



DIRECTORATE GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT
CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS



PETITIONS

**European Structural and
Investment Funds and
People with Disabilities in
the European Union**

Context: Importance of European Structural and Investment Funds (ESIFs)

- Focus: situation of people with disabilities
- ESIFs role in facilitating ‘Transition from institutional care to community living’, e.g.
 - Development of community-based services
 - Technical support to plan & implement transition
- Past problems with use of ESIFs
- New regulations - positive reforms but action needed:
 - Avoid past problems
 - Realise ESIFs’ potential

‘Community Living’: what it means and why it is important

- The right of ***all*** people with disabilities to live in their local communities and receive the support they need to participate in every-day life
- Supported by EU social inclusion policies
- Set out in Article 19 (Living independently and being included in the community) CRPD

Aim of Study

- Highlight: potential role of ESIFs in supporting reforms for community living
- Consider: steps to be taken so that ESIFs:
 - Used for this purpose,
 - **Not** to maintain system of institutional care.

Significant Cause for Concern

- Prevalence of institutionalisation in EU
 - Human rights abuses in institutions
 - Guardianship
 - Contrary to community living
- Lack of attention to the situation
 - Little information on people with disabilities
 - Community-based services under-developed
- ESIFs invested in institutional care
- Transition to community living – very slow

CRPD Committee Concerns: Concluding Observations

Concern	Concluding Observations: Member States
Numbers living in institutional care	Austria, Belgium, Czech Republic, Germany, Italy, Lithuania, Portugal, Slovakia and Spain; e.g. <ul style="list-style-type: none">• ‘... trend to re-institutionalize persons with disabilities’ (Italy).
Lack of community-based services	Belgium, Croatia, Czech Republic, Germany, Hungary, Italy, Lithuania, Portugal, Slovakia, Spain; e.g. <ul style="list-style-type: none">• ‘...fails to provide sufficient and adequate support services in local communities to enable persons with disabilities to live independently outside a residential institutional setting’ (Hungary).
Inadequate DI process	Belgium, Croatia, Czech Republic, Germany, Hungary, Lithuania, Slovakia; e.g. <ul style="list-style-type: none">• ‘... urges the State party to step up the process of deinstitutionalization’ (Czech Republic).

Inappropriate use of ESIFs

- **Reinforcing institutionalisation:**
Investments to maintain institutional care rather than develop community-based alternatives
 - more than 150 million Euros (Bulgaria, Hungary, Latvia, Lithuania, Romania and the Slovak Republic 2007-2013)
- **Replicating the culture of institutionalisation:** e.g. ‘group homes’.

CRPD Committee Concerns: Investments into Institutions

Member State & Date	Concerns raised in CRPD Concluding Observations
Czech Republic (2015)	...continues to invest more resources in institutional settings [than services to support community living]...
Denmark (2014)	...end the use of State-guaranteed loans to build institution-like residences for persons with disabilities...
Hungary (2012)	...has dedicated disproportionately large resources, including [ESIFs] , to the reconstruction of large institutions...
Italy (2016)	...redirect resources from institutionalization to community-based services...
Lithuania (2016)	...immediately refrain from using national and [ESIF] to renovate, maintain or construct residential institutions...
Slovakia (2016)	...recommends that the State party no longer allocate resources from the national budget to institutions...

Continuing Concerns: Member States' Plans for Use of ESIFs

- Lack of vision for community living
- Planned activities indicate intention to invest in institutional care
- Poor analysis of current situation of people with disabilities
- Unclear:
 - What community-based services are planned
 - How they will promote social inclusion

Importance of Civil Society

- Much of the information on the situation of people with disabilities is provided by disabled people's organisations / civil society organisations (CSOs)
- Partnership principle – requires CSOs are involved at all stages; however:
 - ESIFs technical assistance not used to build capacity of CSOs
 - Improved monitoring and complaints system needed

Situation in Slovakia

- Prevalence of institutionalisation
 - 38,900 places in institutions + 4,429 in children's homes (official stats, 2015)
- 2008 – 2010: more than 185 mil EUR for institutions, 5,000 extra places created
- Concerns relating to 2014 – 2020:
 - Uncertainty about National DI Project start date
 - Co-financing requirement for partners
 - Financing system reinforces institutionalisation

Recommendations: EU

- **Data Collection:** action to ensure that accurate and comprehensive information is available
- **Monitoring:** enhance role of civil society in this process e.g. ensure an effective complaints mechanism
- **Engagement with civil society:** highlight the importance of partnership e.g. provide guidance to Member States

Recommendations: Member States

- Develop comprehensive **strategy** for transition to community living
- Establish effective project management, including **co-ordination** of ESIF activities
- Ensure services promote **social inclusion**
- Involve **key stakeholders** (a range of experts will be needed, including people with disabilities)

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