

# The Post-2020 European Disability Strategy<sup>1</sup>

## ABSTRACT

This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the PETI Committee, analyses the European Disability Strategy 2010-2020 and makes recommendations regarding the new European Disability Strategy. The study reflects on the design and implementation of the current Strategy, as well as its achievements and shortcomings. The study makes recommendations in respect of the post-2020 European Disability Strategy. Those recommendations are addressed to the European Parliament, the European Commission and other EU institutions, Member States and key stakeholders, and relate to the groundwork needed to prepare the new Strategy, and the design, content and mechanisms for implementation and enforcement.

The European Disability Strategy 2010-2020 was adopted in November 2010. It was designed to support the implementation of the United Nations Convention on the Rights of Persons with Disabilities (CRPD or UN Convention) at EU and Member State level, and to mainstream disability across a wide range of policy areas at EU level. The 2010-2020 Strategy is being reviewed or evaluated by several EU institutions with a view to developing a post-2020 European Disability Strategy. The new Strategy is being developed against the background of the COVID-19 pandemic, which is having significant social and economic impacts on the lives of persons with disabilities and their families. In that regard, the European Parliament, in its Resolution of 18 June 2020, has called on the Commission to 'prepare an evaluation of the challenges and rights violations experienced by persons with disabilities during the COVID-19 pandemic, the measures adopted by Member States in response to the pandemic, and the gaps and shortcomings in legislation', and 'to propose relevant and specific recovery and mitigation measures in the Post-2020 Disability Strategy to overcome such shortcomings and to prevent them in the future'.

<sup>1</sup> Full study in English: [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/656398/IPOL\\_STU\(2020\)656398\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/656398/IPOL_STU(2020)656398_EN.pdf)



This study analyses the design of the European Disability Strategy 2010-2020, as well as the measures that have been adopted to ensure its implementation, and puts forward recommendations regarding the design and implementation of the European Disability Strategy post-2020. Chapter 1 of this study introduces the contextual background, methodology and limitations of this study, while Chapter 2 explores the evolution of EU disability policy, the content of the current Strategy and the relevant provisions of the CRPD. Chapter 2 also reflects on the views of key actors, including the European Parliament, other EU institutions and civil society stakeholders, on the design of the 2010-2020 Strategy. Chapter 3 analyses the ways in which the current Strategy has been implemented at EU level and examines the influence that it has had to date on EU action. It also reflects on the main achievements of the current Strategy and the gaps that still need to be filled in light of the obligations of the EU as a Party to the CRPD. Chapter 4 presents the proposals and recommendations of key actors on the design and implementation of the European Disability Strategy post-2020, while chapter 5 outlines the recommendations of the authors of this study.

### **Main Findings and Recommendations for Action**

This study presents a wide range of findings and recommendations, with a focus on the scope and content of the European Disability Strategy post-2020. This study also reflects on the implementation and monitoring of the new Strategy.

The European Disability Strategy 2010-2020 has contributed to a human rights model of disability being reflected in several EU legislative enactments and in policy discourse at EU level. The current Strategy has also supported the adoption of many legislative, standardisation and financial instruments at EU level. One field which has witnessed particularly notable developments is that of accessibility, where important initiatives, such as the European Accessibility Act, have been put in place.

This study recommends that the existing priority areas of action should be maintained in the new Strategy, but that they be tailored, in particular, to the current COVID-19 pandemic. A new priority area on Citizenship rights should be added to the European Disability Strategy post-2020. Furthermore, it is essential that the priority areas and lines of action in the new Strategy are aligned more clearly with CRPD rights and obligations. The new Strategy should be accompanied by a 'revised declaration of competences' in light of the CRPD, to ensure complementarity between the actions adopted by the EU and those taken by the Member States in implementing the CRPD, which is a mixed agreement under EU law. To address gaps between the CRPD and existing EU law obligations, the new Strategy should also include a plan and timetable for substantive revisions of existing EU law.

A shortcoming of the 2010-2020 Strategy was the lack of a clear baseline data set. It is essential that such a data set be established with regard to the Strategy post-2020, so that progress can be monitored. Data should be collected based on disaggregated qualitative and quantitative indicators on disability and be CRPD-compliant. It is also essential that a first list of actions be published together with the new Strategy.

This research has revealed that there is scope for greater complementarity between the European Disability Strategy post-2020 and other EU instruments and programmes, such as the EU's mechanism on economic governance and the European Semester. It has also demonstrated that EU instruments, such as the Open Method of Coordination, could be utilised to help achieve the objectives of the European Disability Strategy post-2020. Greater alignment between the post-2020 Strategy and disability strategies at Member State level should also be ensured. In that regard, the new Strategy can support not only the adoption of national strategies through structures such as the European Semester process, but can also address the coordination, dissemination and monitoring of national disability strategies.

In terms of implementing the European Disability Strategy post-2020, it is essential that appropriate infrastructure is put in place at EU and Member State level. At EU level, each Directorate-General of the Commission, and all other EU institutions and agencies, should establish disability focal points with responsibility for implementing the new Strategy, and ultimately the CRPD. While there have been positive trends with regard to the mainstreaming of disability considerations across a broad range of policy areas during the course the 2010-2020 Strategy, the establishment of focal points would facilitate the further mainstreaming of disability across areas of EU action where disability issues have not yet been mainstreamed, such as consumer policy. This study also recommends that the European Commission, Parliament and Council establish an inter-institutional coordination mechanism, which should be composed of all disability focal points. An implementation plan, consisting of a second list of actions, for the European Disability Strategy post-2020 should be published by the Commission after the mid-term evaluation of the new Strategy. The mid-term review should ensure that the priorities and first list of actions are re-evaluated and amended where necessary. It is also important that the Commission guarantee that evaluations of instruments linked to the post-2020 Strategy address the impact of those instruments on people with disabilities, and pay attention to assessing compliance by Member States with EU legislation in the field of accessibility, in particular.

Ensuring an adequate budget is also essential to guarantee the effective implementation of the European Disability Strategy post-2020. In that regard, the Council should ensure, within the context of the Multiannual Financial Framework, that sufficient funding is put in place for implementation in full of the new Strategy. In addition, a ring-fenced budget to support disability accessibility should be ensured with regard to all funding programmes put in place by the Commission. A specific budget line should be ensured to enable full and effective participation and inclusion of people with disabilities, through their representative organisations, in an accessible forum for structured dialogue related to the design and implementation and monitoring of the European Disability Strategy post-2020.

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