also applies a broad and ambitious scope to addressing citizens’ concerns within its remit.**

Parliament’s Committee work in 2018

Most of the Committees have engaged directly with the UN CRPD in their work at some point during this Parliament (including PETI, EMPL, REGI, TRANS, CULT, FEMM, LIBE, JURI, DEVE, AFET, IMCO and DROI). This ranges from broad thematic Reports and Opinions to specific legislative amendment proposals. Many of these engagements are rather minor but they do illustrate a broadening awareness about disability issues across the Parliament (e.g. only AGRI has not documented any reference to disability issues in 2018). This suggests that **the disability mainstreaming approach is gaining a wider currency across Parliament although it does not yet approach the currency of gender mainstreaming** (recent examples of disability mainstreaming across all of the Committees are provided in Annex 2).

The CRPD network

A Parliamentary inter-committee network on CRPD implementation was established in 2015, chaired by Ádám Kósa (EMPL). PETI is represented by Rosa Estaràs Ferragut and Soledad Cabezón Ruiz. This Network screens Parliamentary activities for disability issues and promotes co-ordination.

This network is helpful as a co-ordination point, where examples of Parliamentary activity can be shared. Relevant studies and resolutions, including those of PETI, are highlighted along with other issues where disability mainstreaming is prominent (e.g. as a focus or intersectional gender issues).

The Parliamentary CRPD Network should be encouraged to continually update and maintain its web page highlighting the ongoing work of Members in such summaries, as well as planned activities.⁷ No records have been published so far for 2018.

Disability mainstreaming in PETI’s work

PETI has referred to disability equality issues throughout the past year, while providing a strong focus for discussion in specific events and reports.

Since requesting an in-depth report in 2015 PETI initiated a pattern of annual updates and thematic sessions to discuss disability petitions. This was a recommendation of the study. **Thematic workshops and hearings have proved useful in foregrounding disability issues and attracting participation by relevant stakeholders from other Committees, EU institutions and civil society.** This provides a more effective mechanism for engagement than isolated agenda items in general meetings.

A workshop on the protection of the rights of persons with disabilities was held in October 2017, focusing discussion on four petitions (three in the presence of the petitioner):

- **Petition 1305/2015:** (Irish) on problems for persons with disabilities to receive accessible information from the state authority in Ireland
- **Petition 1003/2015:** (Polish) on the non-fulfilment by Poland of the obligations arising out of the Convention on the Rights of Persons with Disabilities
- **Petition 1132/2016:** (Austrian) regarding the participation of people with mental health conditions in the democratic life of the European Union
- **Petition 0857/2016:** (Romanian) concerning the difficulties faced by persons with reduced mobility in Romania

A further briefing was provided in November 2017 to update on the PETI study and new policy developments and to discuss Petition 1394/2015 (Finnish) on national implementation of the EU Procurement Directive (noted earlier).

PETI has continued to provide strong focus points for disability issues in its reporting. The PETI Opinion on implementation of the European Disability Strategy (Cecilia Wikström, PE606.231v02-00) gave a comprehensive assessment with proposals. The Report on the EU Citizenship Report 2017 (Beatriz Becerra Basterrechea, PE606.039v03-00) identified disability rights concerns in the context of UN CRPD and relevant EU instruments. It also called for a mainstreaming approach. The draft report on the deliberations of the Committee on Petitions in 2017 (Cecilia Wikström, PE623.694v01-00) emphasised PETI's protection role within the EU's CRPD framework, and its positive interactions with other Framework members such as the Ombudsman.

PETI Members have also shown initiative in advocating for disability mainstreaming beyond the petitions work of the Committee. For example, in proposing amendment to the Annual report on the Situation of Fundamental Rights in the EU in 2016 (Laurențiu Rebegea, PE610.822v01-00) points were highlighted arising from the PETI study and recent disability petitions.

In such examples **there is evidence of a growing awareness and confidence among Committee members to identify, articulate and promote disability rights in their work.** This includes evidence of an increasing recognition about the connections between the UN CRPD framework, the European Disability Strategy and inter-institutional responsibilities (as explained in the PETI study).

The Disability Intergroup

The cross-party **Disability Intergroup work programme for 2017-2019** includes the challenge of accessibility in 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.⁸

CONCLUSIONS

The members of PETI and its secretariat have taken their responsibilities seriously and can evidence positive steps towards disability mainstreaming in their work. There is also evidence of disability mainstreaming extending further across the range of Parliamentary Committees, although it does not yet approach the currency of gender mainstreaming.

While disability issues form a small number of Petitions, they have a strong significance for Parliament's responsibility to promote, monitor and protect disability rights and equality under international law. PETI's classification of 'disability issues' could be more clearly defined (or redefined) to align with this function, as could PETI's competences in the EP Rules of Procedure.

The issues raised by citizens are wide ranging but focus mainly on accessibility and social rights, including social protection and employment rights. In areas of shared competence, and notably on employment and social policies, PETI could make greater use of the opportunities presented by the European Semester to communicate specific opinions or concerns towards the Member States.

PETI should continue to push on policy blockages where it has expressed concern, and notably on completion of the 'European Accessibility Act' and ratification of the Marrakesh Treaty. The conduct of the forthcoming European elections also raises some concerns of relevance to all MEPs.

The end of the current European Disability Strategy period, and the next UN CRPD reporting deadline, is fast approaching. Action is needed now to deliver on the UN's 2015 recommendations, to renew the Strategy and to strengthen the EU's mechanisms of rights monitoring and co-ordination.

The 2017 European Parliament report on the implementation of the UN committee's recommendations (Helga Stevens, P8TA(2017)0474) called for a 'comprehensive revision' of the Strategy and this should be informed by issues raised in PETI debates and studies, as well as wide consultation.

The conclusions of these studies have pointed to the significance of Parliament's role in promoting, monitoring and protecting disability rights (in interaction with other EU institutions and civil society) as part of the EU's CRPD Framework. The same conclusions identified a need to strengthen the membership and collective remit of this Framework in compliance with Article 33 CRPD and the Paris Principles.

There is an opportunity to consolidate the progress made on disability mainstreaming before the end of this Parliament and in preparation for a renewed commitment in the next one.

Annex 1: Relevant issues in the Commission's 2018 Work Programme

There was no direct reference to disability issues in the Commission's 2018 Work Programme,⁹ but its priorities have implications for disability rights and equality (e.g. investment and jobs, the Digital Single Market, justice, or better regulation). In particular, the rights of persons with disabilities must be protected in the 'New Deal for Consumers' and the 'The European Union Civil Protection Mechanism', as well as the 'Single Digital Gateway'. The Body of European Regulators for Electronic Communications must also take account of accessibility in assisting the Commission and national authorities to implement the EU regulatory framework for electronic communications.

Nor was disability mentioned in the Annexes of new or REFIT initiatives for 2018, although several initiatives could be relevant, including:

- The proposal to establish a European Labour Authority (legislative; Quarter 2 2018)
- The initiative on a European Social Security Number that could be used across policy areas where appropriate (legislative, incl. impact assessment, Quarter 2 2018)
- REFIT revision of the Written Statement Directive establishing the employer's obligation to inform employees of the conditions applicable to the contract or employment relationship (legislative, incl. impact assessment/non-legislative, Art 153, 154 TFEU, Quarter 4 2017)
- Proposal for a Decision of the EP and of the Council on the revision of Decision No. 1313/2013/EU for a fully-fledged European Union Civil Protection Mechanism with own operational capacities (legislative, Art. 196 TFEU, Quarter 4 2017)
- Regulation on streamlining measures for swifter implementation of the projects of common interest on the Trans-European Transport Network (legislative, incl. impact assessment, Art. 171-172 TFEU, Quarter 1 2018)
- Targeted revision of the EU consumer directives following on the Fitness Check of EU consumer and marketing laws finalised on 23 May 2017. Initiative to facilitate coordination and effective action from national consumer authorities at EU level and reinforcing public enforcement action and better protection of consumer rights (legislative, incl. impact assessment, Art 114 TFEU, Quarter 1 2018)
- Revision of Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (legislative, incl. impact assessment, Art. 81(2) TFEU, Quarter 2 2018)
- Revision of the Regulation 1206/2001 on taking of evidence (legislative, incl. impact assessment, Art. 81(2) TFEU, Quarter 2 2018)

Annex 2: Examples of disability mainstreaming across the Committee work of Parliament (excluding PETI)

- The Committee on Constitutional Affairs (AFCO) proposed amendments to the proposal for a regulation on the European citizens' initiative sought to mainstream accessibility and disability recognition throughout the document (György Schöpflin, PE 618.206v02-00). Its report on e-democracy in the European Union (Ramón Jáuregui Atondo, PE 589.225v03-00) acknowledges the need for accessibility but without reference to the UN CRPD or EU law.
- The Committee on Budgets (BUDG) has recognised the need to mainstream disability issues in its Report on the next MFF: Preparing the Parliament's position on the MFF post-2020 (Jan Olbrycht and Isabelle Thomas) – notably in advocating the exclusion of 'segregational practices' in use of Structural Funds. CONT (the Budgetary Control Committee) also acknowledged the need to balance security measures with accessibility of the institutional buildings estate.
- The Committee on Culture and Education (CULT) considered a number of issues relevant to disability rights. These included recognition of sign language rights in the report on language equality in the digital age (Jill Evans, PE618.224v02-00). It made a wide range of suggestions to EMPL in response to implementation of the European Disability Strategy (Julie Ward, PE604.815v02-

00). The Committee also promoted the participation of young people with disabilities in EU mobility programmes, such as ERASMUS+.

- The Committee on Development (DEVE) moved to mainstream disability, and the CRPD, by amendments to numerous draft reports, such as those on EU development assistance in the field of education (Vincent Peillon) or Digitalisation for development: reducing poverty through technology (Bogdan Brunon Wenta). There was clear evidence of continual disability mainstreaming, including gender intersectionalities, in the work of this Committee (with at least seven documented examples in 2018).
- The Subcommittee on Human Rights (DROI) received presentation of a study on the situation of indigenous children with disabilities in March 2018, but it is notable that this Committee has not referred directly to the CRPD during the past two years (since April 2016) or otherwise to disability issues.
- The Committee on Economic and Monetary Affairs (ECON) proposed amendment to its Report on the proposal for a regulation of the European Parliament and of the Council on a Pan-European Personal Pension Product (PEPP) (Sophia in 't Veld, PE 618.225v02-00) to ensure providers supply information 'in an accessible format to PEPP savers with disabilities as well as an easy to read version for PEPP savers with low or no financial literacy'.
- The Committee on Employment and Social Affairs (EMPL) considered a limited number of disability issues in 2018, compared to recent years but adopted its major report in 2017 on implementation of the European Disability Strategy (Helga Stevens). Its Report on the European Semester (Krzysztof Hetman) gave regard to the CRPD and called for action on labour market integration of persons with disabilities, as well as the introduction of social scoreboard indicators on labour and social inclusion.
- The Committee on Environment, Public Health and Food Safety (ENVI) supported the principle of ensuring accessibility as a horizontal principle in the proposed regulation of common provisions on the Structural Funds. It also flagged the inclusion of persons with disabilities in technical capacity for disaster response in its Report on the proposal for a decision of the European Parliament and of the Council amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism (Elisabetta Gardini, PE 616.870v03-00).
- The Committee on Women's Rights and Gender Equality (FEMM) has addressed intersectional concerns of disability and gender and provided a position on implementation of the European Disability Strategy (Rosa Estaràs Ferragut, PE609.613v02-00). It also developed an exploratory opinion on The Situation and Rights of Women with disabilities (Gunta Anča, FEMM/8/12698) for discussion at its September 2018 meeting. Its joint report with EMPL on creating labour market conditions favourable for work-life balance (Tatjana Ždanoka and Vilija Blinkevičiūtė, PE580.714v02-00) included a chapter on disability, although adopting more the perspective of care than the rights of persons with disabilities.
- The Committee on International Trade, Committee on the Internal Market and Consumer Protection (INTA) proposed amendment to recognize persons with disabilities among disadvantaged groups in the Commission proposal for a regulation of the European Parliament and of the Council on the European Globalisation Adjustment Fund (EGF). Their report on gender equality in EU trade agreements (Eleonora Forenza and Malin Björk) also acknowledged impacts on this group.
- The Committee on Industry, Research and Energy (ITRE) proposed amendment on accessibility in its report on common rules for the internal market in electricity (Krišjānis KARIŅŠ, PE 597.758v02-00) but has not referred directly to the CRPD.
- The Committee on Legal Affairs (JURI) opinion on establishing the new Digital Europe programme (Evelyne Gebhardt, PE627.030v01-00) highlighted the needs of persons with disabilities, and its proposed amendments to regulation establishing a European Labour Authority (Angel Dzhabazki, PE625.406v01-00) also stressed access for this group. Its report on a Statute for social and solidarity-based enterprises (Jiří Maštálka, PE612.248v02-00) noted the significance for employment of persons with disabilities but did not flag issues of equal rights or CRPD.

- The Committee on Civil Liberties, Justice and Home Affairs (LIBE) has noted disability rights abuses in several contexts, for example on minimum standards on the rights, support and protection of victims of crime (Teresa Jiménez-Becerril Barrio and Angelika Mlinar, PE618.057v03-00). It also drew attention repeatedly to disability rights in its proposal concerning the risk of a serious breach by Hungary of the values on which the Union is founded (Judith Sargentini, PE620.837v02-00), as well as in its annual report on fundamental rights in the EU (Frank Engel, PE 612.015v02-00).
- The Committee on Regional Development (REGI) has addressed disability issues with regard to the Structural Funds, for example in proposed amendment to the European Social Fund Plus regulation (Mercedes Bresso, PE 625.392v01-00). Its own report on boosting growth and cohesion in EU border regions (Krzysztof Hetman, PE620.924v02-00) mentions disability only in relation to ‘vulnerable groups’.
- The Special Committee on Terrorism (TERR) addressed its first references to disability issues in 2018 with a draft report on findings and recommendations of the Special Committee on Terrorism (Monika Hohlmeier and Helga Stevens, PE 621.073v01-00). This acknowledged the need ‘to take into account the specific needs and circumstances of vulnerable/disabled people; further calls for the involvement of persons with disabilities and their representative organisations in the decision-making that affects them’.
- The Committee on Transport and Tourism (TRAN) has engaged with disability issues in relation to passenger rights (e.g. in a hearing on rail passenger rights in February 2018 and study on ‘Transport and tourism for persons with disabilities and persons with reduced mobility’) including an amendment to its report on the proposed regulation (Bogusław Liberadzki, PE 618.100v01-00). Its report on a European strategy on Cooperative Intelligent Transport Systems (István Ujhelyi, PE 610.712v02-00) also acknowledged consideration of ‘the special needs of persons with disabilities’. However, its report on ‘Europe on the Move’, which sets the agenda ‘for the future of mobility in the EU’ (István Ujhelyi, PE 618.014v03-00) barely mentions disability and overlooks accessibility.

¹ The original study report was published at PETI’s request, 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 PE575.044v05-00, <http://www.europarl.europa.eu/cmsdata/138889/1145997EN.pdf>

⁴ A full list of petitions is available from the Petitions portal or via the PETI Secretariat.

⁵ http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1

⁶ Details of the FRA study on political participation are available at: <http://fra.europa.eu/en/project/2013/political-participation-persons-disabilities>

⁷ Subject files of the Parliamentary CRPD Network are available at:

<http://www.europarl.europa.eu/committees/en/empl/subject-files.html?id=20170322CDT01321>

⁸ 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

⁹ COM(2017) 650 final, https://ec.europa.eu/info/sites/info/files/cwp_2018_en.pdf

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