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1 March 2001

## **REPORT**

on the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions – Towards a barrier-free Europe for people with disabilities (COM(2000) 284 – C5-0632/2000 – 2000/2296(COS))

Committee on Employment and Social Affairs

Rapporteur: Marie-Thérèse Hermange

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

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## PROCEDURAL PAGE

By letter of 12 May 2000 the Commission forwarded to Parliament its Communication entitled 'Towards a barrier-free Europe for people with disabilities' (COM(2000) 284 - 2000/2296 (COS)).

At the sitting of 29 November 2000, the President of Parliament announced that she had referred this communication to the Committee on Employment and Social Affairs as the committee responsible (C5-0632/2000).

The Committee on Employment and Social Affairs had appointed Marie-Thérèse Hermange rapporteur at its meeting of 6 June 2000.

The committee considered the Commission proposal and draft report at its meetings of 5 December 2000 and 27 February 2001.

At the last meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Michel Rocard, chairman; Winfried Menrad, vice-chairman; Marie-Thérèse Hermange, vice-chairman and rapporteur; Jan Andersson, María Antonia Avilés Perea, Elspeth Attwooll (for Luciano Caveri), Regina Bastos, Jean-Louis Bernié, Theodorus J.J. Bouwman (for Jillian Evans), Luigi Cocilovo, Brian Crowley, Proinsias De Rossa, Carlo Fatuzzo, Ilda Figueiredo, Hélène Flautre, Fiorella Ghilardotti, Anne-Karin Glase, Richard Howitt (for Ieke van den Burg), Ian Stewart Hudghton, Stephen Hughes, Ioannis Koukiadis, Rodi Kratsa-Tsagaropoulou, Jean Lambert, Elizabeth Lynne, Thomas Mann, Mario Mantovani, Claude Moraes, Mauro Nobilia, Manuel Pérez Álvarez, Miet Smet, Ilkka Suominen and Helle Thorning-Schmidt.

The report was tabled on 1 March 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

## MOTION FOR A RESOLUTION

### **European Parliament resolution on the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions - Towards a barrier-free Europe for people with disabilities (COM(2000) 284 – C5-0632/2000 – 2000/2296(COS))**

*The European Parliament,*

- having regard to the Communication from the Commission (COM(2000) 284<sup>1</sup> - C5-0632/2000),
  - having regard to Article 13 of the Treaty of Amsterdam and Declaration No 22 annexed to the Final Act of that Treaty,
  - having regard to its resolutions of 11 April 1997 on equality of opportunity for people with disabilities<sup>2</sup>, 18 November 1998 on sign language<sup>3</sup> and 15 December 1998 on the evaluation of the Third Community Action Programme to assist disabled people (HELIOS II)<sup>4</sup>,
  - having regard to the Council resolutions of 20 December 1996 on equality of opportunity for people with disabilities<sup>5</sup> and 17 June 1999 on equal employment opportunities for people with disabilities<sup>6</sup>,
  - having regard to Article 26 of the Charter of Fundamental Rights<sup>7</sup>,
  - having regard to the 1989 United Nations Convention on the Rights of the Child,
  - having regard to the United Nations ‘Standard Rules for the Equalisation of Opportunities for Persons with Disabilities’ 1993,
  - having regard to the Joint Declaration of the Social Partners of 11 May 1999 on the employment of people with disabilities,
  - having regard to the Charter of Luxembourg on a school for all adopted in December 1996 at the end of the Helios II programme,
  - having regard to Rule 47(1) of its Rules of Procedure,
  - having regard to the report of the Committee on Employment and Social Affairs (A5-0084/2001),
- A. having regard to the fact that there are 37 million disabled people of all ages in Europe and whereas the nature of their disability varies greatly; and whereas the concept of

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<sup>1</sup> Not yet published.

<sup>2</sup> OJ C 132, 28.4.1997, p. 313.

<sup>3</sup> OJ C 379, 7.12.1998, p. 66.

<sup>4</sup> OJ C 98, 9.4.1999, p. 35.

<sup>5</sup> OJ C 12, 13.1.1997, p. 1.

<sup>6</sup> OJ C 186, 2.7.1999, p. 3.

<sup>7</sup> OJ C 364, 18.12.2000, p. 1.

disability covers inter alia motor, visual, hearing, mental/cognitive and psychic impairment; and whereas the barriers vary according to the disability, the age and the sex of the individual,

- B. whereas rights of full and equal access to all aspects of life is a fundamental human right for disabled people as it is for all people,
- C. whereas a barrier-free Europe for people with disabilities can only be created when there is genuine freedom of movement enabling people with disabilities not only to travel throughout the Union but also to participate, to be integrated, study, work and live freely in any Member State,
- D. whereas the best strategy for the purposes of creating a barrier-free Europe is a two-fold approach involving specific measures in favour of people with disabilities alongside measures to integrate the needs of people with disabilities in other fields of Community activity, together with practical arrangements for monitoring and assessment,
- E. whereas the attitudes and prejudices of many citizens towards disability is one of the greatest barriers to full integration of people with disabilities in our societies; and whereas, in particular, the value of people with disabilities cannot be measured in terms of efficiency or competitiveness, but as citizens with full human rights; having regard to the need to overcome and eliminate these conceptual and cultural barriers and obstacles,
- F. whereas cooperation, dialogue and advance consultation with disabled people through their representative NGOs must always play a central part in any strategy or policy concerning people with disabilities, especially at the drafting, implementation and impact-assessment stages,
- G. whereas the aim must be to provide places for children with disabilities in the mainstream education system and to make the latter accessible to everyone; whereas children and adults with disabilities and/or special educational needs are not always properly integrated into the education systems, whereas such integration frequently does not take into account their learning difficulties and whereas it hinders disabled adults in their attempts to achieve their individual aspirations, to secure social integration and to find employment; whereas, in certain cases, it is therefore appropriate to provide various types of special school,
- H. whereas on 17 October 2000 the Council adopted Directive 2000/78/EC<sup>1</sup> establishing a general framework for equal treatment in employment and occupation which requires reasonable accommodation to enable people with disabilities to have access to, participate in or advance in employment, unless this imposes an undue hardship on the employer,

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<sup>1</sup> OJ L 303, 2.12.2000, p. 16

- I. whereas according to an American survey the average cost of the conversions required to enable a person with a disability to work is less than \$400, and markedly less according to a recent British survey; and whereas in general the additional costs involved in supporting people with disabilities are part and parcel of society's elementary sense of responsibility towards such people, and recognising the economic benefits which flow by including disabled people as employees and consumers,
- J. whereas the number of unemployed people with disabilities is almost three times higher than average; whereas people with disabilities are generally unemployed for longer periods than is the case with the rest of the active population; whereas the available statistics are inadequate and reliable statistics should and need to be made available; whereas the Commission admits in its Communication that people with disabilities are under-represented in the European civil service,
- K. whereas the proposed guidelines for employment policies for the year 2001 provide that each Member State will implement appropriate measures to meet the needs of disabled people as regards their integration into the labour market and set national targets for this purpose, in accordance with the national situation,
- L. whereas the conclusions of the Lisbon European Council state that special attention must be given to disabled people and that every citizen must be equipped with the skills needed to live and work in the new information society,
- M. having regard to the significant effort which has been made by the European Agency for Development in Special Needs Education in the provision of education-related information to people with disabilities and/or special educational needs, and whereas such activities need to be extended,
- N. whereas the measures taken to make transport systems more accessible to people with disabilities must not be limited to urban transport and to people with mobility problems but also take into consideration all means of transport and also the needs of people with other disabilities, in particular sensory impairments,
- O. whereas design standards (for example, those applying to lifts or coaches) will, in the long term, put the European Union at a disadvantage vis-à-vis its international competitors whose products comply with much higher access standards by virtue of statutory requirements,
- P. whereas the call for proposals under the Socrates Programmes published on 27 September 2000<sup>1</sup> specifically mentions the fact that throughout the programme additional support is available to enable disabled persons to participate,
- Q. whereas the new legislation adopted under Article 13 of the Treaty has not hitherto been included in the negotiations in the social field with the countries which are candidates for accession to the Union, but whereas the construction of a 'social' Europe calls for such legislation to be included progressively,

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<sup>1</sup> C 275, 27.9.2000, p. 10

- R. whereas Article 13 of the Treaty on the European Union is restricted to intergovernmental action and whereas there is a pressing need to establish binding commitments so that all EU programmes and policies provide equal participation by and benefit to people with disabilities,
1. Welcomes the Commission Communication, which aims to take into account people with disabilities in Community activities in the fields of employment, education and vocational training, transport, the information society and consumer policy;
  2. Welcomes the Commission's proposal to declare the year 2003 as the European Year of Disabled Citizens and the European Nice Council's acceptance in principle of that proposal, in order to raise public awareness in the Member States and to give a higher profile to disability issues, to encourage synergies between institutions and the general public as regards such issues, to strengthen the concept of European citizenship for people with disabilities and to accustom the applicant countries to the Community's policies for the disabled;
  3. Insists that creating a barrier-free Europe requires specific measures in favour of people with disabilities as well as integrated mainstreaming measures and that such measures should be accompanied by operational implementation, monitoring and assessment provisions;
  4. Believes that the new action programme to combat discrimination must recognise the realities and the various types of disability, ensure that NGOs representing all kinds of disability are funded and inform them automatically of existing aid facilities, and also fund bodies which directly promote social action for disabled people at all levels, i.e. local, regional, national and European;
  5. Calls on the Commission to submit a proposal for a specific action programme for disabled people beginning in 2004 so that (1) the work done during the 2003 European Year of Disabled Citizens can continue, (2) coordination amongst EU Member States in disability policies can be promoted, (3) specific initiatives can be developed, including positive action, in order to help disabled people play a full role within society;
  6. Emphasises the importance of disseminating and promoting a 'culture of non-discrimination' in order to reduce to a minimum or eliminate the at-times invisible obstacles which on an everyday basis stand in the way of the full integration of disabled people;
  7. Advises the Commission and calls on the Member States to give priority to promoting initiatives designed to help disabled people to become socially integrated, to find work and thus to improve their quality of life;
  8. Calls on the Commission to submit a proposal for a directive based on Article 13 of the Treaty and covering all the EU's fields of jurisdiction, the aim of which should be equal treatment for people with disabilities, whilst recognising their individuality and



their right to be different; calls for this to be submitted in the course of the 2003 European Year at the latest;

9. Calls on the Member States to bring their laws into line with Article 13 of the Amsterdam Treaty and to repeal the laws which discriminate against the disabled;
10. Calls on the Commission and the Member States to improve the availability of statistics on the various types of disability, specifying inter alia the corresponding aid and the level of activity on the employment market and within all EU programmes; calls in addition for the bases of a statistical comparison to be laid in the form of indicators, so that genuine cooperation can be built up;
11. Calls on the Commission to propose to the Member States that they should encourage businesses to employ disabled workers by means of incentives including tax breaks and reduced social security contributions; points out that disabled people represent a force within society which is still only partially harnessed and that fully integrating such people would also be advantageous to the economy;
12. Calls on the Commission to follow the example of the call for proposals under the Socrates programme by specifying that support will be provided for in all appropriate programmes and calls for proposals to enable people with disabilities to participate in them; calls furthermore on the Commission to ensure that specific financial support for the provision of information concerning the integration of disabled people within the education system is provided on a permanent basis under the Socrates programme to assist the work of the European Agency for Development in Special Needs Education;
13. Calls on the European Commission immediately to undertake an extensive study of rules and legislation regarding disability access to the built environment in the Member States, an analysis of which could have significantly strengthened the communication, and identified concrete proposals for European action;
14. Calls on the Commission to ensure that the binding Community standards which it lays down with regard to access apply not only to buildings but also to all public areas, and that the Commission establish a clear timetable for the production of these standards;
15. Calls on the Commission, in light of plans to review the EU Lifts Directive (95/16/EC) in 2002, to present proposals to require that all inaccessible lifts be upgraded in order to meet accessibility standards;
16. Repeats its request to the Commission that it propose an action plan to enable people with disabilities to be genuinely involved in the information society and calls once more on the Commission and the Member States to adopt measures to harmonise the legislation on the provision of on-line services to people with disabilities;
17. Calls on the EU institutions to ensure recognition is given in EU legislation regarding access for disabled people to electronic communications services and equipment;

18. Reiterates that written documentation produced by the European institutions should always be made available on demand in accessible formats including large prints, Braille and tape, in particular in forms fully accessible to blind and partially-sighted disabled people, and to people with learning difficulties;
19. Calls for more information on the projects funded by the Fifth R&TD Framework Programme through its key action 'The Ageing Population' and the action line 'Research relating to people with disabilities' involving independent evaluators so as to measure the actual effects of them;
20. Believes that a special section on research into people with disabilities must be retained in the Sixth Framework Programme for research and technological development, which should include in particular research into therapies applicable at the beginning of life, research into information technologies and initiatives to improve the quality of life; stresses that the criteria for the acceptance of scientific projects must exclude projects which have an exclusively economic and commercial impact and must scrupulously respect basic ethical standards;
21. Calls on the Commission to make a greater effort to promote an active role on the part of the European Research Centres as regards research into technologies designed to improve disabled people's quality of life and at the same time to increase the Union's competitiveness in research and technological development;
22. Calls on the Member States to ensure mutual recognition of national cards carried by people with disabilities so as to promote real freedom of movement within the EU;
23. Calls on the Commission to propose, in the legislative provisions on rights of residence and the free movement of workers that will be amended before 2003 in accordance with the conclusions of the Nice Summit, a provision allowing for the exportability of disability benefits for workers and dependent persons within the EU so as to make freedom of movement possible for disabled people and their families; believes also that in the proposal for the coordination of EU legislation on free movement which is currently being studied, the concept of the exportability of social assistance benefits should be included so as to enable inactive citizens, such as non-working disabled people, to move to and reside in another EU country without forfeiting, for that reason alone, the disability allowances granted to those who remain within their own Member State;
24. Calls on the Member States, when drawing up their action plans on employment for the year 2001, to provide data regarding the level of employment of people with disabilities, to promote their access to training, and not to discourage their access to employment, in particular by ensuring that those who wish to work earn an income at least equal to the level of benefits received by people who are not in employment and by guaranteeing no discrimination as regards level of income compared to that earned by other employed persons; calls on the Member States to support positive action intended to promote access by disabled persons to training and employment;
25. Calls on all the Member States to declare each year the number of people with disabilities benefiting from the Structural Funds, including the European Social Fund

the European Regional Development Fund, and the EQUAL Community initiative, broken down by sex and type of disability; welcomes the Commission's decision to require projects considered for EU funding (including from the Structural Funds) to incorporate accessibility requirements in accordance with approved standards or recognition of best practices in the design and construction of buildings and furnishings;

26. Invites the Council to include, in the new directives on the coordination of public procurement legislation, social aspects as part of the criteria for the award of public contracts, in order to ensure equal treatment and integration of disabled people in the labour market;
27. Calls on the Member States to implement the Charter of Luxembourg on a 'school for all' which gives children with disabilities early educational guidance, equal opportunities, a place in normal classes, support for slow learners, teachers specialising in continuous training, appropriate teaching methods and materials, an opportunity to learn new technologies so that they can improve their quality of life and gain their independence, and the active involvement of parents at all stages of the education and development process;
28. Calls on the Member States to adopt practical measures to support families which have one or more disabled members; stresses the need, when such measures are devised and implemented, for proper training to be given to children and young people and for equal treatment to be guaranteed in access to employment;
29. Stresses the importance of meeting the needs of the parents of children with disabilities and the families of people with severe multiple handicaps who often lack adequate support which is necessary if family life and working life are to be reconciled from the time when the disability is diagnosed and throughout their lives;
30. Calls on the Member States to promote suitable vocational training for voluntary workers who assist disabled people so that specific assistance can be provided which is appropriate to the various forms of disability, thus enabling a high-quality service to be provided by voluntary associations and social cooperatives operating within the Union;
31. Stresses also the importance of recognition of the needs of family carers, providing most of the care for disabled older relatives or neighbours; notes that given demographic developments – increasing numbers of older disabled people in need of care, fewer children to provide this care due to smaller families and increased labour market participation by women – family carers need support if the current level of family care is to be maintained;

32. Welcomes the Council resolution of 2 October 2000<sup>1</sup> on the rights of air passengers and calls for its immediate implementation; proposes that the Directorate-General for Transport should set up a Disability Unit to promote seamless access by all disabled persons across all modes of transport; calls on the Commission to draw up Community legislation relating to all modes of transport and including explicit, binding provisions on access for disabled people;
33. Reminds the European Institutions of their Code of Good Practice on the employment of people with disabilities and calls for the creation of an interinstitutional group to examine the conditions of access for people with disabilities in those institutions: access to and actual participation in meetings, appropriate recruitment and employment conditions; calls for such a group to produce regular public reports on the efforts made to implement the code of good practice and the progress achieved in ensuring that disabled people – employees and visitors alike – have full access to all the EU institutions; calls on the EU institutions to produce reports every two years on the number of disabled people they employ and the posts occupied by those persons;
34. Points out the value and the wisdom of making society as a whole aware of disabled people's problems in general and hence of the need for all institutions, the Council and the Commission, the Member States, regional governments, municipal authorities, NGOs and civil society as a whole to be involved in a change in cultural and conceptual attitude towards disabled people;
35. Calls on the EU institutions to recognise the importance of ensuring the further development of a structured civil dialogue with NGOs representing people with disabilities in the EU and also in the enlargement countries which are candidates for accession; calls for greater attention to be given by the EU institutions to promoting and supporting capacity building and structured civil dialogue of representative disability NGOs in the enlargement countries;
36. Calls on the Commission, in negotiations with the applicant countries, to draw attention to the situation of people with disabilities in all relevant policy areas;
37. Calls on its President to forward this resolution to the Commission, the Council and the governments of the Member States.

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<sup>1</sup> OJ C 293, 14.10.2000, p. 1

## EXPLANATORY STATEMENT

### Introduction

The Commission's Communication implements Declaration No. 22 annexed to the Treaty of Amsterdam which states that in drawing up measures establishing a single market, the needs of persons with a disability must be taken into account. It therefore follows the same lines as the last communication in 1996 on equality of opportunity for people with disabilities, in other words it recognises their rights instead of regarding them as people in need of charity.

Your rapporteur welcomes this initiative, the aim of which is to remedy the shortcomings in the strategy for the integration of the rights of people with disabilities in Community policies, shortcomings which are apparent inter alia in the fields of transport, access to buildings, the information society and consumer policy.

### Statistics

Your rapporteur would have liked to see more statistics in this communication, given that the European Parliament noted the shortcoming in this respect in its last report on this subject in 1998. She then contacted Eurostat, which informed her of three current initiatives which might result in making much more data available in the near future:

1. A new ad hoc module in the labour force sample survey will be specifically devoted to the employment of people with disabilities, a process which will give results before March 2003<sup>1</sup>;
2. Eurostat intends to publish at the beginning of 2001 indicators which might serve as the basis for an analysis of the level of participation of people with disabilities in the labour market, cultural life, sport and so forth.
3. Further to the studies completed since 1994, the European Community Household Panel is widening the area of its research to the everyday barriers observed in each household. We shall have for the first time in a booklet which will appear in the near future a general idea of the way in which people with disabilities perceive their everyday circumstances.

With these new data we shall have the necessary information to assess the development of a barrier-free Europe for people with disabilities.

### Children and education

Whilst recognising the importance of the fields dealt with in the Communication, your rapporteur is still convinced that the first barriers to people with disabilities arise in childhood. For this reason she would have liked more information in this document on the education of children with disabilities. It is true that many of the examples of good practice published at

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<sup>1</sup> OJ L 187, 26.7.2000, p. 5.

the end of the HELIOS II programme concerned integration in education. Nevertheless, it is also true that at the end of the HELIOS II programme the Charter of Luxembourg was signed on education for all. Your rapporteur would have liked more information on the measures taken in the Member States to implement this charter. Although studies have been published on the integration into the education systems of children with disabilities, it would have been interesting to analyse the extent to which the SOCRATES programme was able to promote the building of a barrier-free Europe for people with disabilities. In any case, your rapporteur wishes to stress that the parents should be given pride of place with regard to education, as stated in the Charter of Luxembourg itself so that they can be given the means of making a genuine choice about everything concerning the taking into care of their child, and employment where appropriate and careers guidance for their child with a disability, whilst respecting their values and family traditions.

Very often the parents of children with disabilities need special support to enable them to reconcile their family responsibilities and work, either through special care services or greater flexibility in their working hours, as well as advice and moral and psychological support as soon as the disability becomes known. This means greater care and openness on the part of our social, medical and educational systems and also on the part of employers and service providers.

#### Attitudes as invisible barriers

Your rapporteur believes that the attitudes prevailing in the media and public opinion create just as many barriers as the shortcomings mentioned in the Communication. The Multiannual Action Programme to Combat Discrimination (2001-2006) and the plan to make the year 2003 the European Year of Disabled Citizens will certainly help to combat these prejudices and ignorance on the part of our fellow citizens.

Bearing this in mind, your rapporteur is convinced that any measure in favour of people with disabilities must involve the participation of people with disabilities, or at least be carried out after consultation with bodies representing them. This is the only way of avoiding the paternalism which has been so widespread in this area in the past.

#### Mutual recognition

Over the years, the European Parliament has received many petitions from citizens concerned at the lack of recognition of their status as 'disabled' in other Member States. This may adversely affect the right of free movement of persons which is one of the bases of our Union. The definition of 'disabled' and the grant of disability benefits comes within the jurisdiction of the Member States. The Commission is drawing up a comparative study of the definitions of disability used in the various Member States.

The Member States already believed it appropriate to adopt a Recommendation on a parking card for people with disabilities in 1998; your rapporteur now considers that it would be advisable to make an in-depth study of all the benefits at present granted to people with disabilities so as to classify those benefits precisely by each Member State, thus facilitating the free movement of people with disabilities.

Your rapporteur would, on this occasion, express her firm belief that, paradoxically, people with disabilities would be better integrated if they were recognised as having specific differences, instead of automatically treating them ‘just like other people’.

### Employment of people with disabilities

In its resolution on equal employment opportunities for people with disabilities<sup>1</sup>, the Council stated that equal opportunities would be enhanced if specific attention was given to work place accommodation, access to the place of work, access to vocational guidance and placement services, stressing the qualifications and skills required at work in the course of recruitment. This is all well and good, but what is happening in practice?

Certain Member States in their national actions plan for employment 2000 gave examples of measures taken in this respect, such as targets for the integration of people with disabilities in training, tax incentives or even quotas for the employment of people with disabilities in undertakings. The Joint Report on Employment 2000 (COM(2000) 551) notes that the most successful approaches are evident in those Member States which have set their own national targets for the (re-)integration of people with disabilities. For this reason the new formulation of the guideline on the employment of people with disabilities is completely appropriate since it provides for the setting of national targets, in accordance with the national situation. This will also make more data available on the activities of people with disabilities in the labour market. Your rapporteur also believes that it will be necessary from now on to recognise disability in all four pillars of the guidelines so as to integrate it properly to promote employment.

On 17 October 2000, the Council adopted a directive establishing a general framework for equal treatment in employment and occupation<sup>2</sup>. Article 5 of that directive provides for ‘reasonable accommodation’, which means that employers must take appropriate measures to enable a person with a disability to have access to, participate in, or advance in employment, or have access to training, provided that these measures do not impose an ‘undue hardship’ on the employer. In its amendments to the proposal for a directive the European Parliament had asked for a clearer definition of ‘reasonable accommodation’ and ‘undue hardship’; nevertheless, the fact that these principles are incorporated in the *acquis communautaire* is significant progress towards a barrier-free Europe for people with disabilities.

### Transport

In the field of access to transport, there has been progress even since the publication of the communication. On 2 October 2000, the Council adopted a resolution on the rights of air passengers<sup>3</sup> which recognises the need to improve the service given to people with disabilities and those requiring specific assistance. This is very important, especially because of the difficulties involved in boarding people with disabilities, and often the refusal on the part of airlines to do so. Nevertheless, it is a well-known fact that the air sector is one of the best from the point of view of access.

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<sup>1</sup> OJ C 186, 2.7.1999, p. 3.

<sup>2</sup> L 303, 2.12.2000, p. 16.

<sup>3</sup> OJ C 293, 14.10.2000, p. 1.

At the European Parliament, we are negotiating under the codecision procedure a directive on buses and coaches which will lay down access standards for certain types of road transport. Having said that, it will be necessary to widen the debate to include all forms of public transport, not just vehicles. It is no use having an accessible train if people with disabilities cannot reach the station and it is no use having a road network if there is no car park reserved for people with disabilities or accessible taxis or even specially converted cars. In addition, accessibility must be seen in terms of all kinds of disability, including sensory and mental impairment, and must not be thought of solely in terms of people with reduced mobility: the term 'people in the situation of being disabled' has the merit in this respect of reminding us that anybody may one day be afflicted by a handicap and concerned directly by the progress which we are trying to make.

Your rapporteur welcomes the Commission's idea of drawing up guidelines for better provisions for people with disabilities in public transport vehicles and in all transport-related infrastructures. Your rapporteur proposes in addition that a special unit be set up within the Directorate-General for Transport to put this into practice, with the task of drawing up standards for both the public authorities and manufacturers of automobiles and rolling stock.

### The information society

If people with disabilities want to have access to the employment markets of the future and be able to be fully integrated in civil and social life, they must have access to the new technologies and modern communications instruments. The Lisbon Council recognised this fact by stating that it was necessary to avoid 'info-exclusion': special attention had therefore to be given to people with disabilities when giving citizens the skills needed to live and work in the information society. The e-Europe action plan drawn up for the Feira European Council was therefore rather disappointing in that it did not follow the European Parliament's recommendations on the need to integrate the needs of people with disabilities in each section of the plan, a precaution without which it would be impossible to establish an information society for all.

### Research

There is a direct link between measures to establish an information society and the Community framework programmes on research and technological development. In the Fourth and Fifth Framework Programmes, the needs of people with disabilities were the subject of a large number of projects. With regard to the TIDE projects under the Fourth Programme (in other words 1994-1998), the publication of an assessment of these projects only took place in November 2000. How can we avoid repeating the same research if we do not have the results of the research already carried out? How can research be turned into practice and transferred to the political level if we do not know which projects were successful and which a failure? Finally, for those who put forward new ideas for research into the needs of people with disabilities, it would be much more efficient if they knew what research had already been done.

The Fifth Framework Programme for research and technological development contains a special chapter dedicated to elderly people and people with disabilities entitled 'Quality of life'. Your rapporteur is concerned by what seems to be a refusal to consider any project which is not commercially viable. Of course we need to ensure a future for our markets, but



the advantage of research which is not conducted by the private sector is that we can also fund good projects meeting the needs of people with disabilities which would not perhaps be economically viable but which would nevertheless be very useful in our society. Your rapporteur therefore advocates the inclusion of a special chapter on research into the needs of people with disabilities with funding criteria not so much centred solely on their commercial value.

Your rapporteur would also stress the need for upstream research into the development of the disability, in accordance with the old adage that 'prevention is better than cure': she believes that it is symptomatic of a Europe in the throes of the ageing process that the Fifth Framework Programme for research and technological development focuses on the pathologies linked to the disabilities of elderly people and requests, as a balancing, preventive measure, that during the Sixth Framework Programme for research and technological development research into the diagnosis and treatment of the ailments causing disabilities which are apparent in the first moments of human life be developed, whilst strictly observing the fundamental ethical standards for the protection of human life.

### Access to public buildings and spaces

Your rapporteur welcomes the Commission's intention expressed in the communication to identify those areas where it would be appropriate to implement EU mandatory access standards for the built environment and the fact that the Commission will ensure that the projects under consideration for EU funding include conditions as to accessibility in their design and construction in accordance with approved standards or with recognised good practice. This must not be limited to buildings alone but must also include access to public spaces, including parks and other green spaces, because accessibility is fundamental to the creation of a barrier-free Europe for people with disabilities.

With regard to lifts in particular, there is a 1995 directive on the accessibility of new lifts for people with disabilities<sup>1</sup>, but as far as existing lifts are concerned there is only a little-implemented recommendation<sup>2</sup>. More than half of the 3 million lifts in the EU are more than 20 years old, and less than 2% are modernised each year. At that rate there is little hope of creating our barrier-free Europe. We therefore have a responsibility towards our citizens to implement this recommendation as soon as possible, and thus to prepare manufacturers for the possibility of a re-evaluation of the provisions in force.

### Consumer policy

Mrs Hurst, the expert at Parliament's public hearing on discrimination, stressed that it is impossible in extremely competitive markets to turn one's back on 12% of the potential consumers, this being the approximate number of people with disabilities in Europe. The Commission's communication echoes this concern. We must extend the principle of 'design for all' to other products, not just preparations for the introduction of the euro, and your rapporteur shares the view that within the context of its Consumer Policy action plan, the Commission should ensure in particular that the specific needs of people with disabilities are

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<sup>1</sup> OJ L 213, 7.9.1995, p.1.

<sup>2</sup> OJ L 134, 20.6.1995, p. 35.

properly taken into account.

There remains a final important point which affects not only consumers but also the whole issue of accessibility, new technologies and research in this field. We should consider our situation on the world market: design standards making products inaccessible will, in the long term, put the EU at a disadvantage vis-à-vis its international competitors whose products comply with more stringent access standards by virtue of statutory requirements.

### The European institutions

In 1998 the Commission adopted a Code of Good Practice on the employment of people with disabilities<sup>1</sup> which was based on the resolutions adopted by the European Parliament and the Council on equal opportunities for people with disabilities in the internal policies and practices of the institutions. Your rapporteur would appreciate systematic monitoring of this code to ensure that there is no discrimination towards people with disabilities with regard either to their recruitment or to their working conditions within the institutions.

We only have to look around ourselves in the European Parliament to see the difficulties faced by people with disabilities, be they staff or visitors to the buildings: a public hearing on discrimination at which a guest expert in a wheelchair was unable to get on to the podium to give her speech because it was inaccessible; lifts equipped with Braille for people with visual impairments but no aural signal to tell people when they have arrived at the desired floor; the impossibility of providing sign language at the cost of the institutions for meetings concerning people with disabilities, despite Parliament's resolution<sup>2</sup> calling on the Commission and the Member States (sic) to ensure that public meetings organised by EU institutions are accessible to deaf people by providing a sign language interpretation service on request. We too still have a long way to go!

### Mainstreaming of the needs of people with disabilities in all programmes

The action programme to combat discrimination replaces the HELIOS programmes dedicated solely to people with disabilities. For reasons concerning the legal basis, it is understandable that there is now a Community programme covering all the fields of discrimination mentioned in Article 13. Nevertheless, given the fact that people with disabilities and the organisations and NGOs representing them do not form a homogeneous group, it is essential for this new programme to continue to recognise this diversity in the field of disability both in the funding of projects under these programmes and in the co-funding of the NGOs and organisations involved.

Your rapporteur congratulates the Commission on including the following statement in its recent call for proposals under the Socrates Programme: 'Throughout the programme, additional support is available to enable disabled persons to participate'. Such measures are essential to ensure that people with disabilities are not excluded from Community programmes as a whole because of excessive additional costs caused by their specific

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<sup>1</sup> SEC (1998) 1559/2.

<sup>2</sup> OJ C 379, 7.12.1998, p. 66.

constraints. It is now important to follow up this and other similar programmes so as to assess how many people with disabilities take part in them.

Now that there are no longer any programmes devoted specifically to people with disabilities, it is absolutely essential to ensure that they participate in all programmes which might be of interest to them. Your rapporteur would therefore like to see a similar statement included in other calls for proposals as a positive sign that the programmes are accessible to people with disabilities, thus ensuring that they are integrated into all policies, in accordance with the objective of the Communication on a barrier-free Europe.