

Activities of the committees being part of the CRPD Network in the 8th term

Studies - hearings - petitions

Last updated: 15/02/2019

D. STUDIES

Title	Committee responsible	Background/related parts
<u>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</u> October 2018	PETI	<p>The briefing provides the annual update of the in-depth study of 2015 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 reviews the relevant petitions received and identifies current challenges regarding Parliament's responsibilities and those of other EU institutions.</p>
<u>Transport and Tourism for Persons with Disabilities and Persons with Reduced Mobility</u> May 2018	TRAN	<p>This study has undertaken literature reviews, user and experts' questionnaires, interviews and workshop surveys, analysis of EU legislation, SWOT and MultiCriteria Analysis, identification of best practices and analyses of case studies. This has led to a mapping of accessibility across the EU Member States (identifying relevant state clusters) for three different sectors: local transport, long-distance transport, and tourism. Specific policies, research priorities and recommendations are made per state clusters and for the EU, which can enhance accessibility in each of the three sectors.</p>
<u>The situation of indigenous children with disabilities</u> January 2018	DROI	<p>This study was requested by DROI and presented during the DROI committee meeting 21/22 March 2018. Besides the presentation of the legal framework and recent international initiatives regarding the rights of indigenous children with disabilities, several case studies from different regions will serve to identify good practices in terms of local, national and/or international action in improving their rights situation. The study also provide an overview of relevant EU policies and actions and develop recommendations to the European Parliament.</p> <p>Indigenous children with disabilities (ICwD) have received little attention in academic research and development policies. However, they face discrimination at many levels, based on ethnicity, age, ability and gender and this often leads to serious human rights violations. The lack of data, both on the prevalence of disabilities among indigenous children and young people and on specific violations of their human rights, is a serious constraint to any policy intended to respect, protect and promote their human rights. This study seeks</p>

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		to identify these gaps, point to certain patterns and recommend ways of improving data collection and the situation of ICwD in future.
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 - Update 2017 November 2017	PETI	The research study commissioned in 2015 was updated for the second time in November 2017 and presented during the PETI committee meeting on 28 November 2017. The research study was carried out by Prof. Mark Priestley, Centre for Disability Studies at the University of Leeds. It explains the context of the UN CRPD with reference to the PETI Committee's role in the EU Framework for its implementation. It considers the petitions received on disability issues and examples of CRPD protection mechanisms implemented at the level of the UN, the EU and the Member States.
Inclusive Education for learners with disabilities October 2017	PETI	The study " <i>Inclusive education for learners with disabilities</i> " was commissioned by PolDepC on the request of PETI and provides an overview of definitions for and background to inclusive education, and of the role of international organisations and the EU in this issue.
Marrakesh Treaty November 2016	PETI	The study provides an analysis of the Marrakesh Treaty to Facilitate Access to Copyright Works for the Blind or Print-Disabled. It explains the background and movements that led to its proposal, negotiation and successful adoption. It then considers the Treaty's current situation in relation to its content and issues around its ratification, particularly by the EU. It finally examines future developments around copyright reform and makes recommendations to EU institutions and Member States.
Discrimination and Access to Employment for Female Workers with Disabilities June 2017	EMPL	<p>The aim of this study is to exploit existing data and information on the access of women with disabilities to the labour market, in order to assess how multiple discrimination – gender and disability – affects the employment opportunities of these women.</p> <p>In addition, the study analyses whether and how the EU legislative and national policy frameworks address the multiple discrimination faced by women with disabilities. This combines a gender mainstreaming approach, such as the internalisation of a gender perspective in all disability policies and legislation, with specific measures targeted to women with disabilities. The study also includes clear indications on implementation and monitoring mechanisms. The analysis is based on available European comparative data and in-depth analysis of seven European Member States.</p>
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 - Update 2016 October 2016	PETI	The research study commissioned in 2015 was updated in November 2016 and presented during the <i>Workshop on the rights of persons with disabilities, as illustrated in petitions</i> (9 November 2016). The research study was carried out by Prof. Mark Priestley, Centre for Disability Studies at the University of Leeds. It explains the context of the UN CRPD with reference to the PETI Committee's role in the EU Framework for its implementation. It considers the petitions received on disability issues and examples of CRPD protection mechanisms implemented at the level of the UN, the EU and the Member States.

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<u>The European Structural and Investment Funds and People with Disabilities</u> October 2016	PETI	The study was presented during the <i>Workshop on the rights of persons with disabilities, as illustrated in petitions</i> (9 November 2016).
<u>The European Structural and Investment Funds and People with Disabilities – Focus on the situation in Slovakia</u> September 2016	PETI	The in-depth analysis dwells on the use of European Structural and Investment Funds to facilitate the transition from the institutional care of people with disabilities to community living in Slovakia. It was carried out in view of the PETI Fact Finding Visit of September 2016.
<u>The Policy on Gender Equality in Poland - Update</u> September 2016	FEMM	<p>2.2.1. Equal treatment provisions and anti-discrimination measures Before 1996 the Polish Labour Code did not include any reference to the principle of equal treatment of women and men. In 1996¹⁴ the first provision was introduced which stipulated that: (...) Any direct or indirect discrimination in work relations, especially on the grounds of gender, age, disability, race, nationality, beliefs - especially political or religious - and trade union membership is prohibited.</p> <p>2.3.1. Parental leave (...) There are also short-term leave and allowance for insured parents. A parent is entitled to take a leave to take care of a sick child under eight years of age (14 years if the child is disabled)</p> <p>2.3.2. Financial support for families (...) Eventually, though, families with only one child were excluded from the programme, apart from those who met the income criteria (800 PLN per month per family member and 1200 PLN in the case of a disabled child) (...) Additional scheme of family allowances is available to low-income families. Thus, the monthly income threshold is 674 PLN /156 euro per capita in a family (764 PLN/177 euro in cases concerning disabled children</p>
<u>Reception of Female Refugees and Asylum Seekers in the EU - Case Study Belgium and Germany</u> August 2016	FEMM	<p>1.2. Legal framework (...)Articles 21 and 22 of Directive 2013/33/EU oblige Member States to “take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women (...)</p> <p>1.3. Empirical background (...)However, the definition of a “vulnerable person” varies across Europe. Bulgaria, for instance, only identifies unaccompanied children, pregnant women, elderly people, single parents with minor children, individuals with disabilities and victims of psychological, physical or sexual abuse as vulnerable under national law. Belgium considers only victims of human trafficking as vulnerable in its legislation whereas Slovakia does not name vulnerable persons, but persons in need of specific care, namely pregnant women, minors, persons with disabilities and victims of torture, physical or sexual violence</p> <p>2.3. Vulnerability</p>

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		(...)Quick screening methods might cause an under referral of vulnerable asylum seekers by only determining evident vulnerabilities, e.g. disabilities, or an over-referral as symptoms might be based on traumatic circumstances rather than trauma
<u>The Gender Pension Gap: Differences between Mothers and Women without Children</u> July 2016	FEMM	<p>2.2.5 Care credits and derived pension benefits (...)Other forms of care credits (for the elderly, the disabled or severely ill family members), are less widespread and have been established only in some countries (...) They temper the effect of the closer link between contributions and benefits, with a positive impact especially for lone mothers and for women caring for disabled or dependent relatives.</p> <p>Measures to support women’s pensions: minimum pension schemes, care credits and derived benefits (...)Other forms of care credits (for the elderly, the disabled or severely ill family members) are less widespread, being available only in 12 Member States (BG, HR, CZ, EL, IE, IT, LT, LU, MT, SK, ES, UK).</p> <p>4.2 Measures taken by MSs to reduce the negative effects of motherhood on pensions (...)Other forms of care credits (for the elderly, the disabled or severely ill family members) are less widespread and have been introduced only very recently.</p> <p>(...)LUXEMBOURG: A parent caring for a child aged 4 or younger is credited with up to 2 ‘baby years’ for one child or up to 4 for two children (or for a severely disabled child). (...) NORWAY: Caregivers (including parents providing unpaid care to children younger than age 7 and individuals providing care to disabled, sick, or elderly persons in the home) are credited with 3 pension points. SWEDEN: A parent caring for a child aged 4 or younger is credited with (...) a parent who has left the labour force to provide care for a disabled child can receive caregiver credits for up to 15 years.</p> <p><i>See table B10 in the Appendix for references to disability in MS.</i></p>
<u>Mapping of NGOs working for women’s rights in selected Member States</u> May 2016	FEMM	<p>3.2. Specific issues and audience being addressed A large proportion of the feminist organisations examined have specific and seemingly contained issues or groups that they are concerned with. These include women who are victims of male violence, migrant women, women and girls’ access to science, technology, engineering and maths (STEM), women with disabilities, gender impacts of austerity measures, sexuality, body image and sexual shaming. The large proportion of organisations examined, address the intersection of race, sexuality, disability and gender. (p. 16) New feminist organisations often also strive to be more inclusive and take into consideration different structural barriers such as social background, sexual orientation, age, ethnicity and disability. (p. 31) New feminism is more concerned with a plurality of experience and the intersection of race, disability, sexuality and gender; this is evident from the data reviewed. (p. 39)</p>
<u>Assessment of the European Globalisation Adjustment Fund from a Gender Equality Perspective</u>	FEMM	<p>3.2. EGF interventions in seven selected Member States: male dominated sector cases and female-dominated sector cases</p>

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May 2016		<p>(...)This difference is only partly motivated by the fact that, in the Textiles case, workers with dependent people (children, elderly, or people with disability) have received EUR 15 per day of participation as a contribution to the expenses incurred for carers of dependent people.</p> <p>3.3.4. Activated measures and specifically gender-relevant measures</p> <p>(...)Specific economic incentives were envisaged for carers of dependent people (children, elderly, or people with disabilities); this represented a gender relevant measure.</p> <p>Table 8: Type of activated measures that benefitted women</p> <p>Spain(...) Economic incentives were envisaged for carers of dependent people (children, elderly, or people with disabilities)</p> <p>3.3.5. Gender differences in results and impacts of the adopted measures</p> <p>(...)The Galicia Metal intervention selected in Spain included specific economic incentives for carers of dependent people (children, elderly, or people with disabilities) of up to 50% of their monthly care expenses up to EUR 300</p>
Differences in men's and women's work, care and leisure time March 2016	FEMM	<p>Table 2: Gender employment and care gap in the context of the proportion of active population (50-64 years) caring for elderly or disabled relatives at least several days a week, by gender. (p. 32)</p> <p>4.5. CARING FOR THE ELDERLY</p> <p>Legal protection of carers and the cared for can be derived from the European Charter of Fundamental Rights. Article 25 protects the right of elderly people and people with disabilities to lead an independent life with dignity. Non-discrimination legislation also applies and through protection by association can cover carers but only in cases of harassment and direct discrimination. Another avenue toward protection of carers would be through their characterisation as ‘vulnerable social group’ on the basis of the physical and mental health risks associated with their caring role. (p. 42-43)</p>
The obligations of the EU public administration under the UN Convention on the Rights of Persons with Disabilities European Implementation Assessment March 2016	EMPL	<p>As parties to the UN Convention on the Rights of Persons with Disabilities (CRPD), both the European Union and its Member States are obliged to implement and safeguard the set of fundamental rights enshrined in the Convention. Full compliance with the Convention is required also by the state parties' public administrations, including the EU public administration, made up of its institutions, bodies and agencies. The UN CRPD Committee's 'Concluding Observations' of September 2015, which marked the end of the first round of the review process, include a number of recommendations addressed to the EU public administration, touching upon employment, reasonable accommodation, accessibility, access to justice, the European Schools and the Community health insurance scheme. The CRPD Committee calls on the EU institutions to become a role model, both with regard to employment of persons with disabilities, and in its interaction with the public. This paper analyses the legal framework and policies the EU institutions have in place with regard to disability rights, and which have been to some extent prompted, or at least influenced, by the CRPD. It also assesses the</p>

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		progress made in the institutions' compliance with the CRPD, notably in the areas addressed in the UN 'Concluding Observations'.
EU Implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) European Implementation Assessment February 2016	EMPL	This in-depth analysis, produced by the Ex-Post Impact Assessment Unit of the European Parliamentary Research Service (EPRS), looks into the state of play of the implementation by the European Union of the UN Convention on the Rights of Persons with Disabilities (UN CRPD), after the first round of the review process. The Convention's overarching principles entail mainstreaming of disability rights across all policies and within all institutions. This paper analyses the institutional arrangements required to monitor the implementation process, and subsequently puts the recommendations of the CRPD Committee ('Concluding Observations') into a broader context, outlining the progress made so far and the challenges ahead.
Forced marriage from a gender perspective February 2016	FEMM	<p>1.1. Background</p> <p>(...) Moreover, to date, the forced marriage of people with learning disabilities is a largely hidden problem due to difficulties in ascertaining its occurrence given that it is extremely underreported. The proportions of males and females with learning disabilities being forced into marriage are similar. Nevertheless, males with learning disabilities are more at risk of being forced into marriage than males without learning disabilities¹⁵. The main reasons leading to forcing people with learning disabilities to marry include obtaining a carer for the person with learning disabilities or the marriage being seen as the only option for their future¹⁶. In a forced marriage these people are at high risk of sexual assault and rape, domestic violence and abuse and abandonment. (p.12)</p> <p>According to the interpretation of the UN Report on 'Forced and early marriage: a focus on Central and Eastern Europe and former Soviet Union countries with selected laws from other countries'³⁶ psychological or emotional duress may be an element hindering the validity of the consent. Psychological or emotional duress may involve vulnerable groups such as people with learning disabilities who may lack capacity to give full and informed consent to marry, or people transgressing traditional gender roles and norms, including LGBTI. (p.17)</p> <p>Table 2 on the number of cases of forced marriages in the UK involving victims with disabilities (p.37)</p> <p>Table 3 Breach of civil law provisions leading to annulment of marriages or sanctions according to the applicable civil law in each Member State - because of the victim's psycho-social disabilities (p. 41)</p> <p>5.1. Civil law provisions relevant to forced marriage</p> <p><i>Marriages concluded by persons with psycho-social disabilities</i></p> <p>Relevant protection is provided through civil law rules in cases of a marriage concluded by persons with psycho-social disabilities. Such marriages may be challenged according to the civil laws of most Member States (with the exception of Denmark, Ireland, Latvia and Sweden). (p. 42)</p> <p>5.2.1. Inter-relation between forced marriage and trafficking of human beings</p>

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		<p>Another trend noted in Latvia involves young Latvian national women, single mothers or women with disabilities being lured under false pretences such as a well-paid job by a third party in the destination country and then forced into a marriage. (p. 46)</p>
<p>Female refugees and asylum seekers: the issue of integration February 2016</p>	FEMM	<p>Executive Summary</p> <p>More recently UNHCR has again underlined that the most vulnerable groups requiring a prompt, coordinated, and effective protection response (UNHCR, UNFPA and WRC, 2016) are constituted by: all women (including single women travelling alone or with children, pregnant and lactating women, adolescent girls, unaccompanied children, early-married girl children – sometimes themselves with new-born babies), persons with disabilities, and elderly men. (p. 7)</p> <p>5. HEALTHCARE SYSTEM</p> <p>) The intersection of gender, disability, and displacement increases the risk of violence for women, girls, boys, and men with disabilities and for female caregivers.</p> <p>5.4 Disability</p> <p>The UN Convention on the Rights of Persons with Disabilities (known as ‘CRPD’) requires States Parties to ensure that persons with disabilities are protected in situations of risk and humanitarian crisis and that protection services are age, gender, and disability-sensitive (WRC, 2015, 2).</p> <p>Around the world, an estimated 7.6 million persons with disabilities are forcibly displaced as a result of persecution, conflict, generalised violence, and human rights violation (WRC, 2015). Some of these disabilities are due to the displacement process or are the result of injuries relating to conflicts or scarce access to healthcare services. These persons constitute one of the most vulnerable and socially excluded group in any displaced community. As for female refugees with disabilities, they can suffer from multidimensional discrimination and exclusion, as both women, refugees, and people with disabilities (WRC, 2014, 2). They are more likely to be excluded from shelter, education, and job and training opportunities. Even if they succeed in fleeing from persecution, wars, and conflicts in their country of origin, their reduced mobility limits their access to basic services (UNHCR, 2008).</p> <p>Exclusion being a greater risk for female refugees with disabilities, they are more exposed to violence: there is growing evidence that rates of violence may be 4–10 times higher among persons with disabilities than their peers without disabilities (WRC, 2014, 2). Despite their vulnerability is well known, they are often excluded from programmes and services designed to prevent and respond to GBV in humanitarian and host country settings (WRC, 2015).</p> <p>Considering this situation, it is of crucial relevance to properly train members of local institutions and humanitarian staff in order to provide reflective learning on the intersections between gender and disability, especially in relation with GBV. Staff should be provided with gender equality information and training concerning GBV risks faced by women and girls with disabilities. In addition, networking between refugees and</p>

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		<p>displaced persons, on the one hand, and organisations of people with disabilities, on the other, should be fostered (WRC, 2015). This latter practice would be useful in order to let refugee women and girls with disabilities have full access to information concerning assistance and opportunities they could benefit from (WRC, 2014, 3).</p> <p>Moreover, an interesting practice would be to actively include women and girls with disabilities as staff and volunteers in programmes dealing with GBV. They should be involved when designing, planning, and running projects and activities (WRC, 2014, 3).</p> <p>Refugee women with disabilities could be included in economic empowerment programmes as well, in order to further foster their integration (WRC, 2015). (p. 40-41)</p>
<u>Services of General Interest in the funding period 2014-2020</u> January 2016	REGI	Accessibility of SGI, including for people with disabilities; social services for (mentally) disabled people...
<u>Elderly women living alone: an update of their living conditions</u> June 2015	FEMM	References to disability throughout the study (grounds for a particularly vulnerable position).
<u>The Policy on Gender Equality in Germany</u> April 2015	FEMM	2.5.3. Preimplantation diagnostics (PID) About prenatal screenings used for preventing women to give birth to a child with disabilities.
<u>The Policy on Gender Equality in the Czech Republic</u> April 2015	FEMM	2.6.1. Coercive sterilisations and abortion 2.6.6. Coercive sterilisations of Roma women Mentions suspicion that coercive sterilisations did not only affect Roma women, but also women with disabilities.
<u>Evaluation of the Beijing Platform for Action +20 and the opportunities for achieving gender equality and the empowerment of women in the post-2015 development agenda</u> March 2015	FEMM	Section (C) Women and health under 1.2. Implementation in the Member States of the European Union Multiple other mentions throughout the document (grounds for a particularly vulnerable position).
<u>Main causes of female poverty - Compilation of in-depth analyses</u> March 2015	FEMM	1.2. At-risk groups Defines disabled women as one of the at-risk groups and refers to the reports of the Academic Network of European Disability experts (ANED).
<u>Maternity, paternity and parental leave: Data related to duration and compensation rates in the European Union</u> February 2015	FEMM	Explanation of the relevant provision relating to the additional leave for mothers of children with disabilities.

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<u>Reasonable Accommodation and Sheltered Workshops for People with Disabilities: Costs and Returns of Investments</u> January 2015	EMPL	This study provides an overview of the policy measures in place to encourage and support the employment of people with disabilities and in particular: sheltered workshops; reasonable accommodations; alternative labour market policies; and Universal Design. It provides information on developments on costs and returns of investment for these measures, detailed descriptions of the situation in six Member States (Belgium, Germany, Hungary, Spain, Sweden and the United Kingdom) and an economic analysis of selected measures.
<u>Evaluation of the Strategy for Equality between women and men 2010-2015 as a contribution to achieve the goals of the Beijing Platform for Action</u> November 2014	FEMM	References to disability throughout the study (grounds for a particularly vulnerable position).
<u>The situation of women in the Gulf States</u> October 2014	FEMM	2.2.7. Ethnic and religious minorities, disabled women and LGBTI groups Whole separate sections on Disabled women under the each country heading.
<u>A new strategy for gender equality post 2015</u> August 2014	FEMM	1.4.3. Specific focus on women with disabilities under the Background to gender-based violence, chapter DIGNITY, INTEGRITY AND THE ELIMINATION OF VIOLENCE AGAINST WOMEN References to women and children with disabilities throughout the document (grounds for a particularly vulnerable position).
<u>Member States' policies for children with disabilities" and its country reports</u> June 2013	LIBE	This study presents the comparative analysis of case studies conducted in 18 Member States regarding their policy for children with disabilities. Member States' and the Union's legal frameworks were examined in relation to the obligations arising from the United Nations Conventions on the Rights of the Child and on the Rights of Persons with Disabilities. The research identified a broad recognition of the rights of children with disabilities under national legal systems either through general or specific legislation. However, their practical implementation revealed to be problematic in most Member States resulting in obstacles faced by children with disabilities in their day to day life. This led to a set of recommendations for EU action to enhance the situation of children with disabilities. The 18 country reports are made available separately. This country study is part of a larger study which analyses all the 28 Member States. In the first phase of the study, a comparative analysis has been drawn based on 18 of the country studies. In the second phase of this study, the situation in the remaining ten countries and Scotland has been analysed. The overall report "Member State Policies on Children with Disabilities" provides some recommendations for EU action to enhance the situation of children with disabilities.

E. HEARINGS

Title	Committee responsible	Date
The rights of persons with disabilities	PETI	9 October 2018
Protection of the rights of persons with disabilities (Annual Workshop)	PETI	9 November 2016
Approximation of the laws, regulations and administrative provisions of the Member States as regards the accessibility requirements for products and services	EMPL	26 September 2016
Taking Citizens' concerns seriously: broadening the scope of the EU Charter on Fundamental Rights (Article 51)?	PETI	23 February 2016
Protection of the rights of people with disabilities, from the perspective of petitions received	PETI	15 October 2015

F. INTERPARLIAMENTARY COMMITTEE MEETINGS WITH NATIONAL PARLIAMENTS

European Parliamentary Week 2019 Inter-parliamentary Committee Meeting: Permanent monitoring and evaluation of Member States' activities addressed to people with disabilities as integral part of European Semester 18/02/2019	EMPL	
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G. VISITS

New York, Conference of State Parties June 2018	EMPL	The EMPL Committee send a delegation to the Conference of State Parties for the first time. Members of the delegation held important meetings where they could obtain a picture on the situation of the persons with disabilities in the USA. They also participated at different side events, holding speeches on social dialogue, political participation and assistive technologies.
Madrid 20-22 September 2017	EMPL	From 20 to 22 September 2017 an EMPL Committee delegation visited Spain. The delegation held meetings and visits around the topic of disability (accessibility and inclusion for persons with disabilities).
Republic of Slovakia 22 - 23 September 2016	PETI	The objective was to investigate allegations included in several petitions (among which, petition 1459/2012) that EU Structural and Investment Funds are used for the maintenance or refurbishing of long-term residential centres for persons with disabilities, thus infringing obligations under EU and international human rights law. Further to the visit, the Committee adopted a report and recommendations.

H. PETITIONS

Between 2014 and 2017, the Committee on Petitions received approximately 110 petitions relating to disability issues. Petitions were submitted by disabled people themselves, or on their behalf, or in their interest, for example by NGOs working in the field and family carers. Petitions referred mainly to adequate standard of living and social protection, accessibility, work and employment, living independently and being included in society, habitation and rehabilitation, education.

I. ORAL QUESTIONS

Date	Title	Rapporteur/Committee	Background / Relevant parts
21/03/2018	Participation of persons with disabilities in the European elections	Cecilia Wikström PETI	
12/10/2018	The situation of women with disabilities	Rosa Estaràs Ferragut FEMM	

J. OPINIONS OF OTHER INSTITUTIONS REQUESTED BY THE EUROPEAN PARLIAMENT

Date	Title	Institution/Responsible Committee	Background / Relevant parts
27/09/2018	EESC exploratory opinion requested by FEMM on The situation of women with disabilities	Gunta Anca FEMM	